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CHAIRMAN

FRANK PALLONE, JR., NEW JERSEY
RANKING MEMBER

ONE HUNDRED NINETEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115
Majority (202) 225-3641
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December 22, 2025

Mr. Paul Lekas
Executive Vice President
Software & Information Industry Association
1620 I Street NW
Suite 501, Seventh Floor
Washington, DC 20006

Dear Mr. Lekas:

Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade hearing on Tuesday, December 2, 2025, to testify at the hearing entitled, "Legislative Solutions to Protect Children and Teens Online."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Monday, January 12, 2026. Your responses should be mailed to Alex Khlopin, Policy Analyst, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to alex.khlopin@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Gus M. Bilirakis
Chairman
Subcommittee on Commerce, Manufacturing, and Trade

cc: The Honorable Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade

Attachment —Additional Questions for the Record

The Honorable Russ Fulcher (R-ID)

1. In your testimony, you noted the importance of “evidence-based” and “risk-proportionate” requirements, rather than “broad restrictions” when it comes to regulations on AI chatbots. I worry about the use of AI chatbots that incorporate Large Language Models (LLMs) that offer responses based on data fed to them to reinforce the behavior of the user that comes across as “personalized conversations.” Tell me about your members’ experience with the Federal Trade Commission (FTC) when it comes to working with social media companies, and the responsibility you all expect from those social media companies in ensuring the health and safety of children and teens? For example, do you see any updates on the work of “CHAT SAFE” to continue to improve health and safety for the FTC?



January 15, 2026

The Honorable Gus M. Billirakis
Chairman
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives

The Honorable Jan Schakowski
Ranking Member
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives

Re: December 2, 2025 Hearing, “Legislative Solutions to Protect Children and Teens Online”

Dear Chairman Billirakis and Ranking Member Schakowski:

Thank you for the opportunity to testify before the Subcommittee on December 2, 2025, in the hearing “Legislative Solutions to Protect Children and Teens Online.” I am writing to provide a written response to the one additional question for the record, submitted by Representative Russ Fulcher.

Question for the Record:

1. In your testimony, you noted the importance of “evidence-based” and “risk-proportionate” requirements, rather than “broad restrictions” when it comes to regulations on AI chatbots. I worry about the use of AI chatbots that incorporate Large Language Models (LLMs) that offer responses based on data fed to them to reinforce the behavior of the user that comes across as “personalized conversations.” Tell me about your members’ experience with the Federal Trade Commission (FTC) when it comes to working with social media companies, and the responsibility you all expect from those social media companies in ensuring the health and safety of children and teens? For example, do you see any updates on the work of “CHAT SAFE” to continue to improve health and safety for the FTC?

Response to Question for the Record:

Thank you for this thoughtful question. AI chatbots, like many technological innovations, have the potential to provide users with extraordinary benefits but also carry risks. On the positive side, chatbots offer opportunities for communication, learning, and innovation across every sector of society, providing people with accessible information tailored to their needs, level of background knowledge, and context. On the other hand, like other types of generative AI tools, chatbots carry a range of potential risks that developers and deployers seek, in varying degrees, to mitigate through governance. Most relevant to this issue are risks of misuse and misalignment in the context of companion chatbots.

The challenge for lawmakers, as explained in my testimony, is to craft measures designed to address the key concerns associated with chatbots without impeding the positive use cases. We recommend that lawmakers consider the suitability of measures in three categories.

The first focuses on governance. Industry-led approaches have a meaningful role to play in raising the bar on governance. The SIIA *CHAT SAFE Principles*, which will be published this month, will provide a framework for developers and deployers to protect youth safety when using AI chatbots, with guidance on disclosures, risk mitigation, accountability, trust, reliability, security, and privacy. This approach is designed to align safety and innovation. It also recognizes that there is a range of different applications for chatbots that pose different risk profiles. Chatbots that can serve as “companions” present a different risk profile than chatbots developed for specific and narrow purposes. In addition to serving as a framework for industry, the *CHAT SAFE Principles* will also serve as a guide for lawmakers about where to supplement industry efforts with legislation.

Legislation is most important to ensure that industry actors are acting responsibly. Companies should adhere to best practices, but not all do, and that is where Congress can step in. The approach taken by California SB 243, which was enacted late in 2025 and has already gone into effect, provides a model for legislation focused on governance. SB 243 directs AI developers to implement protocols, increase transparency, and include protections to address the concerns around AI chatbot safety. SB 243 avoids First Amendment concerns raised by bills that would impose content restrictions and avoid functioning as de facto bans by requiring AI chatbots to be free of risk.

The second category for lawmakers is to address discrete harms associated with chatbots that are not covered by existing law. This is the approach taken by the TAKE IT DOWN Act (TIDA), enacted in 2025 and set to go into effect in May 2026. TIDA addresses the growing threat of non-consensual intimate imagery (NCII), including deepfakes, by criminalizing the knowing publication of NCII, requiring platforms to take down NCII, and giving the FTC authority to regulate platform compliance under its unfair or deceptive acts or practices (UDAP) authority. SIIA supported TIDA because of concerns about the spread of NCII, especially AI-facilitated NCII, and a gap in the law.

Relatedly, lawmakers should take steps to ensure that governments are equipped to enforce existing tech-neutral laws that can address discrete harms. Many [existing laws](#) against creating, processing, and distributing CSAM and against harassment and cyberstalking apply in the context of chatbots just as much as they apply in other contexts. TIDA filled a gap in federal law around NCII deepfakes, but the possession and distribution of CSAM has long been illegal.

The third is education. Improving digital literacy must remain an essential focus of any effort to improve youth online safety - both in the chatbot context and more broadly. Congress and state legislatures should help K-12 schools to implement programs for media and digital literacy. Children and teens are growing up in a digital world, and it is critical that we prepare them to be responsible digital citizens.

At the state level, dozens of chatbot-related bills have been introduced and many have passed into law in the past two years. There is growing fragmentation at the state level and a range of approaches that have created inconsistent requirements. We believe there is a need for uniformity across the nation. Congress should enact preemptive legislation governing AI chatbots that draws from lessons learned from those laws that have gone into effect, balancing the impact of these laws on reducing risk to youth safety while allowing innovation and beneficial chatbot use to flourish.

The current FTC has taken an appropriately measured approach to AI chatbots. Recognizing concerns associated with how the Commission, under the prior administration, [expanded its](#) “means and instrumentalities” theory to target general-purpose AI tools, the current FTC has instead sought to gather evidence about AI chatbots. That [6\(b\) investigation](#) is ongoing and we anticipate it will be instructive in identifying practices that may warrant action under the FTC’s current authority.

In addition, when TIDA goes into effect in May, the FTC will have added authority to ensure the health and safety of children and teens. TIDA will provide the FTC with clear authority to police non-compliance with TIDA's requirements around CSAM and NCII which will help to address the unfortunate proliferation of deepfake pornography and "nudify" applications.

Ultimately, the health and safety of youth online and in their interactions with chatbots needs an open conversation among government, civil society, and industry about how to promote responsible industry practices and discourage unsafe or unhealthy practices. This conversation should lead to solutions that leverage different tools available - industry best practices, legal requirements, education, and more - in a way that balances competing interests.

Thank you for your consideration. We look forward to continuing to work with you and other Subcommittee members on the important issue of youth online privacy and safety.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Lekas". The signature is fluid and cursive, with a prominent initial "P" and "L".

Paul Lekas
Executive Vice President
Global Public Policy & Government Affairs
Software & Information Industry Association