

## United States Senate

WASHINGTON, DC 20510

May 18, 2026

The Honorable Todd Blanche  
Acting Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530-0001

Dear Acting Attorney General Blanche,

I write to you today out of concern for the well-being of children and welfare of the American people.

In 2019, I wrote to your Department regarding an “explosion in obscene pornography” fueled by the internet.<sup>1</sup> Seven years later, online obscenity has proliferated—and been democratized. Most of the 4 million creators on OnlyFans, a subscription service for adult content, sell pornography. An additional 370 million users buy this content.<sup>2</sup> The vast majority of revenue on OnlyFans comes from the United States, and American consumers spend more money on OnlyFans than they do on the New York Times and ChatGPT combined.<sup>3</sup> Explicit content is not limited to OnlyFans or other porn hosting sites: widely-used social media platforms like TikTok, YouTube, and Instagram contain and regularly display sexual material.

It is neither healthy nor safe for sexual content to be so pervasive. OnlyFans has been exposed for allowing minors to sell explicit videos and for featuring child sex abuse content. The site hosts other kinds of extreme and dangerous sexual content, including videos involving bestiality, incest, and acts that demean women. And TikTok has been caught using its algorithm to direct children’s accounts to pornography.

What happens on the internet does not stay on the internet, either. A wide and intellectually diverse coalition has long warned that pornography carries consequences for children, adults, and communities.<sup>4</sup>

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<sup>1</sup> Letter from Rep. Jim Banks, et al., to Hon. William Barr, Att’y Gen. of the U.S. (Dec. 6, 2019).

<sup>2</sup> Madeline Berg, *6 OnlyFans stats that show how massive the platform has become*, BUS. INSIDER (Aug. 22, 2025), <https://www.businessinsider.com/onlyfans-app-surges-creators-users-revenue-owner-leonid-radvinsky-earnings-2025-8>.

<sup>3</sup> Nick Staunton, *Americans remain the biggest spenders on OnlyFans, shelling out nearly \$2.64 billion on the platform in 2025*, EUR. BUS. MAG. (Dec. 10, 2025), <https://europeanbusinessmagazine.com/americans-remain-the-biggest-spenders-on-onlyfans-shelling-out-nearly-2-64-billion-on-the-platform-in-2025/>; *Charts of the Week: The Almighty Consumer and AI Capex*, A16Z NEW MEDIA (Jan. 23, 2026), <https://www.a16z.news/p/charts-of-the-week-the-almighty-consumer>.

<sup>4</sup> See Brad Littlejohn, et al., *Stop Hacking Humans*, THE NEW ATLANTIS (2025), <https://www.thenewatlantis.com/publications/stop-hacking-humans>; Brian J. Willoughby & Jason S. Carroll, *Five*

Pornography damages the mental and relational well-being of those who consume it and exploits those who participate in creating it.<sup>5</sup> Online obscenity has increased at the same time that violence against women, online sex trafficking, and child pornography have all risen.<sup>6</sup>

You can stop this. Obscenity has long been proscribed in the common law tradition and is not protected by the First Amendment.<sup>7</sup> Federal law prohibits the distribution of obscene material, including over the internet.<sup>8</sup> It is a crime to create and disseminate child pornography, as well as content that is obscene for adults.<sup>9</sup> It is also a crime to knowingly display obscene content for children and to mislead minors into viewing adult content or adults into viewing generally obscene content.<sup>10</sup> Section 230's immunity provisions cannot override these important protections.<sup>11</sup>

The state has a profound interest in shielding the public from offensive sexual content,<sup>12</sup> and in protecting children from adult content generally.<sup>13</sup> Obscenity laws are still good law, and the federal government has secured countless convictions under them for pornography involving extreme, violent, and demeaning

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*Reasons Porn is Bad For Your Marriage*, INST. FAM. STUD. (Apr. 23, 2025), <https://ifstudies.org/blog/five-reasons-porn-is-bad-for-your-marriage>; MARY HARRINGTON, FEMINISM AGAINST PROGRESS (2023); LOUISE PERRY, THE CASE AGAINST THE SEXUAL REVOLUTION (2022); Catharine A. MacKinnon, *Pornography as Trafficking*, 26 MICH. J. INT'L L. 993 (2005); ANDREA DWORKIN & CATHARINE A. MACKINNON, PORNOGRAPHY AND CIVIL RIGHTS: A NEW DAY FOR WOMEN'S EQUALITY (1988).

<sup>5</sup> See, e.g., Robin Engelhardt, et al., *Problematic pornography use and psychological distress: A longitudinal study in a large US sample*, 169 ADDICTIVE BEHAV. (2025); Christina Camilleri, et al., *Compulsive Internet Pornography Use and Mental Health: A Cross-Sectional Study in a Sample of University Students in the United States*, 11 FRONTIERS PSYCH. (2021); Samuel L. Perry & Cyrus Schleifer, *Till Porn Do Us Part? A Longitudinal Examination of Pornography Use and Divorce*, 55 J. SEX RSCH. 284 (2018).

<sup>6</sup> FED. BUREAU OF INVESTIGATION, DOMESTIC RELATIONSHIPS AND VIOLENT CRIMES, 2020–2024 (Feb. 2026); *Call for Prime Minister to intervene as IWF uncovers record levels of online child sexual abuse imagery*, INTERNET WATCH FOUND. (Jan. 22, 2025); GOV'T ACCOUNTABILITY OFF., SEX TRAFFICKING: ONLINE PLATFORMS AND FEDERAL PROSECUTIONS (Jun. 21, 2021).

<sup>7</sup> *Free Speech Coal. v. Paxton*, 606 U.S. 461, 471 (2025); *Miller v. California*, 413 U.S. 15, 23 (1973).

<sup>8</sup> 18 U.S.C. §§ 1460, 1461, 1462, 1466(a).

<sup>9</sup> 18 U.S.C. §§ 1461, 1466A, 1470; 47 U.S.C. §§ 223(d), 231(a).

<sup>10</sup> 18 U.S.C. § 2252C.

<sup>11</sup> 47 U.S.C. § 230(e)(1) (“Nothing in this section shall be construed to impair the enforcement of section 223 or 231 of this title, chapter 71 (relating to obscenity) or 110 (relating to sexual exploitation of children) of title 18, or any other Federal criminal statute.”). Cf. *Anderson v. TikTok, Inc.*, 116 F.4th 180 (3d Cir. 2024) (“Given the Supreme Court’s observations that platforms engage in protected first-party speech under the First Amendment when they curate compilations of others’ content via their expressive algorithms, it follows that doing so amounts to first-party speech under § 230, too.”) (internal citation omitted) (citing *Moody v. NetChoice, LLC*, 603 U.S. 707, 744 (2024)).

<sup>12</sup> See *Miller*, 413 U.S. at 25.

<sup>13</sup> See *Free Speech Coal.*, 606 U.S. at 473 (“In addition to their general interest in protecting the public at large, States have a specific interest in protecting *children* from sexually explicit speech.”); *New York v. Ferber*, 458 U.S. 747, 757 (1982) (“we have sustained legislation aimed at protecting the physical and emotional well-being of youth even when the laws have operated in the sensitive area of constitutionally protected rights”); *Miller*, 413 U.S. at 18–19 (“the States have a legitimate interest in prohibiting dissemination or exhibition of obscene material when the mode of dissemination carries with it a significant danger of offending the sensibilities of unwilling recipients or of exposure to juveniles”); *Ginsberg v. New York*, 390 U.S. 629, 639 (1968) (“The well-being of its children . . . justif[ies] . . . limitations upon the availability of sex material to minors”). See also *Book People, Inc. v. Wong*, 98 F.4th 657, 659 (5th Cir. 2024) (Ho, J., dissenting from denial of rehearing en banc) (“States have a profound interest in protecting the innocence of children from various adult activities” and can “shield them from sexually explicit materials.”).

sexual acts of the kinds found on OnlyFans.<sup>14</sup> In addition, courts have repeatedly upheld efforts by state and federal entities to exercise their constitutional powers to limit minors' ability to access and create adult content.<sup>15</sup>

Despite the Justice Department's clear authority to keep the internet safe, obscenity prosecutions have vanished.<sup>16</sup> President George W. Bush stood up the Obscenity Prosecution Task Force. The Task Force secured convictions of purveyors of obscenity, including in my home state.<sup>17</sup> During the Obama administration, a group of current and former colleagues of mine on both sides of the aisle asked Attorney General Eric Holder to invoke the obscenity laws and bring criminal cases against pornography distributors. Instead, Attorney General Holder shuttered the Task Force.<sup>18</sup>

Ending obscenity prosecution was a mistake. With explicit content only a click away, there has never been a more important time to enforce our laws. I urge the Justice Department to re-establish the Obscenity Prosecution Task Force, prosecute illegal content to the maximum extent permitted by law, and end this scourge once and for all.

Thank you for your attention to this important matter.

Sincerely,



Jim Banks  
United States Senator

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<sup>14</sup> *United States v. Little*, 365 F. App'x 159 (11th Cir. 2010) (“sadistic and masochistic conduct”); *United States v. Adams*, 337 F. App'x 336 (4th Cir. 2009) (bestiality); *United States v. Ragsdale*, 426 F.3d 765 (5th Cir. 2005) (rape, violence, torture, and demeaning acts). See also *United States v. Guthrie*, 720 F. App'x 199 (5th Cir. 2018) (upholding indictment for masturbatory video that was sent to minor via Snapchat); *United States v. Stagliano*, 693 F.Supp.2d 25 (D.D.C. 2010) (upholding indictment for pornographic films involving fetishes).

<sup>15</sup> See, e.g., *Free Speech Coal.*, 606 U.S. at 480 (state age verification laws); *F.C.C. v. Fox Television Stations*, 556 U.S. 502 (2009) (broadcast ban on sexual expletives); *United States v. Am. Libr. Ass'n*, 539 U.S. 194 (2003) (federal library funding contingent on installing pornography blockers); *F.C.C. v. Pacifica Found.*, 438 U.S. 726 (1978) (restrictions on sexually explicit radio broadcast); *Ginsberg*, 390 U.S. at 639 (state ban on sales of pornographic magazines to minors).

<sup>16</sup> See Jennifer M. Kinsley, *The Myth Revisited: Obscenity Law Since 2015*, 17 HARV. J. SPORTS & ENT. L. 41, 43 (“At the federal level, obscenity prosecutions of online adult content, or what one might typically call pornography, have entirely vanished.”).

<sup>17</sup> See DEP'T OF JUST., INDIANAPOLIS MAN SENTENCED FOR OBSCENITY VIOLATIONS (Dec. 12, 2008), <https://www.justice.gov/archive/opa/pr/2008/December/08-ag-1097.html>; DEP'T OF JUST., ADULT ENTERTAINMENT PRODUCER SENTENCED TO 46 MONTHS IN PRISON ON OBSCENITY CHARGES (Oct. 3, 2008), <https://www.justice.gov/archive/opa/pr/2008/October/08-crm-894.html>.

<sup>18</sup> Josh Gerstein, *Holder accused of neglecting porn*, POLITICO (Apr. 16, 2011), <https://www.politico.com/story/2011/04/holder-accused-of-neglecting-porn-053314>.