

H.R. 7891, The Kids Online Safety Act (KOSA)

Reps. Gus Bilirakis and Kathy Castor

For too long, Big Tech companies have failed to mitigate the dangers and harms being perpetrated on social media and other platforms, leading to an unprecedented mental health crisis among children and teens. The Kids Online Safety Act (KOSA) provides children and parents with the safeguards, tools, and transparency they need to better protect against serious online threats to children's health, safety, and wellbeing.

Specifically, KOSA would:

- Outline a set of harms to minors under the age of 17 requiring Big Tech companies to take reasonable measures to prevent and mitigate, including the promotion of suicide, depression, eating disorders, substance abuse, sexual exploitation, and certain unlawful products for minors (i.e., narcotic drugs, tobacco products, gambling, and alcohol);
- Empower parents and inform policymakers about individual social media platforms' efforts to reduce risks to kids by requiring independent audits and supporting access to important data for experts and academic researchers;
- Direct covered platforms to implement controls to protect against stalking and exploitation of children;
- Provide kids and teens the opportunity to turn off data-driven recommendation algorithms;
- Require covered platforms to provide parents with tools to help manage a minor's use of a platform, including options to control safety settings, track their time, limit purchases, and address harmful usage, enabling these tools by default;
- Implement a reporting mechanism by directing covered platforms to establish a dedicated reporting channel to alert the platform of harms to minors, and requires them to substantively respond in a timely manner;
- Ensure that covered platforms offer easy-to-use controls and options, prohibiting the use of 'dark patterns' that mislead or confuse consumers;
- Improve transparency by requiring annual public reporting on the risks of harm to minors, based on independent, third-party audits conducted through reasonable inspection of the covered platform, and describing the prevention and mitigation measures taken by the platform;
- Direct the Department of Commerce to conduct a study evaluating the most technologically feasible options for developing systems to verify age at the device or operating system level;
- Require the Federal Trade Commission (FTC) and the Department of Education to issue guidance to support covered platforms on compliance and address emerging harms to minors, as well as to assist schools in taking advantage of the protections offered; and
- Create a Kids Online Safety Council comprised of parents, experts, representatives from covered platforms, federal agencies, state Attorneys General, youth voices, to provide advice on the implementation of the Act and recommendations on additional measures to take to protect kids online.