119TH CONGRESS
1ST SESSION

S. 2381

To require the Director of the National Institute of Standards and Technology to develop a framework for detecting, removing, and reporting child pornography in datasets used to train artificial intelligence systems, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 22, 2025

Mr. CORNYN (for himself and Mr. KIM) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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A BILL

To require the Director of the National Institute of Standards and Technology to develop a framework for detecting, removing, and reporting child pornography in datasets used to train artificial intelligence systems, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4   This Act may be cited as the "Preventing Recurring

5 Online Abuse of Children Through Intentional Vetting of

6 Artificial Intelligence Data Act of 2025" or the

7 "PROACTIV Artificial Intelligence Data Act of 2025".

SEC. 2. DEFINITIONS.

In this Act:

(1) ARTIFICIAL INTELLIGENCE.—The term "artificial intelligence" has the meaning given that term in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note prec. 4061).

(2) ARTIFICIAL INTELLIGENCE DEVELOPER.— The term "artificial intelligence developer" means a person who designs, codes, or produces an artificial intelligence system and makes such system commercially available, whether for profit or not.

(3) ARTIFICIAL INTELLIGENCE DEPLOYER.— .The term "artificial intelligence deployer" means a person who integrates an artificial intelligence system into the products or services of the person and makes those products or services commercially available, whether for profit or not.

(4) ARTIFICIAL INTELLIGENCE USER.—The term "artificial intelligence user" means a person who uses an artificial intelligence system for a purpose other than personal noncommercial activity.

(5) CHILD PORNOGRAPHY.—The term "child pornography" has the meaning given that term in section 2256 of title 18, United States Code.

1   (6) COVERED DATASET.—The term "covered

2   dataset" means a set of data that—

3   (A) is collected for the purpose of training

4   an artificial intelligence system; and

5   (B) was created using automated data

6   crawlers or data scraping tools, whether or not

7   directed by a human operator.

8   (7) DATA COLLECTOR.—The term "data col-

9   lector" means any person who specializes in col-

10   lecting, preparing, cleaning, labeling, transforming

11   for algorithmic compatibility, and organizing large

12   amounts of data for the purpose of training an arti-

13   ficial intelligence system.

14   (8) DIRECTOR.—The term "Director" means

15   the Director of the National Institute of Standards

16   and Technology.

17 SEC. 3. DEVELOPMENT OF FRAMEWORK ON DETECTING,

18   REMOVING, AND REPORTING CHILD PORNOG-

19   RAPHY IN CERTAIN DATASETS.

20   (a) IN GENERAL.—Not later than 1 year after the

21 date of the enactment of this Act, the Director shall, in

22 collaboration with such other Federal agencies and public

23 and private sector organizations as the Director considers

24 appropriate, including the National Science Foundation,

25 the National Center for Missing and Exploited Children,

1 and the Department of Justice, develop and publish a vol-

2 untary framework for detecting, removing, and reporting

3 child pornography in covered datasets.

4 (b) CONTENTS.—The Director shall ensure that the

5 framework published under subsection (a) provides to arti-

6 ficial intelligence developers and to data collectors guide-

7 lines, best practices, methodologies, procedures, and proc-

8 esses—

9   (1) to detect any child pornography in covered

10   datasets;

11   (2) to remove any child pornography from cov-

12   ered datasets; and

13   (3) to regularly report to Federal, State, or

14   local law enforcement and the National Center for

15   Missing and Exploited Children any child pornog-

16   raphy detected in covered datasets.

17 (c) LIMITATION.—The framework published under

18 subsection (a) shall apply to persons who are artificial in-

19 telligence developers and to data collectors, and not to per-

20 sons who are solely artificial intelligence deployers or arti-

21 ficial intelligence users.

22 (d) STAKEHOLDER OUTREACH.—In developing the

23 framework issued under subsection (a), the Director

24 shall—

25   (1) solicit input from—

1   (A) institutions of higher education (as de-

2   fined in section 101 of the Higher Education

3   Act of 1965 (20 U.S.C. 1001));

4   (B) any Federal agency the Director con-

5   siders relevant;

6   (C) civil society and nonprofit organiza-

7   tions;

8   (D) artificial intelligence developers and

9   artificial intelligence deployers;

10   (E) Federal laboratories (as defined in sec-

11   tion 4 of the Stevenson-Wydler Technology In-

12   novation Act of 1980 (15 U.S.C. 3703)); and

13   (F) any other such stakeholder the Direc-

14   tor considers appropriate; and

15   (2) provide an opportunity for public comment

16 on the guidelines, best practices, methodologies, pro-

17 cedures, and processes developed as part of the

18 framework.

19 (e) RESEARCH.—The Director of the National

20 Science Foundation, in coordination with the heads of

21 other relevant Federal agencies, as determined by such Di-

22 rector, shall support research into innovative approaches

23 to detecting, removing, and reporting child pornography

24 from covered datasets, including research conducted

1 through the Directorate for Technology, Innovation, and

2 Partnerships.

3 **SEC. 4. LIMITED LIABILITY FOR DETECTING, REMOVING,**

4   **AND REPORTING CHILD PORNOGRAPHY.**

5   (a) IN GENERAL.—Except as provided in subsection

6 (b), no cause of action shall lie or be maintained in any

7 court against an artificial intelligence developer or data

8 collector, and such action shall be promptly dismissed, for

9 the detecting, removing, or reporting of child pornography

10 in covered datasets that is conducted in accordance with

11 the framework issued by the Director under section 3(a).

12   (b) INTENTIONAL, RECKLESS, GROSSLY NEGLIGENT,

13 OR OTHER MISCONDUCT.—Subsection (a) shall not apply

14 to a cause of action for detecting, removing, or reporting

15 child pornography in covered datasets if the artificial intel-

16 ligence developer or data collector—

17   (1) engaged in intentional misconduct;

18   (2) acted, or failed to act—

19   (A) with actual malice;

20   (B) with reckless disregard to a substantial

21   risk of causing injury without legal justification;

22   or

23   (C) with gross negligence; or

24   (3) engaged in any activity that violates section

25   2251 of title 18, United States Code.

1   (c) RULE OF CONSTRUCTION.—Nothing in this Act
2 shall be construed to affect the protections and obligations
3 of section 2258A of title 18, United States Code.

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