



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0605**

September 14, 2023

The Honorable Merrick Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW, Room 1145  
Washington, DC 20530

Dear Attorney General Garland:

We write with grave concern regarding increasing reports of artificial intelligence (AI) being used to generate child sexual abuse materials (CSAM) which are shared across the internet. While recognizing the benefits of appropriate uses of AI, including medical research, cybersecurity defense, streamlining public transit, and many other applications, we believe action must be taken to prevent individuals from using AI to generate CSAM.

The first reports of AI being used to exploit children for the purpose of generating CSAM surfaced in 2019, when it was revealed that AI could generate obscene, personalized images of minors under the age of 18. The process for generating this disturbing content was simple – a perpetrator merely had to upload a photo of their intended cyber victim and in seconds, CSAM could be generated. By July 2020, the AI application had already been used to target over 100,000 individuals.<sup>1</sup>

This year, there have been numerous reports of widespread AI use for generating CSAM. A Washington Post article cited an internal survey by one dark-web forum which showed that 80 percent of their 3,000 users reported utilizing AI to generate CSAM.<sup>2</sup> The same report explained that, “Justice Department officials who combat child exploitation say such images still are illegal even if the child shown is AI-generated, but they could cite no case in which someone had been charged for creating one.” This report is deeply concerning, and we seek to understand what steps can be taken to address this perverted application of AI.

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<sup>1</sup> <https://www.technologyreview.com/2020/10/20/1010789/ai-deepfake-bot-undresses-women-and-underage-girls/>

<sup>2</sup> <https://www.washingtonpost.com/technology/2023/06/19/artificial-intelligence-child-sex-abuse-images/>

Congress has a vested interest in this matter dating back to the passage of the Child Abuse Prevention and Treatment Act in 1974. Since then, Congress has passed additional legislation regarding this issue and acted in conjunction with federal agencies to apply a multi-pronged approach in addressing sexual abuse of children. We are calling on the U.S. Department of Justice (DOJ) to take swift action to combat AI-generated CSAM.

At least three circuit courts have found that possession and distribution of CSAM may be prosecuted under existing child pornography and obscenity statutes, even if they do not depict an actual act of child abuse: *United States v. Mecham*, No. 19-40319 (5th Cir. 2020), *Doe v. Boland*, 698 F.3d 877 (6th Cir. 2012), and *United States v. Hotaling*, 634 F.3d 725 (2<sup>nd</sup> Cir. 2011).

Lawmakers and law enforcement must take all possible action to ensure that our children are not subject to targeting, exploitation, and predatory behavior; and address the growing problem of CSAM. In order to assist our efforts to determine how Congress should proceed, we ask that you answer the following questions by October 13, 2023:

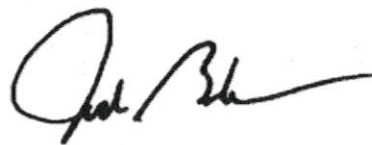
1. How is DOJ addressing AI-generated CSAM?
2. Does the DOJ have the necessary authority and resources to effectively combat artificially created CSAM?
3. Is the DOJ inhibited from investigating and prosecuting CSAM due to gaps in current criminal code? If so, what changes to the code would enable your department to take appropriate action?
4. Has the DOJ conducted an analysis of available relevant data, such as cyber-tips from the National Center for Missing and Exploited Children?
5. Is the DOJ willing to collaborate with other agencies to generate an effective action plan? If so, which agency or agencies would be best equipped to assist your efforts?
6. Is DOJ willing to launch an investigation into AI-generated CSAM?

Thank you for your consideration of this matter. We look forward to hearing your thoughts regarding how the DOJ and other relevant government agencies can be most effectively used to combat the evil of CSAM. We appreciate your prompt reply.

Sincerely,



Bob Good  
Member of Congress



Josh Brecheen  
Member of Congress



Ralph Norman  
Member of Congress



Byron Donalds  
Member of Congress



Jeff Duncan  
Member of Congress



Doug LaMalfa  
Member of Congress



Ken Buck  
Member of Congress



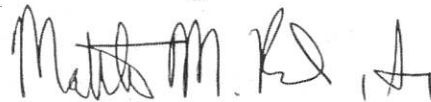
Glenn Grothman  
Member of Congress



Elijah Crane  
Member of Congress



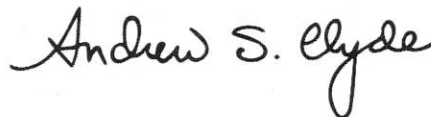
Mary Miller  
Member of Congress



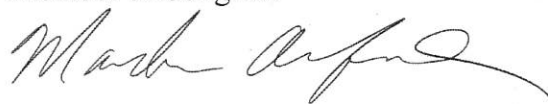
Matthew Rosendale  
Member of Congress



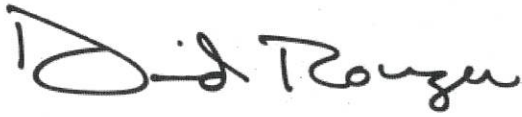
Rich McCormick, M.D., M.B.A.  
Member of Congress



Andrew S. Clyde  
Member of Congress



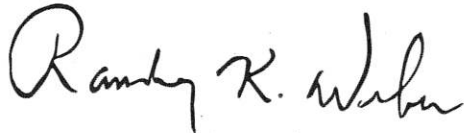
Mark Alford  
Member of Congress



David Rouzer  
Member of Congress



Barry Moore  
Member of Congress



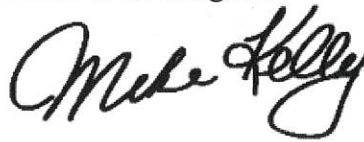
Randy K. Weber  
Member of Congress



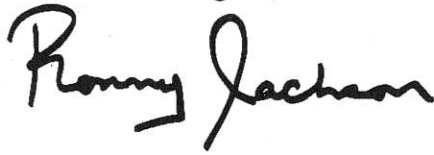
French Hill  
Member of Congress



Diana Harshbarger  
Member of Congress



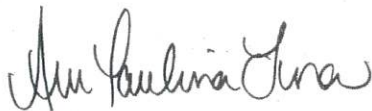
Mike Kelly  
Member of Congress



Ronny Jackson  
Member of Congress



Michael Cloud  
Member of Congress



Anna Paulina Luna  
Member of Congress



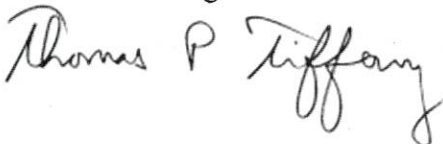
Robert B. Aderholt  
Member of Congress



Russell Fry  
Member of Congress



Paul Gosar, D.D.S.  
Member of Congress



Tom Tiffany  
Member of Congress



Ben Cline  
Member of Congress

A stylized, cursive handwritten signature in black ink, appearing to read 'CR'.

Chip Roy  
Member of Congress

A stylized, cursive handwritten signature in blue ink, appearing to read 'MG'.

Mike Garcia  
Member of Congress