

FOSI Statement on the Protecting Kids on Social Media Act

April 26, 2023

Today, Senators Schatz, Cotton, Murphy, and Britt introduced the [Protecting Kids on Social Media Act](#). This bill would set the minimum age for social media users to 13, effectively banning 12 year olds and under from social media sites. It would also require parental consent for children 13-17 to use social media, establish age verification requirements, and prevent the use of algorithms in the content that kids see online.

Generally, FOSI is opposed to broad bans that can limit access to information. The goal of online safety legislation should not be to force kids offline, but to create better protections and safer digital spaces for them to learn, communicate, and express themselves.

This bill focuses on empowering parents and guardians, which is very important, but leaves out minors. Children have rights, particularly older teens, and should have the privacy and freedom to access information about sexuality, history, religion, and health. Parental controls are helpful, especially when setting parameters for younger kids, but a more successful approach is to reach an agreement as a family rather than setting strict rules. We want to empower both parents and kids to have these difficult and important conversations about what online safety looks like to them, and we [offer resources](#) to support these family discussions.

Empowering users and families through strong online safety tools and parental controls is an important part of safe online experiences. But we are concerned that under this bill, unsupportive parents could limit or cut off their kids' access to important information. We must also acknowledge the reality that there are parents who are not as present, technologically literate, or are simply too busy to have these important conversations, and their children do not deserve to be deprived of the benefits of being online.

We want to learn more about what platforms are included in this bill's definition of social media. There are currently kids-specific versions of social media platforms that were created specifically for young kids with age-appropriate content, more robust family controls, private accounts without commenting or communication features, and no targeted ads. These include YouTube Kids and the under 13 version of TikTok. While it would be inappropriate for an 8 year old to be on the main versions of social media platforms, that child should still be able to access online spaces that were created with them in mind.

Another concern we have about this bill is what the "reasonable" age verification requirement looks like. We agree with the bill authors that progress should be made on age assurance and only relying on self-declaration is insufficient. Our [2022 research](#) into age assurance reveals that people have legitimate privacy concerns as well as strong feelings about how to provide age information in ways that are not too invasive. Users want choices, flexibility, and thoughtful consideration of equity concerns and family differences. Age assurance is complicated and nuanced, and there is no quick

fix. We appreciate that this bill does not take a prescriptive approach to age assurance and theoretically allows a variety of methods. We hope that our past and future work around the complexities of age assurance will help these offices to improve age assurance regulations.

Finally, there is a very real need for a privacy law in the United States. A federal comprehensive data privacy law would lower the stakes for age assurance. If there were rules about what data companies could collect, how they must store it, and what they can do with it, people would feel more comfortable sharing their personal data to confirm their age. To its credit, this bill does establish restrictions on the use and retention of data collected for the purposes of age assurance. That is commendable, and we encourage other online safety bills to also include these requirements because without such privacy protections, age assurance requirements would lead to the collection of more data from users without guardrails or use limitations.