



**Questions for the Record from Congressman Russ Fulcher (R-ID)
U.S. House Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
“The World Wild Web: Examining Harms Online”**

Submitted May 1, 2025

**Response Questions for the Record from Ms. Yiota Souras
Chief Legal Officer, National Center for Missing & Exploited Children**

1. I have been a supporter of the bipartisan Kids Online Safety Act by our Chair Gus Bilirakis. One reason for that is the bill requires an annual report on the foreseeable risks of harm to minors from being on a platform that has applications that could direct children to sites where they could be targets of harmful behavior. Why is it important for these companies to take a look under the hood to see how they are harming children?

Currently, online platforms have no legal requirement or voluntary practice of fully disclosing details of their efforts – or lack thereof – to prevent, detect, report, and remove child sexual exploitation online. Transparency and annual reporting requirements should be mandated for online platforms to enable parents and families, members of the public, Congress, and regulatory agencies to have a complete understanding of how these companies are operating and their efforts to protect children online. The National Center for Missing & Exploited Children (NCMEC) strongly supports a legal requirement for online platforms to issue annual transparency reports relating to their child protection efforts, with specific requirements to disclose detailed information relating to how companies incorporate safety by design efforts, facilitate and respond to user reports, implement detection and age assurance measures, and comply with best practices relating to reporting child sexual exploitation to NCMEC’s CyberTipline. While many platforms issue their own transparency reports as part of a public relations exercise, a legal requirement for platforms to report specific details of their efforts to protect children is essential to provide visibility regarding how online platforms are truly addressing – or too often failing to adequately address – child safety.

2. I have concerns about the impact of “deep fakes” when it comes to harm to children. In previous hearings that raised deep fakes, there was concern over adults being depicted in compromised situations or professional actors and athletes having their images used without permission. Working off your testimony, how do you see strengthening the laws to address “digital forgeries” help parents in countering the potential exploitation of their children? Please explain why there is the need for parents to have legal tools to protect their children.

We are witnessing a new threat in the evolution of child sexual exploitation with the emergence of generative artificial intelligence (GAI) technologies that are incredibly sophisticated, publicly accessible, and in many instances, are being rushed to market without consideration for how this technology can be weaponized to sexually exploit children. Offenders seeking to exploit and harm children are among the early adopters of GAI, and offenders’ use of GAI is challenging existing protocols and legal remedies available to protect children.

The recent dangers NCMEC is witnessing relating to the use of GAI to sexually exploit children has contributed to our support for the TAKE IT DOWN Act (H.R.633/S.146), and we are so appreciative to the Committee and the House for passing this bill. The TAKE IT DOWN Act is essential legislation to protect children victimized by the distribution of both authentic and digital forgery nude and sexually exploitative images in which they are depicted. NCMEC looks forward to President Trump signing the bill into law.

The distribution of child sexual abuse material (CSAM), a visual depiction of sexually explicit conduct involving a minor, including GAI CSAM, is a crime under federal law. However, a visual depiction of a nude minor or a sexually exploitative image involving a minor – whether an actual image or a digital forgery created using GAI – does not, in most instances, meet the legal definition of CSAM. This has left a gap in enforcement that has endangered children and left them vulnerable to abuse from GAI technology. The TAKE IT DOWN Act closes this gap and addresses the devastating impact to children caused by online publication of nude and exploitative images in which they are depicted.

The TAKE IT DOWN Act also addresses a primary goal for survivors – ensuring sexually exploitative imagery in which they are depicted is removed from the internet. NCMEC strongly supports the notice and removal obligations for online platforms established under the TAKE IT DOWN Act. The bill requires platforms to create a process for victims and other authorized individuals/entities to report actual or digital forgery images in which a child is depicted and request removal. Platforms would have 48 hours to remove the material or face an enforcement procedure with financial penalties to incentivize compliance and removal of the material.

Criminalizing all forms of sexually exploitative imagery of children, both authentic and digital forgery, as well as mandating that tech platforms provide a mechanism to report this material and expeditiously remove it empowers survivors and their parents/caregivers. We are grateful to the sponsors and supporters of the TAKE IT DOWN Act for addressing gaps in the law and emerging online threats to children.