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August 22, 2025

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To the legal representatives of Visa, Mastercard, American Express, PayPal, Google Pay and Apple Pay:

We, the undersigned State Attorneys General, write in connection with our concerns about the problem of computer-generated nonconsensual intimate imagery (NCII), commonly known as “deepfake NCII” or “deepfake pornography.” The spread of the ability to generate and distribute deepfake NCII poses a significant harm to the public, and to women and girls in particular. We write to call your attention to these harms and to implore each of you to take strong action to stop the spread and use of this technology for nonconsensual purposes.

At the outset, we note that we have the utmost respect for the First Amendment and your rights under it. Rather than potentially implicate those rights, we ask that you assess how you can mitigate the harmful effects of deepfake NCII just as you seek to address other harmful forms of content. Specifically, we respectfully request: 1) a description of how your companies currently work to identify and

remove payment authorization for deepfake NCII tools and content, if at all; and 2) your commitment to take further action to avoid being complicit in the creation and spread of deepfake NCII. In support of this request, below we provide some background on this issue.

### **I. Deepfake NCII presents a danger to the public.**

Deepfake NCII is a growing problem that poses significant harms to the public. It has been used to embarrass, intimidate, and exploit people, including celebrities like Taylor Swift<sup>1</sup> and Bobbi Althoff,<sup>2</sup> as well as every-day teenagers in New Jersey,<sup>3</sup> Florida,<sup>4</sup> Washington,<sup>5</sup> Kentucky,<sup>6</sup> and around the world, including in South Korea<sup>7</sup> and Spain<sup>8</sup>. As deepfake technology has advanced, the primary effect of its growth has been to expand the reach of deepfake NCII, as a recent report found that 98% of fake videos online are deepfake NCII, with the top 10 dedicated deepfake NCII websites generating more than 300 million video views.<sup>9</sup> And although deepfake NCII overwhelmingly targets women and girls<sup>10</sup>, men and boys have been victimized by this technology as well.<sup>11</sup> As this technology becomes more powerful and creates more potential for harm to the public, businesses that help people search for, create, and distribute this content need to be aware of their role in propagating this content and work to prevent its spread.

### **II. Payment platforms can take stronger action to protect the public from the dangers of deepfake NCII.**

Payment platforms provide users with the ability to send and receive money for content and services on the internet, facilitating transactions through credit cards, debit cards, and bank transactions. Payment platforms have demonstrated in the past that they have terms of service and acceptable use policies that prohibit their payment services being used in connection with harmful content. We ask that payment platforms direct their attention to the threat of deepfake NCII and work to ensure that they enforce their policies and avoid playing any role in allowing people to profit from deepfake NCII.

Payment platforms typically have terms of service and acceptable use policies that prohibit the use of their services in connection with harmful content. At times, payment platforms have taken action to remove the ability for sellers to accept payment for other

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<sup>1</sup> <https://www.washingtonpost.com/technology/2024/01/26/taylor-swift-fans-deepfakes-ai-porn/>

<sup>2</sup> <https://www.washingtonpost.com/technology/2024/02/22/x-twitter-bobbi-althoff-deepfake-porn-viral/>

<sup>3</sup> <https://www.cbsnews.com/newyork/news/westfield-high-school-ai-pornographic-images-students/>

<sup>4</sup> <https://www.nbcmiami.com/news/local/ai-app-misused-by-miami-dade-students-to-make-inappropriate-images-of-classmates-police/3184692/>

<sup>5</sup> <https://www.theguardian.com/technology/2024/mar/12/family-takes-fight-against-deepfake-nudes-to-washington>

<sup>6</sup> <https://www.cbsnews.com/news/sextortion-generative-ai-scam-elijah-heacock-take-it-down-act/>

<sup>7</sup> <https://www.nytimes.com/2024/09/03/world/asia/south-korean-teens-deepfake-sex-images.html>

<sup>8</sup> <https://www.theguardian.com/world/2023/sep/25/spanish-prosecutor-investigates-if-shared-ai-images-of-naked-girls-constitute-a>

<sup>9</sup> <https://www.securityhero.io/state-of-deepfakes/assets/pdf/state-of-deepfake-infographic-2023.pdf>

<sup>10</sup> *Id.*, stating that 99% of all deepfake pornography is of women.

<sup>11</sup> <https://www.gq-magazine.co.uk/article/sextortion-scams-deepfake-porn-men>

services related to harmful content.<sup>12</sup> The same principles that have led payment processors to withdraw their services from sellers who engaged in other harmful activities should also apply to sellers that are distributing deepfake NCII tools and content.

Payment platforms must be more aggressive in identifying and removing payment authorization for deepfake NCII tools and content. Sellers of deepfake NCII tools and content have made their services available in exchange for fees paid via payment platforms including Visa, Mastercard, American Express, PayPal, Google Pay, and Apple Pay, even including the logos of those companies on their webpages. Payment platforms should not only deny sellers the ability to use their services when they are on notice of these connections but should be actively working to identify and remove any such sellers from their network. Active, aggressive enforcement of payment platforms' terms of service and acceptable use policies is essential to slowing the proliferation of deepfake NCII tools and content. We are glad to see that some payment platforms have taken action in this area,<sup>13</sup> and we hope to continue to see more action in this area from the payment platforms going forward.

### III. Protecting the Public

We look forward to learning more about what steps you have taken so far to combat this problem, and to discussing with you how you plan to address it in the future. We urge you to treat the problem of deepfake NCII seriously and to work to better prevent your own complicity in the creating and sharing of this content. We would welcome an opportunity to speak with you further regarding our concerns.

Sincerely,



Russell Coleman  
Kentucky Attorney General



Andrea Joy Campbell  
Massachusetts Attorney General

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<sup>12</sup> See, e.g., <https://www.theverge.com/2020/12/10/22168240/mastercard-ending-pornhub-payment-processing-unlawful-videos>.

<sup>13</sup> See, e.g., <https://www.bellingcat.com/news/2024/02/23/behind-a-secretive-global-network-of-non-consensual-deepfake-pornography/>, <https://www.404media.co/civitai-site-used-to-generate-ai-porn-cut-off-by-credit-card-processor/>, and <https://indicator.media/p/ai-nudifiers-continue-to-reach-millions-and-make-millions>.



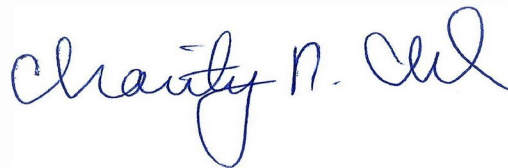
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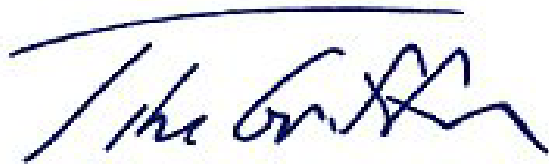
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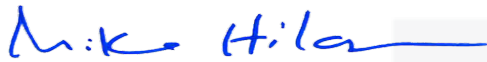
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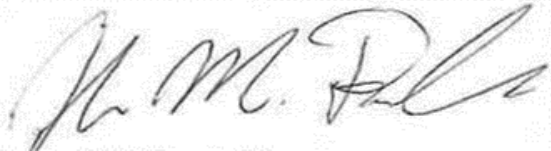
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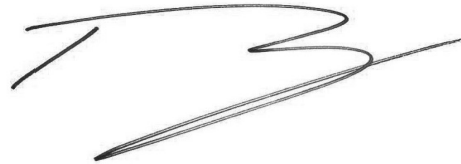
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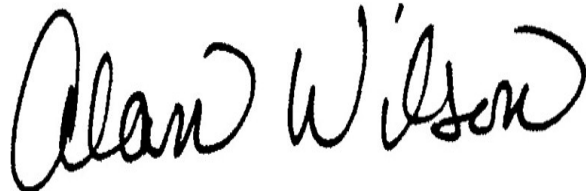




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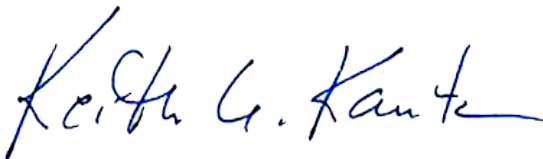
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