

**Senator Peter Welch**  
**Senate Judiciary Committee**  
**Subcommittee on Crime and Counterterrorism**  
**Written Questions for John Pizzuro**  
**Hearing on “Ending the Scourge: The Need for the STOP CSAM Act”**  
**Tuesday, March 11, 2025**

1. Recently there has been multiple lawsuits filed that raise questions about the responsibility of artificial intelligence (AI) companies when developing chatbots, especially when the technology is overwhelmingly marketed towards children. What guardrails need to be put in place to ensure children who engage with AI chatbots are protected online? **This going to be the biggest danger to our children. There are dozens of open-source image generators that are making CSAM. One such would allow me to make CSAM from Kim Kardashian or Beyonce (See the Wired article). We need some sort of regulation without stifling innovation and regulation. Much like a safety standard. This could be done with another developed technology that tests it for “safety standards” As far as the chat bots and machine learning you might not be able to regulate it especially as it mimics children’s language and that is what leaves children susceptible to grooming and manipulation from marketing. The only solution would be to prevent children from accessing those apps through device-based age identification.**
2. Can you please describe how Section 230 may or may not apply to generative artificial intelligence? **It will not apply to AI. Reason being is that if I create an image generator or chat bot with its purpose to provide a solution (Not CSAM or endangerment) it allows be to escape any liability since I did not know about it, or the program did it without me attending to.**
3. Can you please describe how Section 230 may or may not apply to AI chatbots? **It would allow me to escape liability because I did not create the chatbot to do that, it learned from user information. You would have to have an exception “The creation of a program, AI or otherwise that imbues harm on a child or individual whether intended or not creates a liability for the creation of that program”**
4. A developing concern is AI generated child sexual abuse material (CSAM), which is an issue that has escalated and continues to evolve. Do you believe that new legislation is needed to provide law enforcement and prosecutors the tools to prosecute AI CSAM? **Currently AI CSAM is prosecuted under obscenity in federal law and that does not require an offender to register under the sex offender registry, The Ashcroft decision states that there must be an actual victim. Completely self-generated CSAM would**

**not apply. New legislation is needed to refine the old legislation, Raven currently has Bill Text that would provide a solution.**

5. Do you believe Section 230 should be rescinded? **I think 230 should be rescinded and modified since it was created before the current state of technology. I think a new framework should be created giving victims the ability to be protected while giving some protection to companies for things that happen outside of their control and knowledge.**
6. If Congress were to impose civil liability for social media companies that host child sex abuse material, what do you believe the requisite level of knowledge should be (e.g. negligence, recklessness, knowing) and why? **I think the standard should be Gross Negligence. Knowing allows companies to escape liability since they can move everything to encrypted platforms. They also do “not know” the information on their servers. A perfect example is Apple, since they only reported 250 Cybertips out of 36 million despite a 59% market share in the US. A Gross Negligence standard would allow for civil liability while allowing the companies to implement best practices. As an example, Company X creates a program to look for CSAM Content, hires people to oversee and takes action to remove illegal content should not be liable. In Gross negligence, Company X creates a program, does not update it, gets rid of staff that oversee functions and has several complaints over months as the action continues should be liable.**