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Dazed and Confused: Keeping Up with the Online Safety Laws for Teens

Emily S. Tabatabai, Orrick

Sara Kloek, SIIA

David Sallay, Future of Privacy Forum

Divya Sridhar, BBB National Programs



State Legislation Update

The States have taken the lead on Teen Online Safety



States rush to protect minors online



Eight (8) new Online Safety Laws for Kids/Teens passed (mostly) in 2023

New State Online Safety Laws for Kids and Teens

	Statute	Effective Date	Age	Scope	Scope	Age Verification	Private Right of Action
Arkansas preliminary injunction (8-31-2023)	Social Media Safety Act SB396; Act 689	September 1, 2023 <i>(pending litigation)</i>	< 18	Social media platform (\$100M+ gross rev)	Social media platform with minor accountholders (age verified)	Verified	No
California preliminary injunction (9/18/2023)	Age Appropriate Design Code AB2273	July 1, 2024 <i>(pending litigation)</i>	< 18	Online services ("business" per CCPA)	Online services <u>likely to be accessed by a child</u>	Age Assurance	No
Connecticut (§7)	SB3, §7	July 1, 2024	< 18	Social media platform	Social media platform with known minor accountholders	none	No
Connecticut (§ 8-13)	SB3, §8-13	October 1, 2024	< 18	Online service, product or feature (+CTDPA thresholds)	Actual knowledge, or willfully disregards, are minors	none	No
Florida	Protection of Children in Online Spaces S262/H1547	July 1, 2024	< 18	Social media, online game, gaming platform	Any online platform <u>likely to be predominantly accessed by children</u> .	Age Assurance	No
Louisiana	SB162	July 1, 2024	< 16	Social media platform (5M+ accountholders)	Social media platform with minor accountholders (age verified)	Assurance (minor) Verified (parent)	No
Ohio	HB33	January 15, 2024	< 16	Interactive social sites	Any service that <u>targets</u> , or is <u>reasonably anticipated</u> to be accessed by children	Unclear	No
Texas	SCOPE Act HB18	September 1, 2024	< 18	Social / Interactive Media	Site with <u>known minor</u> (age verified)	Self-reported (minor) Verified (parent)	Yes
Utah	Social Media Regulation Act SB152	March 1, 2024	< 18	Social media (5M+ accountholders)	Social media platform with minor accountholders (age verified)	Pending Regs	Yes

+ dozens of bills
proposed

Expect more to be
introduced in 2024

Common Themes Emerge



New State Online Safety Laws for Kids and Teens

	Effective Date	Age	Age Verification	Parental Consent / Rights	Direct Messaging	Hidden from Search	Targeted Ads	Geolocation	Data Minimization	Algorithms	Automated Processing / Profiling	Limited Hours of use	Mental Health/Risk of Harm	Dark Patterns	Addiction	DPIA
Arkansas preliminary injunction (8-31-2023)	September 1, 2023 (pending litigation)	< 18	Verified	✓												
California preliminary injunction (9/18/2023)	July 1, 2024 (pending litigation)	< 18	Age Assurance	✓				✓	✓		✓		✓	✓		✓
Connecticut (§7)	July 1, 2024	< 18	none	✓												
Connecticut (§ 8-13)	October 1, 2024	< 18	none		✓		✓	✓	✓		✓		✓	✓	✓	✓
Florida	July 1, 2024	< 18	Age Assurance	✓			✓	✓	✓		✓		✓	✓		
Louisiana	July 1, 2024	< 16	Assurance (minor) Verified (parent)	✓	✓		✓		✓			✓				
Ohio	January 15, 2024	< 16	Unclear	✓												
Texas	September 1, 2024	< 18	Self-reported (minor) Verified (parent)	✓			✓	✓	✓	✓		✓			✓	
Utah	March 1, 2024	< 18	Pending Regs	✓	✓	✓	✓		✓	✓		✓			✓	

State Comprehensive Privacy Laws, too



Thirteen (13) of State Comprehensive Privacy Laws cover kids/teens to some extent

	Effective Date	Scope		Minor Data is Sensitive PI	Consent Required		Risk Assessment
		Children < 13	Teens		Parent Consent	Teen Consent	
California	1/1/2020	✓	13-16 (under 16)		✓	✓	
Virginia	1/1/2023	✓		✓	✓		✓
Colorado	7/1/2023	✓		✓	✓		✓
Connecticut	7/1/2023	✓	13-16 (under 16)	✓	✓	✓	✓
Utah	12/31/2023	✓			✓		
Florida	7/1/2024	✓	Under 18	✓	✓	✓	✓
Oregon	7/1/2024	✓	13-15 (not older than 15)	✓	✓	✓	✓
Texas	7/1/2024	✓		✓	✓		✓
Montana	10/1/2024	✓	Under 16	✓	✓	✓	✓
Iowa	1/1/2025	✓		✓	✓		
Tennessee	1/1/2025	✓		✓	✓		✓
Delaware	1/1/2025	✓	Under 18	✓	✓	✓	✓
Indiana	1/1/2026	✓		✓	✓		✓

State Comprehensive Privacy Laws

For Those Keeping Count ...

Number of new laws that include compliance obligations for teen audience:

State Online Safety Laws

- ✓ Arkansas
- ✓ California
- ✓ Connecticut
- ✓ Florida
- ✓ Louisiana
- ✓ Ohio
- ✓ Texas
- ✓ Utah

8

State Comprehensive Privacy Laws

- ✓ California
- ✓ Colorado
- ✓ Connecticut
- ✓ Delaware
- ✓ Florida
- ✓ Indiana
- ✓ Iowa
- ✓ Montana
- ✓ Oregon
- ✓ Tennessee
- ✓ Texas
- ✓ Utah
- ✓ Virginia

13

State "Harmful Content" (Pornography) Laws

- ✓ Arkansas
- ✓ Louisiana
- ✓ Mississippi
- ✓ Montana
- ✓ North Carolina
- ✓ Texas
- ✓ Utah
- ✓ Virginia

8

Federal Update

The Feds want to protect kids and teens online, too



Comprehensive Consumer Privacy



“To better protect Americans’ privacy, including from the risks posed by AI, the President calls on Congress to pass bipartisan data privacy legislation to protect all Americans, especially kids...”

Fact Sheet: President Biden Issues Executive Order on Safe, Secure, and Trustworthy Artificial Intelligence

30 October, 2023

<https://www.whitehouse.gov/briefing-room/statements-releases/2023/10/30/fact-sheet-president-biden-issues-executive-order-on-safe-secure-and-trustworthy-artificial-intelligence/>

Comprehensive Consumer Privacy



American Data Privacy and Protection Act

- Data minimization requirements (all consumers)
- No targeted advertising to children under 17
- All data from consumers under 17 is sensitive
- Algorithmic impact assessments

Status

- Has not been reintroduced in 2023
- Possible draft circulating amongst staff

Teen Focused Proposals



Kids Online Safety Act (KOSA)

- Data minimization requirements (all consumers)
- No targeted advertising to children under 17
- All data from consumers under 17 is sensitive
- Algorithmic impact assessments

Children and Teens' Online Privacy Protection Act (COPPA 2.0)

- Updates COPPA to require consent from teens 13 to 16 years old;
- Bans targeted advertising to children and teens
- Updates knowledge standard
- Adds eraser button

Protecting Kids on Social Media Act

- Establishes minimum age of 13 to use social media
- Requires parental consent for 13 to 17 year olds
- Prevent social media companies from "feeding algorithmically personalized content or advertising to users under 18."

Other Federal Activities



Administrative Actions to Protect Youth Mental Health, Safety, and Privacy

- Interagency Task Force on Kids Online Health & Safety;
- Model policies for use of internet-enabled devices used in schools;
- Likely rulemaking on FERPA.

Surgeon General on Social Media & Youth Mental Health Report

- Recognizes that social media has both positive and negative impacts on children;
- Calls on social media companies to assess impact of their products on youth;
- Provides guidance to parents and caregivers.

NTIA Seeks Comments on Protecting Kids Online

- Seeks to learn more about social media impacts on minors;
- Comments due on 16 November 2023.

Common Theme #1

Age Verification & Assurance



Age Verification & Assurance

UNPACKING AGE ASSURANCE: TECHNOLOGIES AND TRADEOFFS

Age Assurance is the broadest term for methods to discern the age or age range of an individual. There is no one-size-fits-all method, and it is important to consider context to determine a proportionate method of age assurance for each specific use case. Proportionality is key because in some contexts, a higher level of certainty is appropriate. This must be carefully balanced against the privacy risks and risk of barring access to legitimate content - especially if content restrictions have inequitable impacts. It may be appropriate to employ multiple methods in a layered approach.



Been the standard under COPPA, but kids lie

Not the same as facial recognition

AGE ASSURANCE QUESTIONS

WHAT ARE THE GOALS?

- Facilitate parental consent
- Limit access to age-restricted service or provide age-appropriate content
- Verify an individual's exact age
- Place individuals within an age band (e.g. 13-15)

WHAT ARE THE POTENTIAL HARMS TO MINORS?

Harms could include children or teens accessing age-restricted services, content, or contact by unknown individuals.

WHAT IS THE APPROPRIATE ASSURANCE METHOD?

Choose a method or methods that provides a level of age assurance (accuracy) proportional to the goals and risks of the service, keeping in mind that legal obligations may dictate a specific method.

IS ASSURANCE BALANCED WITH PRIVACY RISKS?

After considering privacy risks and mitigations, confirm that the assurance goal warrants the level of privacy risks and other impacts associated with the chosen age assurance method.

HIGHER ASSURANCE PROVIDED	LOWER ASSURANCE PROVIDED
AGE 18	AGE 14-18
BUT... LIMITED DATA SHARED	BUT... ORIGINAL DATA TARGET
HIGHER PRIVACY RISK	LOWER PRIVACY RISK

EXAMPLE USE CASE: AGE ASSURANCE FOR ONLINE GAMING

In this scenario, Miles, a 16 year old, is accessing an online gaming service that is designed for teens and older. It has optional age-restricted features.

COMMON EXISTING & EMERGING METHODS

DECLARATION

AGE GATE

A user indicates their birthdate without providing supporting evidence. This common method is most appropriate in low risk situations, as children and teens frequently bypass by providing a false birthdate. Privacy risk is low, especially if birthdates are not retained or matched with a name or other indirect identifier.

ENTER YOUR BIRTHDATE

//

PARENTAL CONSENT/VOUCHING

A parent with a verified account (e.g. using government ID, credit card, etc.), declares the child or teen's age by providing consent or adding the child to their account. This has higher assurance than an age gate, but may impact the teen's autonomy.

ESTIMATION

FACIAL CHARACTERIZATION

Estimates age using a facial image, but the individual is not uniquely identified. Best used to place users in age bands, or signal that a user meets an age threshold, such as under 13 or 21+. Estimation is less effective for discerning age in a narrow range like 17 vs 18.

AGE ESTIMATE... 14-18

OTHER ALGORITHMIC ESTIMATION METHODS

Other algorithmic methods could include estimation of age or age range based on browsing history, voice, gait, or using multiple data points or signals from a VR game.

VERIFICATION

BIOMETRIC + GOVERNMENT ID

Matches a scan of a government-issued ID and live photo or video using facial recognition. This method is more appropriate for higher risk, regulated or age restricted services. Government ID only is another method, but provides less assurance.

ON DEVICE DIGITAL ID/WALLET

Using a wallet app, users add one or more verified credentials to create a reusable digital ID stored either on device or in the Cloud. Users verify their age with the service by inputting a code to share details required for age assurance (e.g. 18 or over).

RISKS OF AGE ASSURANCE

- LIMITING LEGITIMATE ACCESS
- EQUITY AND UNEQUAL ACCESS
- LOSS OF ANONYMITY
- SENSITIVE DATA COLLECTION
- LIMITING TEEN AUTONOMY
- ABILITY TO BYPASS
- UNEXPECTED DATA USES

RISK MANAGEMENT TOOLS

- IMMEDIATE DELETION OF ID DATA
- SEPARATION OF PROCESSING (SRD PARTY)
- DATA MINIMIZATION
- ON-DEVICE PROCESSING

INITIAL EXPERIENCE	SECONDARY FEATURE	GREATER ASSURANCE NEEDED	WITH GOVERNMENT ID	NO GOVERNMENT ID
DECLARATION The default user experience is "teen-friendly." Miles can sign up by providing their birthdate.	ESTIMATION Later, Miles wants to enable a feature which the game developer has restricted to 16+. The developer wants a higher level of assurance. A "live selfie" uses facial characterization to determine Miles is between 14-18.	Because the estimated age range includes ages that aren't allowed to use the feature (14-15), greater age assurance is needed. Miles must scan their driver's license and take a "live selfie." However, many users, including 75% of 16 year olds, do not have a driver's license.		
ASSURANCE:	ASSURANCE:	ASSURANCE:		
PRIVACY RISK:	PRIVACY RISK:	PRIVACY RISK:		

Age Verification & Assurance

RISKS OF AGE ASSURANCE



LIMITING
LEGITIMATE ACCESS



EQUITY AND
UNEQUAL ACCESS



LOSS OF
ANONYMITY



SENSITIVE DATA
COLLECTION



LIMITING TEEN
AUTONOMY



ABILITY TO
BYPASS



UNEXPECTED DATA USES

RISK MANAGEMENT TOOLS



IMMEDIATE
DELETION
OF ID DATA



SEPARATION OF
PROCESSING
(3RD PARTY)



DATA
MINIMIZATION



ON-DEVICE
PROCESSING

Age Verification & Assurance



Websites that have proposed to keep children and teens out--some statutorily, some as a business practice

- Adult content (e.g., pornography)
- Alcohol and drugs
- Gambling
- Dating
- Marketplaces that lead to in-person transactions
- Social media?

Age Verification & Assurance



NEWSLETTERS SIGN IN

NEWS CULTURE MUSIC PODCASTS & SHOWS SEARCH

LAW

A Texas law requiring age verification on porn sites is unconstitutional, judge rules

September 1, 2023 · 9:44 PM ET

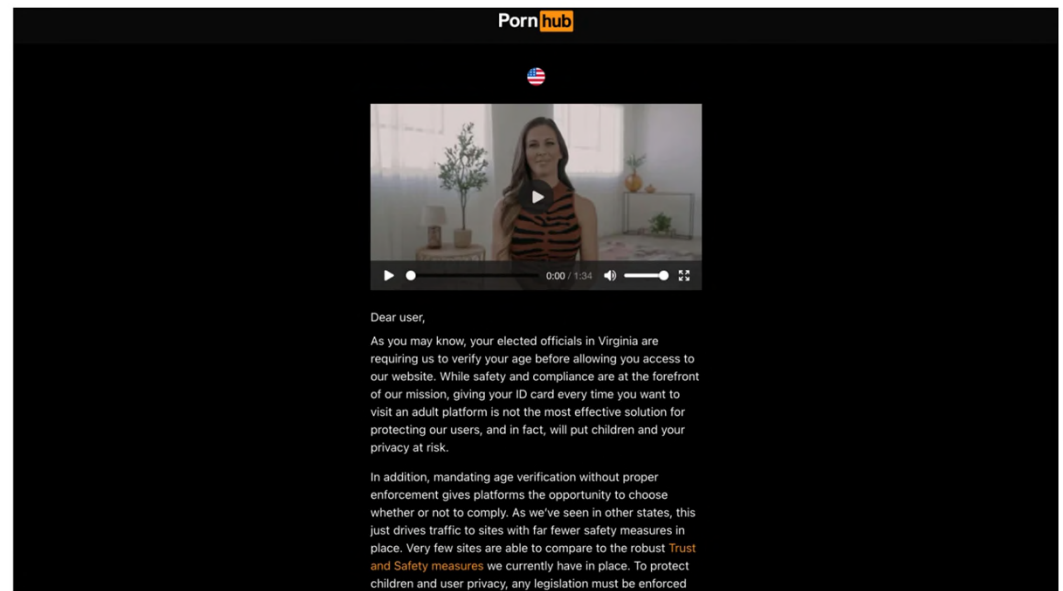
U.S. District Judge David Ezra found that the law violates First Amendment free speech rights and is too vague, in a ruling on Thursday in favor of the Free Speech Coalition, an adult entertainment industry trade association that filed the lawsuit.

Ezra said the age verification component in [House Bill 1181](#), signed by Gov. Greg Abbott in June, "is constitutionally problematic because it deters adults' access to legal sexually explicit material, far beyond the interest of protecting minors."

Age Verification & Assurance

Unintended consequences

- Blocked by company
- Bypassed by users



(Credit: Pornhub)

UPDATE (7/5/2023): It's not just Utah. Pornhub has now blocked access to its website in Mississippi and Virginia after both states implemented age-verification legislation.

*Note: Pornhub didn't block Louisiana since they could integrate with their digital ID

Age Verification & Assurance



R152-63-3. Definitions.

(1) "Acceptable forms or methods of identification" include:

(a) validating and verifying mobile telephone subscriber information;

(b) using dynamic knowledge-based authentication consistent with the method approved by the Federal Trade Commission in accordance with 16 CFR 312.12(a);

(c) estimating a current account holder's age based on the date a Utah account holder created the account;

(d) checking a current or prospective account holder's social security number's last four digits against a third-party database of personal information;

(e) using a digital credential that has been established using a method described by Subsection R152-63-3(1)(f) or (g);

(f) estimating a current or prospective account holder's age using facial characterization or analysis; and

(g) matching a current or prospective account holder's verified government-issued identification:

(i) to a live webcam photo or video of the person; or

(ii) to the person who is physically present.

(2) "Age verification process" means using one or more of the acceptable forms or methods of identification described in Subsection R152-63-3(1).

(3) "Social media company" means the same as it is defined by Subsection 13-63-101(9), and includes the social media company's agent.

- Public comment open on Utah draft rule till Feb 5
- Methods under current rule need to
 - Identify whether user is <18
 - If user is <18, need to establish parent relationship for *consent* and *access*

Common Theme #2

Parental Consent



Parental Consent



- Consistent with COPPA, all state consumer privacy laws require parental consent before a business can process the data of a known child under 13 years of age.
- Most consumer privacy laws explicitly allow the COPPA VPC process to satisfy this requirement.
- ***States are less consistent on consent requirements for teen data.***
- The Colorado, Indiana, Iowa, and Tennessee consumer privacy laws treat teens as adults, like all consumers that are empowered to opt out on their own accord without parental involvement.
 - The Texas and Utah comprehensive privacy laws also work this way for teen data, but separate online safety laws in each state create additional parental consent obligations discussed on the next slide.

Parental Consent (Cont.)



- California, Connecticut, Delaware, Montana, and Oregon have adopted **opt-in consent** requirements for particular uses of teen data under their respective comprehensive state consumer privacy laws.
 - **California** requires that users between 13 and 16 opt in for the sale and sharing of data.
 - **Connecticut** requires users between 13 and 18 opt in for targeted advertising, sale, geolocation collection, and fully automated profiling in furtherance of decisions that produce legal or similarly significant effects
 - **Delaware** requires users between 13 and 18 opt in for targeted advertising or sale.
 - **Montana** requires users between 13 and 16 opt in for targeted advertising or sale.
 - **Oregon** requires users between 13 and 15 opt in for targeted advertising, sale, and profiling in furtherance of decisions that produce legal or similarly significant effects.
- **Texas, Louisiana, Ohio, and Utah** all require **parental consent** before minors under 18 may sign up for specific categories of online services, primarily social media.
 - **Arkansas** also passed a law requiring parental consent for minor social media accounts, but enforcement has been enjoined

Common Theme #3

Algorithms & Addiction



Utah Social Media Regulation Act

“Beginning March 1, 2024, a social media company shall not use a practice, design, or feature on the company's social media platform that the social media company knows, or which by the exercise of reasonable care should know, **causes a Utah minor account holder to have an addiction to the social media platform.**”

Addiction means the use of social media platform that:

- a) indicates the user's substantial preoccupation or obsession with, or the user's substantial difficulty to cease or reduce use of, the social media platform; and
- b) causes physical, mental, emotional, developmental or material harms to the user.

California Age-Appropriate Design Code

(1) (A) Before any new online services, products, or features are offered to the public, complete a Data Protection Impact Assessment for any online service, product, or feature likely to be accessed by children and maintain documentation of this assessment as long as the online service, product, or feature is likely to be accessed by children. A business shall biennially review all Data Protection Impact Assessments.

(B) The Data Protection Impact Assessment required by this paragraph shall identify the purpose of the online service, product, or feature, how it uses children's personal information, and the risks of material detriment to children that arise from the data management practices of the business. The Data Protection Impact Assessment shall address, to the extent applicable, all of the following:

...

(v) Whether **algorithms** used by the online product, service, or feature could harm children.

Stop Addictive Feeds Exploitation for Kids Act

(New York proposed legislation)

§1501(1). Prohibition of addictive feeds. It shall be unlawful for the operator of an addictive social media platform to provide an addictive feed to a covered user unless:

- a) the operator has used commercially reasonable methods to determine that the covered user is not a covered minor [under 18]; or
- b) the operator has obtained verifiable parental consent to provide addictive feed to the covered user.

What's a business to do?

Planning for an uncertain future
in a rapidly-changing landscape



Why Now?



- **Many states are focused on teen protections:** AK, CA, CT, DE, FL, LS, OH, TX, UT have adopted online teen privacy and safety laws with complicated, overlapping, and contradictory requirements
- **Fifteen other states** introduced substantially similar legislation in 2023
- **White House** has prioritized teen mental health related to online safety and privacy
- **Congress** is looking to raise the age for COPPA (CTOPA) and/or regulate minor exposure to online harms from platforms (KOSA)
- **Regulators** have indicated online harms for minors are an enforcement priority
- **Evidence** of a youth mental health crisis that industry can help address is mounting
- **Pressure** to see action continues from consumer groups, civil society, and parents

So, this is not going away: Companies should brace for change now!

Teen Age Privacy Program (TAPP)



About BBB National Programs

- Independent, non-profit organization
- Home to more than a dozen independent industry self-regulation, accountability, and dispute resolution programs

Our Mission

- Agreed-upon Standards
- Independent Marketplace Monitoring
- Dispute Resolution and Enforcement Mechanisms
- Built-in Independent Appeals Structure
- Regulation Back-stop and/or Regulatory Referrals



TAPP Mission

- Help companies **demonstrate accountability** designing platforms, features, and systems in a manner that is safe and privacy-protective for teenage users.
- Help companies **navigate** the fast-changing teen privacy and online safety regulatory, policy, and legal landscape.
- **Signal to the marketplace** that good actors are making efforts to process teen data and design products in a responsible manner.
- Ensure TAPP companies' data collection practices **comply with applicable laws.**

“It’s not the case that all social media is bad for all teens all the time, but surveying the evidence, it certainly seems that some uses of social media for some teenagers are harmful...this is nuanced, this is not a straightforward problem we're facing when it comes to the mental health of teens online...[but] **that nuance should not be a barrier to taking action...we are talking about statistically significant increases in medically diagnosable clinical depression, clinical anxiety, suicidal ideation, and thoughts of self-harm.**”

- Alvaro Bedoya
Federal Trade Commission (FTC) Commissioner,
November 2022

TAPP Roadmap

Initially Published: April 2022

NOW: FTC enforcement action and 10+ state laws and teen privacy laws/regulations passed

This Fall: Updated Roadmap addressing:

- Consent
- Age Assurance Technologies
- Impact Assessments
- ADM/Algorithms
- In-App Purchases
- Parental Tools
- Social Features



TAPP Compliance Scope



- Consent
- Age Assurance Practices
- Knowledge Standard
- Purpose Limitations and Data Minimization
- Teen Data Subject Requests
- Data Security
- Use of Teen Geolocation Data
- Interest-Based Advertising Practices
- Stealth Advertising to Minors
- Data Protection Impact Assessments
- User-Generated Content and Moderation Practices
- Social Features
- Use of Algorithms for Personalization, ADM, and Profiling Teen-Age Users
- Retaining Teen Data
- Sharing Teen Data
- In-App Purchases
- Parental Tools
- Research Practices

Speakers



Emily Tabatabai

*Partner, Cyber Privacy &
Data Innovation*

Orrick

etabatabai@orrick.com



Sara Kloek

*Vice President, Education
and Children's Policy*

SIIA

skloek@SIIA.net



David Sallay

*Director, Youth &
Education Privacy*

Future of Privacy Forum

dsallay@fpf.org



Divya Sridhar

*Director of Privacy
Initiatives*

BBB National Programs

dsridhar@bbbnp.org



Resources



Resources



- Fact Sheet: President Biden Issues Executive Order on Safe, Secure, and Trustworthy Artificial Intelligence, October 30, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/10/30/fact-sheet-president-biden-issues-executive-order-on-safe-secure-and-trustworthy-artificial-intelligence/>
- NTIA Request for Comment: Kids Online Health and Safety Request for Comment, September 28, 2023, <https://www.ntia.gov/press-release/2023/ntia-seeks-comment-protecting-kids-online>
- Fact Sheet: Biden-Harris Administration Announces Actions to Protect Youth Mental Health, Safety and Privacy Online, May 23, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/05/23/fact-sheet-biden-harris-administration-announces-actions-to-protect-youth-mental-health-safety-privacy-online/>
- Protecting Youth Mental Health: US Surgeon General's Advisory, December 2021, <https://www.hhs.gov/sites/default/files/surgeon-general-youth-mental-health-advisory.pdf>
- FTC Staff Report: Protecting Kids from Stealth Advertising in Digital Media, September 2023, https://www.ftc.gov/system/files/ftc_gov/pdf/p214505kidsadvertisingstaffperspective092023.pdf
- FTC Staff Report: Bringing Dark Patterns to Light, September 2022, https://www.ftc.gov/system/files/ftc_gov/pdf/P214800%20Dark%20Patterns%20Report%209.14.2022%20-%20FINAL.pdf

Recommended Reading



Background Research on Teen-Specific Privacy Harms and Best Practices

- Youth Online Safety: Four Bills to Watch in Congress, Orrick, October 2023, [Link](#)
- Danah Boyd, "It's Complicated: The Social Lives of Networked Teens," Yale University Press (2015), [Link](#)
- Pamela Wisniewski, collected academic works on [Adolescent Online Safety](#) and [Networked Privacy](#).
- "Privacy Matters: Parents and Teens Share Attitudes and Opinions," Common Sense Media, SurveyMonkey (2018), <https://www.commonsensemedia.org/sites/default/files/uploads/pdfs/commonsense-surveymonkey.pdf>.
- "Trust & Safety Glossary of Terms," Digital Trust & Safety Partnership (2023). <https://dtspartnership.org/glossary/>.
- "Guidelines for Industry on Child Online Protection," UNICEF (2015). https://sites.unicef.org/csr/files/COP_Guidelines_English.pdf
- "Design Principles," Designing for Children's Rights (2022). <https://childrensdesignguide.org/wp-content/uploads/2022/07/D4CR-Design-Principles-2.0-2022-07-12.pdf>.
- Gabrielle Shea & Sabine Neschke, "Tech Policy Trifecta: Age Assurance Risks and Rewards," Bipartisan Policy Center (2023). <https://bipartisanpolicy.org/blog/tech-policy-trifecta-age-assurance-risks-and-rewards/>.

Our Publications



- Bailey Sanchez & Jim Siegl, "Unpacking Age Assurance: Technologies and Tradeoffs," Future of Privacy Forum (last updated, September 18, 2023). <https://fpf.org/blog/new-fpf-infographic-analyzes-age-assurance-technology-privacy-tradeoffs/>.
- "FPF's Analysis of Utah bills SB 152 and HB 311 (subsequently signed into law), Proposals to Require Web Services to Verify Users' Ages, Obtain Parental Consent to Process Teens' Data (February 13, 2023), <https://fpf.org/resource/utah-considers-proposals-to-require-web-services-to-verify-users-ages-obtain-parental-consent-to-process-teens-data/>
- Chloe Altieri, Bailey Sanchez, Christina Michelakaki & Peyton Thomas, "Policy Brief: Comparing the UK and California Age-Appropriate Design Codes," Future of Privacy Forum (December 2022), <https://fpf.org/wp-content/uploads/2022/11/FPF-Comparative-Analysis-of-CA-UK-Codes-of-Conduct-R3.pdf>
- Chloe Altieri & Bailey Sanchez, "Policy Brief: An Analysis of California's Age-Appropriate Design Code," Future of Privacy Forum (October 2022), <https://fpf.org/wp-content/uploads/2022/10/FPF-Policy-Brief-California-Age-Approp-Design-Code-R2.pdf>
- Suzanne Bernstein, Miles Light & Lauren Merk, "Policy Brief: a Comparison of Federal Child Privacy Bills," Future of Privacy Forum (September 2022), <https://fpf.org/wp-content/uploads/2022/09/FPF-Policy-Brief-Child-Privacy-Federal-Bill-Comparison-R8.pdf>
- Bailey Sanchez, Jamie Gorosh, Alexa Mooney, David Sallay, Chloe Altieri & Jim Siegl, "The State of Play: Is Verifiable Parental Consent Fit for Purpose?," Future of Privacy Forum (last updated, June 23, 2023). <https://fpf.org/blog/fpf-releases-report-on-verifiable-parental-consent/>

Our publications



Teen Privacy:

- [Key Takeaways: TikTok Testifies at House Energy & Commerce Committee Hearing](#) (Mar. 2023) by Divya Sridhar, Ph.D.
- [A Not-So-Sweet Sixteen? Teen Online Privacy and Safety Faces New Policy Dilemmas](#) (Aug. 2023) by BBB National Programs Privacy Initiatives Team
- [Injunction Junction: NetChoice v. Bonta and Securing the Future of Teen Online Privacy and Safety](#) (Oct. 2023) by BBB National Programs Privacy Initiatives

Consumer Health Privacy

- [New WA Consumer Health Law Drives Call to Action: Adopt Robust Standards in the Health B2C Marketplace](#) (Apr. 2023) by Divya Sridhar, Ph.D.
- [Reflections on A New Consumer Privacy Health Standard in Washington](#) (Apr. 2023) by Divya Sridhar, Ph.D.
- [Fifty Shades of Consumer Health Data: Unclear Expectations for Digital Privacy](#) (May 2023) by Divya Sridhar, Ph.D.
- [Fifty Shades of Consumer Health Data: How a Risk-Based Approach Provides More Clarity](#) (Jun. 2023) by Divya Sridhar, Ph.D.

Artificial Intelligence

- [Creating a Uniform Approach to AI Accountability](#) (Jul. 2023) by Divya Sridhar, Ph.D.
- [Spilling the Tea on AI Accountability: An Analysis of NTIA Stakeholder Comments](#) (Aug. 2023) by Divya Sridhar, Ph.D, and Sander McComiskey
- [Developing Principles and Protocols for Recruiting and Hiring with AI](#) (Aug. 2023) by Eric D. Reicin

Misc.

- [Federal Privacy Legislation Should Create a Gateway for Industry Self-Regulation](#) (Apr. 2023) by Divya Sridhar, Ph.D.
- [Data Privacy Advances, Despite Lack Of Federal Privacy Law](#) (May 2023) by Eric D. Reicin
- [California Privacy Enforcement: Whose Job Is It Anyway?](#) (May 2023) by Rebecca Knight
- [A Privacy Review a Day, Keeps the Regulators Away](#) (Jul. 2023) by Divya Sridhar, Ph.D, and Sander McComiskey

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