

# Kids Online Safety Act

## Overview

*Senate Majority Leader Schumer bringing the Kids Online Safety Act to a vote on the Senate floor raises questions about the influence of big tech interest and astroturf groups on the Hill. With a filibuster-proof 69 cosponsors in the Senate, KOSA seems like to be a defeat for Big Tech's policy agenda. Moreso, numerous groups funded by Big Tech have opposed KOSA and other legislation that aimed to make the internet safer for kids across the country. Though they have previously won lobbying battles, KOSA passing the Senate would be major reversal.*

## In July 2024, Senate Majority Leader Chuck Schumer Announced That He Would Bring The Kids Online Safety Act To The Senate Floor

**In A Press Release On July 23, 2024, Sen. Majority Leader Chuck Schumer Announced That He Would Bring The Kids Online Safety Act To The Senate Floor For A Vote.** “U.S. Senate Majority Leader Charles E. Schumer today announced he will bring the Kids Online Safety Act (KOSA) and the Children and Teens’ Online Privacy Protection Act (COPPA 2.0) to the Senate floor for a vote. Schumer, who for months worked with families & advocates to garner support for this legislation, explained these bipartisan bills represent some of the most robust federal tech reforms for children in decades, and will institute a set of safeguards, accountability, and privacy measures that shield children in New York and across the country from the harms created by social media companies and other online platforms.” [Office of Sen. Chuck Schumer, Press Release, [7/23/24](#)]

**Schumer: “This Legislation Will Require Social Media Companies To Design Their Products With The Safety Of Kids And Teens In Mind, Bans Targeted Advertising To Kids, Provides Parents With Tools To Protect Their Kids And Gives Families More Options For Managing And Disconnecting Them From These Platforms.”** “Children and teens have been subjected to online harassment, bullying, and other harms for far too long. This legislation will require social media companies to design their products with the safety of kids and teens in mind, bans targeted advertising to kids, provides parents with tools to protect their kids and gives families more options for managing and disconnecting from these platforms,” said Senator Schumer.” [Office of Sen. Chuck Schumer, Press Release, [7/23/24](#)]

**Schumer Previously Tried To Pass KOSA Through Unanimous Consent But Sen. Ron Wyden Opposed It Over The Previous Version’s Impact On LGBTQ+ Content.** “Schumer had tried to pass the bills through unanimous consent — an expedited way to pass legislation if no senator opposes it — but late last year, Sen. Ron Wyden (D-OR) announced he’d oppose such a move due to concerns about the earlier version’s impact on LGBTQ+ content.” [The Verge, [7/23/24](#)]

**Prominent LGBTQ+ Groups That Had Previously Opposed KOSA Dropped Their Concerns Following Changes By The Bill’s Sponsors.** “While other groups, including prominent LGBTQ+ groups like GLAAD and The Trevor Project, had previously raised concerns that KOSA could be weaponized against resources for LGBTQ+ youth, they dropped their opposition after the bill’s sponsors made several changes.” [The Verge, [7/23/24](#)]

## KOSA Had 69 Cosponsors In The Senate

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**KOSA Had More Than 60 Cosponsors In The Senate.** “Still, the bills have overwhelming support that should ensure their success in the chamber so long as they are given the time to proceed. KOSA, for example, has had more than 60 cosponsors for months, clearing the threshold needed to pass the chamber.” [The Verge, [7/23/24](#)]

**As Of July 24, 2024, The Kids Online Safety Act Had 69 Cosponsors In The Senate.** [U.S. Senate, S. 1409, [118<sup>th</sup> Congress](#)]

**Previously, Big Tech Proxies And Astroturf Groups Opposed The Kids Online Safety Act And Other Legislation Meant To Make The Internet Safer For Children Across The Country**

## TechNet

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**TechNet Was A Network Of Technology CEOs And Senior Executives Aimed At Pushing Public Policies To Encourage America's Tech Industry "To Flourish."** "TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over three million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance. TechNet has offices in Albany, Austin, Boston, Chicago, Olympia, Sacramento, San Francisco, Silicon Valley, Tallahassee, and Washington, DC. As the Voice of the Innovation Economy, TechNet advances public policies and private sector initiatives at the federal, state, and local levels that make the United States the world leader in innovation. We champion policies that foster a climate of innovation and competition, allowing America's tech industry to flourish. When policymakers are grappling with today's most transformative new technologies, they turn to us." [TechNet, About Us, Accessed: 2/9/21]

**TechNet Members Include Amazon, Apple, Google And Meta.** [TechNet Membership, Accessed 1/13/22]

**Open Secrets: Amazon, Facebook And Google Are All Members Of TechNet.** “Members of TechNet, a nonprofit network of technology CEOs and senior executives that signed the letter, also include Amazon, Facebook and Google.” [Open Secrets, 6/22/21]

**Wired Described TechNet As "Tech's Most Powerful Advocacy Group" And “Strongest” Lobbying Voice In Washington.** "LINDA MOORE AGE 54 PARTY Democrat CLAIM TO POWER Broadening the reach of tech's most powerful advocacy group FAMOUS FRIEND Hillary Clinton Moore honed her political chops as deputy political director in Bill Clinton's White House and was director of congressional affairs for Hillary's 2008 primary run. In 2014 she became president and CEO of TechNet. When Kleiner Perkins' John Doerr and Cisco's John Chambers founded the advocacy group in the late '90s, they were looking to convince policy-makers of the importance of tech. Since then, the bipartisan organization has grown to become the Valley's strongest fundraising network and lobbying voice in Washington, backed by Microsoft, Google, Apple, and others." [Wired, 2/2016]

***TechNet Opposed California Legislation That Would Fine Social Media Companies For Using Algorithms That Influence Children To Harm Themselves Or Others***

**TechNet Opposed California’s SB 287.** “A Bay Area lawmaker's push to punish social media content that harms children took a big step forward on Tuesday. Senate Bill 287, authored by California State Senator Nancy Skinner, D-Berkeley, would require social media companies to perform regular audits to show they are not causing social media addiction in people under the age of 18. The bill also would punish social media companies for knowingly harming children in a variety of ways including: [...] Among those testifying in opposition to this bill was Dylan Hoffman, who spoke on behalf of TechNet which represents technology CEOs and senior executives. Among TechNet's listed members is Meta, which owns Facebook and Instagram.” [NBC Bay Area, 4/13/23]

**SB 287 Would Fine Social Media Companies For Using Algorithms That Influence Children To Harm Themselves Or Others.** “California lawmakers this year will consider a measure that would fine social media companies for using algorithms that influence children to harm themselves or others and that prompt people to buy illegal guns. Democratic State Sen. Nancy Skinner filed the bill, Senate Bill 287, which would fine companies like Meta and TikTok up to \$250,000 per violation, plus other costs related to enforcing the law.” [KCRA, 2/2/23]

***TechNet Opposed A Minnesota Law That Prohibited Social Media Platforms From Using Algorithms To Target Children With Specific Content***

**H.F.1503 Prohibited “Social Media Platforms Like Facebook, Instagram, WhatsApp, Tik Tok, And Others” From Using Algorithms To Target Children With Specific Types Of Content.** “This bill prohibits social media platforms like Facebook, Instagram, YouTube, WhatsApp, TikTok, and others, from using algorithms to target children with specific types of content. The bill would require anyone operating a social media platform with more than 1,000,000 users to require that algorithm functions not target content to anyone under the age of 18. The bill makes the social media platform liable for damages and a civil penalty of \$1,000 for each violation of the section and provides an exemption for content provided by the government, schools, and colleges, or used to implement parental controls or block banned content.” [MN House Research, H.F. 1503 Bill Summary, 2/28/23]

**TechNet Opposed H.F. 1503.** “I write to you today on behalf of TechNet in opposition to HF 1503 (Robbins), which effectively bans algorithms on the internet and would force every Minnesotan to hand over sensitive personal information just to use the internet.” [TechNet, Testimony, 2/26/23]

***TechNet Opposed A Minnesota Law That Would Create Obligations Placed On Businesses Regarding Children’s Consumer Information***

**Minnesota’s HF 2257 Created Obligations Placed On Businesses Regarding Children’s Consumer Information.** “Minnesota Age-Appropriate Design Code Act created, obligations placed on businesses regarding children's consumer information, and attorney general enforcement provided.” [Minnesota House of Representatives, HF 2257, accessed 6/24/23]

**TechNet Opposed Minnesota’s HF 2257.** “On behalf of TechNet’s member companies, I respectfully submit this letter of opposition to HF 2257, regarding age-appropriate design code. TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet’s diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over five million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance. TechNet has offices in Austin, Boston, Chicago, Denver, Harrisburg, Olympia, Sacramento, Silicon Valley, and

Washington, D.C. TechNet strongly believes children deserve a heightened level of security and privacy and there are several efforts within the industry to incorporate protective design features into their websites and platforms. Our companies have been at the forefront of raising the standard for teen safety and privacy across our industry by creating new features, settings, parental tools, and protections that are ageappropriate and tailored to the differing developmental needs of young people. Our member companies are committed to providing a safe, age- appropriate experience for young people online; however, we are opposed to this bill’s approach for several reasons.” [TechNet, Testimony 2/28/23]

### ***TechNet Opposed A Maryland Law That Would Force Social Media Companies To Delete Data Gathered From Social Media Accounts Of Unauthorized Minors***

#### **Maryland’s HB 0254 Required Social Media Companies To Identify Public Social Media Accounts Operated By Unauthorized Minors And Delete All Associated User Data.**

“Regulating children's social media accounts on large social media platforms in the State; requiring large social media platforms to identify all public social media accounts created or operated by unauthorized minors and delete all associated user data; penalizing a large social media platform that violates the Act with a fine of \$100,000 per violation to be deposited in the Digital Citizenship Fund; providing the purpose of the Fund is to assist county boards of education with investing in digital citizenship programs; etc.” [Maryland General Assembly, MD HB 0254, 2/22/23]

**TechNet Opposed HB 0254.** “On behalf of TechNet’s member companies, I respectfully submit this letter of opposition to HB 254, social media regulation for children. [...] TechNet supports policies that help prepare young people to be a successful part of a global, interconnected, and technology-driven economy, and its members are also committed to providing a safe, age-appropriate experience for young people online. Such policies include supporting digital learning resources and technology integration in student learning environments, fully funded K-12 education, and rigorous computer science standards. Digital citizenship education is a top priority for TechNet and its member companies; however, while we are very supportive of this type of education, HB 254 is a misguided approach to funding said curriculum.” [TechNet, Testimony, 2/20/23]

## **Chamber Of Progress**

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**Chamber Of Progress Is A Tech Industry Group Funded By Big Tech Giants Like Amazon, Facebook And Google.** “Chamber of Progress, a new tech industry group funded by giants like Amazon, Facebook and Google, is announcing its support for a corporate tax increase like the one President Joe Biden proposed to fund his \$2 trillion infrastructure plan.” [CNBC, 4/15/21]

**2022: Chamber Of Progress Calls Amazon, Apple, Google And Meta Corporate Partners.** “Chamber of Progress, which calls Amazon, Apple, Google and Meta corporate partners.” [The Hill, 1/11/22]

**Chamber Of Progress Included Amazon, Facebook And Google.** “Adam Kovacevich, Google’s former public policy head who most recently held a similar position at electric scooter company Lime, said the industry group called Chamber of Progress includes tech giants like Amazon, Facebook, Google, Twitter, Uber, Grubhub, Lime, Doordash, Instacart, Waymo and Zillow.” [The Hill, 3/29/21]

**Chamber Of Progress Was Launched By Former Google Lobbyist Adam Kovacevich.** “Launched last month by Adam Kovacevich, a former government affairs honcho for

Google...During his 12-years leading Google's public policy efforts, Kovacevich oversaw an expansion of the search giant's lobbying. Starting in 2011, he also courted conservatives to help Google fight off a Federal Trade Commission probe into the company's search and advertising practices and other regulatory proposals." [Mother Jones, 4/9/21]

**Kovacevich Spent Over A Decade As Google's Head Of Public Policy.** "The Chamber of Progress is headed by Adam Kovacevich, a former Democratic staffer who later served for over a decade as Google's head of public policy. It's backed by money from tech giants Google, Facebook, and Amazon." [National Journal, 3/30/21]

### *Chamber Of Progress Opposed KOSA*

**Chamber Of Progress Warned That Bipartisan Kids' Privacy Bill Could Enable Far- Right State Attorneys General To Wage Ideological Attacks Using Big Tech Platforms.** "The Senate Commerce Committee's bipartisan kids' privacy legislation...There's concern about the bill enabling state attorneys general to bring action against platforms when state residents are harmed, said Chamber of Progress CEO Adam Kovacevich. The chamber's members include Amazon, Apple, Google, Meta and Twitter. Leaving it up to individual states to decide what topics pose risk opens the door to the possibility of far-right state AGs waging ideology-driven attacks, he said, citing gender politics: "You can see" state AGs pushing an agenda on a platform, he said." [Communications Daily, 9/22/22]

### *Chamber Of Progress Opposed A Minnesota Bill*

**H.F.1503 Prohibited "Social Media Platforms Like Facebook, Instagram, WhatsApp, Tik Tok, And Others" From Using Algorithms To Target Children With Specific Types Of Content.** "This bill prohibits social media platforms like Facebook, Instagram, YouTube, WhatsApp, TikTok, and others, from using algorithms to target children with specific types of content. The bill would require anyone operating a social media platform with more than 1,000,000 users to require that algorithm functions not target content to anyone under the age of 18. The bill makes the social media platform liable for damages and a civil penalty of \$1,000 for each violation of the section and provides an exemption for content provided by the government, schools, and colleges, or used to implement parental controls or block banned content." [MN House Research, H.F. 1503 Bill Summary, 2/28/23]

**The Chamber Of Progress Opposed Proposed Safety And Privacy Internet Protections For Children In Minnesota.** "Federal efforts to pass children's online safety protections have languished amid disagreements between House and Senate leaders about which proposals to rally around. State officials have rushed to fill the void with a wave of their own bills, including proposals in Maryland and half a dozen other states requiring tech companies to vet their products for risks to children before rolling them out.[...] Tech groups including NetChoice, CCIA and the Chamber of Progress have fired off letters warning about the potentially catastrophic impact of the bills on user privacy and free speech online, deployed lobbyists to meet with key state officials and sent their leaders to testify in opposition to the efforts in Maryland, Minnesota and Nevada, among other states — part of a widespread campaign to neutralize the budding regulatory push." [Washington Post, 5/3/23]

**The Chamber Of Progress Opposed H.F. 1503.** "My name is Kouri Marshall and I serve as the Director of State and Local Government Relations managing the Central region, for the Chamber of Progress, a tech industry coalition committed to ensuring all Americans benefit from technological leaps. Our corporate partners include companies like Amazon, Apple, and Google, but our partners do not have a vote on or veto over our positions. We urge your committee to oppose HF 1503, which

would eliminate some of the tools social media platforms use to protect children online and limit access to the benefits social media can provide.” [Chamber Of Progress, Testimony, 3/1/23]

### ***Chamber Of Progress Opposed A Minnesota Bill That Would Create Obligations On Businesses Regarding Children’s Consumer Information***

**Minnesota’s HF 2257 Created Obligations Placed On Businesses Regarding Children’s Consumer Information.** “Minnesota Age-Appropriate Design Code Act created, obligations placed on businesses regarding children's consumer information, and attorney general enforcement provided.” [Minnesota House of Representatives, HF 2257, accessed 6/24/23]

**The Chamber Of Progress Opposed Minnesota’s HF 2257, And Described Amazon, Apple, And Google As “Corporate Partners” In Their Testimony Against The Bill.** “My name is Kouri Marshall and I serve as the Director of State and Local Government Relations managing the Central region, for the Chamber of Progress, a tech industry coalition committed to ensuring all Americans benefit from technological leaps. Our corporate partners include companies like Amazon, Apple, and Google, but our partners do not have a vote on or veto over our positions We urge your committee to oppose HF 2257, which would undermine its own goals by sacrificing user privacy and jeopardizing many of the safe tools and resources already available to children.” [Chamber Of Progress, Testimony 3/1/23]

### ***Chamber Of Progress Opposed A Maryland Bill That Would Make The Internet Safer For Children Online***

**Maryland’s SB844/HB901 Required Business That Offered Online Products Likely To Be Accessed By Children To Conduct Data Protection Impact Assessments.** “Requiring a business that offers an online product likely to be accessed by children to complete a certain data protection impact assessment by April 1, 2025, under certain circumstances; prohibiting a business from offering a certain online product before completing a data protection impact assessment; requiring businesses to document certain risks associated with certain online products; requiring certain privacy protections for certain online products; prohibiting certain data collection and sharing practices; etc.” [Maryland General Assembly, SB844/HB901 Summary, 3/20/23]

**The Chamber Of Progress Opposed SB844/HB901.** “Thank you for the opportunity to submit testimony for the record regarding SB 0844. On behalf of Chamber of Progress, a tech industry coalition promoting technology’s progressive future, I urge you to oppose SB 0844, which would undermine its own goals by sacrificing user privacy and jeopardizing many of the safe tools and resources already available to children. We urge your committee to issue an unfavorable report on SB 0844 for several reasons. First, the age verification requirements would sacrifice all users’ privacy in the name of increased security. Second, forcing platforms to decide what content is appropriate for all child users could result in over-removal of information. Third, the data protection impact assessment, or DPIA, could chill development of new products and features that could improve safety for children.” [Chamber Of Progress, Letter, 3/8/23]

**The Chamber Of Progress Opposed Proposed Safety And Privacy Internet Protections For Children In Maryland.** “Federal efforts to pass children’s online safety protections have languished amid disagreements between House and Senate leaders about which proposals to rally around. State officials have rushed to fill the void with a wave of their own bills, including proposals in Maryland and half a dozen other states requiring tech companies to vet their products for risks to children before rolling them out.[...] Tech groups including NetChoice, CCIA and the Chamber of Progress have fired off letters warning about the potentially catastrophic impact of the bills on user

privacy and free speech online, deployed lobbyists to meet with key state officials and sent their leaders to testify in opposition to the efforts in Maryland, Minnesota and Nevada, among other states — part of a widespread campaign to neutralize the budding regulatory push.” [Washington Post, 5/3/23]

### ***Chamber Of Progress Opposed Nevada Legislation To Protect Children Online***

**The Chamber Of Progress Opposed Proposed Safety And Privacy Internet Protections For Children In Nevada.** “Federal efforts to pass children’s online safety protections have languished amid disagreements between House and Senate leaders about which proposals to rally around. State officials have rushed to fill the void with a wave of their own bills, including proposals in Maryland and half a dozen other states requiring tech companies to vet their products for risks to children before rolling them out.[...] Tech groups including NetChoice, CCIA and the Chamber of Progress have fired off letters warning about the potentially catastrophic impact of the bills on user privacy and free speech online, deployed lobbyists to meet with key state officials and sent their leaders to testify in opposition to the efforts in Maryland, Minnesota and Nevada, among other states — part of a widespread campaign to neutralize the budding regulatory push.” [Washington Post, 5/3/23]

## **NetChoice**

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**Carl Szabo, NetChoice’s Vice President And General Counsel, Did Not Disclose His Role With NetChoice When He Testified Against Proposed Safety And Privacy Protections For Children In Maryland.** “At a March meeting in Annapolis, Md., that state lawmakers held to discuss proposals for new safety and privacy protections for children online, one local resident made a personal plea urging officials to reject the measure. ‘I’m going to talk to you as a lifelong Maryland resident, parent, [husband] of a child therapist,’ Carl Szabo told the Maryland Senate Finance Committee, according to footage of the proceedings. ‘Typically I’m a pretty cool customer, but this bill, I’m really nervous, because this comes into effect, this will really harm my family. This will really harm my kids’ ability to be online.’ What Szabo didn’t initially disclose in his two-minute testimony to the panel: He is vice president and general counsel for NetChoice, a tech trade association that receives funding from tech giants including Amazon, Google and Facebook parent company Meta. NetChoice has vocally opposed the measure and already sued to block a similar law in California.” [Washington Post, 5/3/23]

**Carl Szabo “Offended” Maryland State Lawmakers By Failing To Properly Identify Himself When Testifying Against Legislation.** “After Szabo’s remarks to the Maryland state lawmakers, one of them pressed Szabo to identify himself. “I was offended that he would come in and, quite frankly, misrepresent his interest in this issue,” Maryland state Sen. Benjamin F. Kramer (D) said in an interview recalling the exchange.”

**NetChoice’s Carl Szabo Said Congress Focusing On Instagram Was Taking Away From The Bigger Problem, Mental Health Issues Involving Children And Teens.** “Congress should investigate Facebook, subpoena its internal research about youths and block the platform's plans to launch an Instagram for kids, consumer advocates told us Friday. They joined calls from Democrats and Republicans urging Facebook to drop those plans...Lawmakers are more interested in theater than solving the underlying issues, said NetChoice Vice President Carl Szabo. This "laser focus" on Instagram is taking attention away from the bigger problem: mental health issues involving children and teens, he added.” [Communications Daily, 10/4/21]

## ***NetChoice Consistently Opposed Legislative Proposals To Provide Safety And Privacy Protections For Children At The State Level***

**NetChoice Opposed Proposed Safety And Privacy Internet Protections For Children In Maryland.** “Federal efforts to pass children’s online safety protections have languished amid disagreements between House and Senate leaders about which proposals to rally around. State officials have rushed to fill the void with a wave of their own bills, including proposals in Maryland and half a dozen other states requiring tech companies to vet their products for risks to children before rolling them out.[...] Tech groups including NetChoice, CCIA and the Chamber of Progress have fired off letters warning about the potentially catastrophic impact of the bills on user privacy and free speech online, deployed lobbyists to meet with key state officials and sent their leaders to testify in opposition to the efforts in Maryland, Minnesota and Nevada, among other states — part of a widespread campaign to neutralize the budding regulatory push.” [Washington Post, 5/3/23]

**NetChoice Opposed Proposed Safety And Privacy Internet Protections For Children In Minnesota.** “Federal efforts to pass children’s online safety protections have languished amid disagreements between House and Senate leaders about which proposals to rally around. State officials have rushed to fill the void with a wave of their own bills, including proposals in Maryland and half a dozen other states requiring tech companies to vet their products for risks to children before rolling them out.[...] Tech groups including NetChoice, CCIA and the Chamber of Progress have fired off letters warning about the potentially catastrophic impact of the bills on user privacy and free speech online, deployed lobbyists to meet with key state officials and sent their leaders to testify in opposition to the efforts in Maryland, Minnesota and Nevada, among other states — part of a widespread campaign to neutralize the budding regulatory push.” [Washington Post, 5/3/23]

**NetChoice Opposed Proposed Safety And Privacy Internet Protections For Children In Nevada.** “Federal efforts to pass children’s online safety protections have languished amid disagreements between House and Senate leaders about which proposals to rally around. State officials have rushed to fill the void with a wave of their own bills, including proposals in Maryland and half a dozen other states requiring tech companies to vet their products for risks to children before rolling them out.[...] Tech groups including NetChoice, CCIA and the Chamber of Progress have fired off letters warning about the potentially catastrophic impact of the bills on user privacy and free speech online, deployed lobbyists to meet with key state officials and sent their leaders to testify in opposition to the efforts in Maryland, Minnesota and Nevada, among other states — part of a widespread campaign to neutralize the budding regulatory push.” [Washington Post, 5/3/23]

## ***NetChoice Sued To Block California’s Child Internet Safety Law Before It Took Effect In 2024***

**NetChoice Sued To Block California’s Child Internet Safety Law Before It Took Effect In 2024.** “One strategy is litigation, with the tech-funded group NetChoice suing to block a landmark California child safety law before it takes effect in 2024. Another is lobbying, with tech companies and their trade groups scrambling to stop a slew of other states from advancing child safety bills, many of them based on the California model and another law passed in Utah. These bills could force online companies to make costly changes to their platforms.” [Tech Transparency Project, 5/3/23]

## ***Netchoice Lobbied Against Minnesota Bill To Ban Big Tech From Using Algorithms To Target User-Generated Content To Children Under 18***

**Net Choice, Chamber Of Progress And TechNet All Lobbied Against A Bill In The Minnesota House To Ban Social Media Platforms Using Algorithms To Target User-**



**Generated Content To Children Under 18.** “One after another, lobbyists from groups with names like Net Choice, Chamber of Progress and TechNet testified in a Minnesota House hearing. Then a rare thing in politics happened. Republican and DFL legislators joined forces to rail against some of the business practices used by the companies behind the groups - Google, Apple, Amazon, Twitter and other tech giants...Minnesota's divided Legislature is coming together on bills to tamp down tech firms' influence this year, including a nation-leading ban on social media platforms using algorithms to target user-generated content to children under 18. The proposal has sparked an intense lobbying effort from tech companies and their trade association groups which have raised the issue of possible free speech violations and argued it could have the unintended consequence of keeping positive content from kids.” [Star-Tribune, 4/21/22]

### ***NetChoice Opposed Maryland Legislation That Required Businesses That Offered Online Products Likely To Be Accessed By Children To Conduct Data Protection Impact Assessments***

**Maryland’s SB844/HB901 Required Business That Offered Online Products Likely To Be Accessed By Children To Conduct Data Protection Impact Assessments.** “Requiring a business that offers an online product likely to be accessed by children to complete a certain data protection impact assessment by April 1, 2025, under certain circumstances; prohibiting a business from offering a certain online product before completing a data protection impact assessment; requiring businesses to document certain risks associated with certain online products; requiring certain privacy protections for certain online products; prohibiting certain data collection and sharing practices; etc.” [Maryland General Assembly, SB844/HB901 Summary, 3/20/23]

**NetChoice Opposed SB844/HB901.** “We respectfully ask that you oppose SB 844. The bill’s goal is laudable and one NetChoice supports. But its chosen means are unconstitutional by imposing prior restraints on online speech, erecting barriers to sharing and receiving constitutionally-protected speech, and by providing only vague notice to online businesses as to what the law prohibits. The Supreme Court struck down a similar law in 1996 after finding that “knowing...minors are likely to access a website—and therefore create liability for the website—would...[place] an unacceptably heavy burden on protected speech.” 1 NetChoice has an active First Amendment lawsuit against California for its nearly-identical Age-Appropriate Design Code (AB 2273) for these reasons. 2 To avoid unnecessary litigation, this committee should not advance SB 844 while this litigation is pending. SB 844.” [NetChoice, Letter, 3/7/23]

## **Digital Advertising Alliance**

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**The Digital Advertising Alliance (DAA) Was An Independent Non-Profit Organization Led By Advertising And Marketing Trade Associations.** “The Digital Advertising Alliance (DAA) establishes and enforces responsible privacy practices across the industry for relevant digital advertising, providing consumers with enhanced transparency and control through multifaceted principles that apply to multi-site data and cross-app data gathered in either desktop, mobile web, or mobile app environments. The DAA is an independent non-profit organization led by leading advertising and marketing trade associations.” [Digital Advertising Alliance, accessed 6/21/23]

**Amazon, Google, And Microsoft Were All Digital Advertising Alliance Members.** [Digital Advertising Alliance, Members, accessed, 6/29/23]

***The Digital Advertising Alliance Opposed A Maryland Law That Would Require Businesses Offering Online Products Access By Children To Conduct Protection Impact Assessments***

**Maryland’s SB844/HB901 Required Business That Offered Online Products Likely To Be Accessed By Children To Conduct Data Protection Impact Assessments.** “Requiring a business that offers an online product likely to be accessed by children to complete a certain data protection impact assessment by April 1, 2025, under certain circumstances; prohibiting a business from offering a certain online product before completing a data protection impact assessment; requiring businesses to document certain risks associated with certain online products; requiring certain privacy protections for certain online products; prohibiting certain data collection and sharing practices; etc.” [Maryland General Assembly, SB844/HB901 Summary, 3/20/23]

**The Digital Advertising Alliance Opposed SB844/HB901.** “We write to respectfully request you to reconsider SB 844, the Maryland Age-Appropriate Design Code Act.<sup>1</sup> While we strongly agree with protecting Maryland’s children online, this bill would subject an excessively large range of companies to severe requirements and restrictions that would hamper innovation and hurt Maryland consumers. As the nation’s leading advertising and marketing trade associations, we collectively represent thousands of companies across the country. These companies range from small businesses to household brands, advertising agencies, and technology providers. Our combined membership includes more than 2,500 companies that power the commercial Internet, which accounted for 12 percent of total U.S. gross domestic product (“GDP”) in 2020.<sup>2</sup> Our group has more than a decade’s worth of hands-on experience it can bring to bear on matters related to consumer privacy and controls. We would welcome the opportunity to engage with you further issues with the bill outlined here.” [Digital Advertising Alliance, Letter, 3/6/23]

## **State Privacy And Security Coalition**

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**As Of 2022, Meta, Alphabet Inc., And Amazon Were State Privacy And Security Coalition Members.** “A powerful tech industry group known as the State Privacy and Security Coalition (SPSC), whose members include Facebook parent Meta Platforms Inc., Alphabet Inc. and Amazon, has also offered state lawmakers “substantive expertise” and advice on privacy legislation. One lobbyist with the group helped Utah Republican state Senator Kirk Cullimore add substitute language to his state’s privacy bill, according to the minutes of a February 2022 hearing.” [Bloomberg, 9/22/22]

**The State Privacy & Security Coalition Pushed For Privacy Laws That Apple Considered Too Weak From A Consumer Protection Standpoint.** “Apple has dropped out of the State Privacy and Security Coalition (SPSC) after expressing concerns that the trade group pushed legislation that would not adequately protect user data. The SPSC bills itself as “a coalition of major Internet, communications, retail, and media companies that works for robust and consistency data security, breach notice, privacy and consumer protection regulation,” according to a letter the group penned to the Federal Trade Commission in 2016. And, apparently, Apple has left the group because the company felt that the group was not doing enough to protect consumers' privacy. According to a report from Politico's Emily Birnbaum, the group consists of giants like AT&T, Google, Meta, and formerly, Apple.” [Apple Insider, 4/7/22]

### ***SPCA Opposed The Minnesota Age-Appropriate Design Code Act***

**Minnesota’s HF 2257 Created Obligations Placed On Businesses Regarding Children’s Consumer Information.** “Minnesota Age-Appropriate Design Code Act created, obligations placed on businesses regarding children's consumer information, and attorney general enforcement provided.” [Minnesota House of Representatives, HF 2257, accessed 6/24/23] **The State Privacy And Security Coalition Opposed Minnesota’s HF 2257.** “The State Privacy & Security Coalition (SPSC), a coalition of over 30 companies and six trade associations in the retail, technology, telecom, payment

card, and healthcare sectors, writes to respectfully oppose HF 2257. Children’s safety is extremely important, and our testimony today reflects significant concerns about the unintended consequences of this bill on vulnerable populations. As drafted – and as enacted in California – this bill contains several elements that, when joined together, will almost certainly result in a loss of anonymity for teens on the internet as well as a restriction of content that those teens can access.” [State Privacy And Security Coalition, Testimony 2/28/23]

### ***SPCA Opposed A Maryland Bill That Would Require Businesses To Conduct Data Protection Impact Assessments For Products Likely To Be Accessed By Children***

**Maryland’s SB844/HB901 Required Business That Offered Online Products Likely To Be Accessed By Children To Conduct Data Protection Impact Assessments.** “Requiring a business that offers an online product likely to be accessed by children to complete a certain data protection impact assessment by April 1, 2025, under certain circumstances; prohibiting a business from offering a certain online product before completing a data protection impact assessment; requiring businesses to document certain risks associated with certain online products; requiring certain privacy protections for certain online products; prohibiting certain data collection and sharing practices; etc.” [Maryland General Assembly, SB844/HB901 Summary, 3/20/23]

**The State Privacy And Security Coalition Opposed SB844/HB901.** “The State Privacy & Security Coalition (SPSC), a coalition of over 30 companies and six trade associations in the retail, technology, telecom, payment card, and healthcare sectors, writes to respectfully request an unfavorable report of SB 844. Children’s safety is extremely important, and our testimony today reflects significant concerns about the unintended consequences of this bill on vulnerable populations. As drafted – and as enacted in California – this bill contains several elements that, when joined together, will almost certainly result in a loss of anonymity for teens on the internet as well as a restriction of content that those teens can access.” [State Privacy And Security Coalition, Letter, 3/6/23]

## **Computer & Communications Industry Association**

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### ***The CCIA Was Heavily Tied To Tech Giants Like Amazon, Google, Facebook, And Apple***

**CCIA Represents Companies Including Amazon, Google, Facebook And Apple.** “The industry group represents companies including Amazon, Google, Facebook parent Meta Platforms Inc., Apple Inc. and other tech firms.” [Wall Street Journal, 1/19/22]

**CCIA’s Members Include Facebook, Amazon And Google.** “Leading up to the markup, the bills were criticized by industry groups such as the U.S. Chamber of Commerce and the Computer and Communications Industry Association, whose membership includes Facebook, Amazon and Google.” [CQ, 6/29/21]

**CQ: CCIA Members Include Facebook, Amazon And Google.** “CCIA, based in Washington, D.C., and Brussels, has more than two dozen members, including Facebook Inc., Amazon.com Inc., and Alphabet Inc.’s Google.” [CQ, 7/1/21]

**Computer And Communications Industry Association’s Board Of Directors Includes The Top Lobbyists For Google And Amazon.** According to its website, the Computer and Communications Industry Association’s Board of Directors includes Daniel O’Connor, the director of public policy at Amazon, and Mark Isakowitz, VP of Government Affairs at Google. [CCIA Board of Directors, Accessed 1/22/22]

***The CClA Opposed California Legislation That Would Fine Social Media Companies For Using Algorithms That Influence Children To Harm Themselves Or Others***

**The CClA Opposed California’s SB 287.** “On behalf of the Computer & Communications Industry Association (CCIA), I write to express our respectful opposition to SB 287. CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms. 1 Proposed regulations on the interstate provision of digital services therefore can have a significant impact on our members. CCIA also strongly believes children deserve an enhanced level of security and privacy online. Currently, there are a number of efforts among our members to incorporate protective design features into their websites and platforms. 2 CCIA’s members have been leading the effort in raising the standard for teen safety and privacy across our industry by creating new features, settings, parental tools, and protections that are age-appropriate and tailored to the differing developmental needs of young people.” [Computer And Communications Industry Association, Letter, 4/11/23]

**SB 287 Would Fine Social Media Companies For Using Algorithms That Influence Children To Harm Themselves Or Others.** “California lawmakers this year will consider a measure that would fine social media companies for using algorithms that influence children to harm themselves or others and that prompt people to buy illegal guns. Democratic State Sen. Nancy Skinner filed the bill, Senate Bill 287, which would fine companies like Meta and TikTok up to \$250,000 per violation, plus other costs related to enforcing the law.” [KCRA, 2/2/23]

***The CClA Opposed A Minnesota Legislation That Would Prohibit Social Media Platforms From Using Algorithms To Target Children With Specific Content***

**The CClA Opposed Minnesota’s H.F. 1503, Which Prohibited Social Media Platforms From Using Algorithms To Target Children With Specific Types Of Content H.F.1503 Prohibited “Social Media Platforms Like Facebook, Instagram, WhatsApp, Tik Tok, And Others” From Using Algorithms To Target Children With Specific Types Of Content.** “This bill prohibits social media platforms like Facebook, Instagram, YouTube, WhatsApp, TikTok, and others, from using algorithms to target children with specific types of content. The bill would require anyone operating a social media platform with more than 1,000,000 users to require that algorithm functions not target content to anyone under the age of 18. The bill makes the social media platform liable for damages and a civil penalty of \$1,000 for each violation of the section and provides an exemption for content provided by the government, schools, and colleges, or used to implement parental controls or block banned content.” [MN House Research, H.F. 1503 Bill Summary, 2/28/23]

**The CClA Opposed Proposed Safety And Privacy Internet Protections For Children In Minnesota.** “Federal efforts to pass children’s online safety protections have languished amid disagreements between House and Senate leaders about which proposals to rally around. State officials have rushed to fill the void with a wave of their own bills, including proposals in Maryland and half a dozen other states requiring tech companies to vet their products for risks to children before rolling them out.[...] Tech groups including NetChoice, CCIA and the Chamber of Progress have fired off letters warning about the potentially catastrophic impact of the bills on user privacy and free speech online, deployed lobbyists to meet with key state officials and sent their leaders to testify in opposition to the efforts in Maryland, Minnesota and Nevada, among other states — part of a widespread campaign to neutralize the budding regulatory push.” [Washington Post, 5/3/23]

**The CCIA Opposed H.F. 1503.** “On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully oppose HF 1503. CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms. While CCIA shares the Committee’s concern and agrees more work can and must be done to study the potential implications of automated systems and related technology, HF 1503 is not the solution.” [Computer And Communications Industry Association, Letter, 3/1/23]

***The CCIA Opposed A Maryland Bill That Would Force Social Companies To Delete Data Gathered From Unauthorized Minors***

**The CCIA Opposed Maryland Legislation To Force Social Media Companies To Delete Data Gathered From The Social Media Accounts Of Unauthorized Minors Maryland’s HB 0254 Required Social Media Companies To Identify Public Social Media Accounts Operated By Unauthorized Minors And Delete All Associated User Data.** “Regulating children’s social media accounts on large social media platforms in the State; requiring large social media platforms to identify all public social media accounts created or operated by unauthorized minors and delete all associated user data; penalizing a large social media platform that violates the Act with a fine of \$100,000 per violation to be deposited in the Digital Citizenship Fund; providing the purpose of the Fund is to assist county boards of education with investing in digital citizenship programs; etc.” [Maryland General Assembly, MD HB 0254, 2/22/23]

**The CCIA Opposed HB 0254.** “On behalf of the Computer & Communications Industry Association (CCIA) 1 , I write to express several concerns about HB 254. CCIA is a 50-year-old not-for-profit international tech trade association that advocates for policy and market conditions that benefit innovation, the tech sector, and consumers. While we certainly support the implementation of digital citizenship curriculum in schools, there are several concerns we would like to raise for other policies this bill would implement..” [Computer And Communications Industry Association, Testimony, 2/22/23]

**The CCIA Opposed Proposed Safety And Privacy Internet Protections For Children In Maryland.** “Federal efforts to pass children’s online safety protections have languished amid disagreements between House and Senate leaders about which proposals to rally around. State officials have rushed to fill the void with a wave of their own bills, including proposals in Maryland and half a dozen other states requiring tech companies to vet their products for risks to children before rolling them out.[...] Tech groups including NetChoice, CCIA and the Chamber of Progress have fired off letters warning about the potentially catastrophic impact of the bills on user privacy and free speech online, deployed lobbyists to meet with key state officials and sent their leaders to testify in opposition to the efforts in Maryland, Minnesota and Nevada, among other states — part of a widespread campaign to neutralize the budding regulatory push.” [Washington Post, 5/3/23]

***The CCIA Opposed Maryland Legislation That Required Businesses That Offered Online Products Likely To Be Accessed By Children To Conduct Data Protection Impact Assessments Maryland’s***

**SB844/HB901 Required Business That Offered Online Products Likely To Be Accessed By Children To Conduct Data Protection Impact Assessments.** “Requiring a business that offers an online product likely to be accessed by children to complete a certain data protection impact assessment by April 1, 2025, under certain circumstances; prohibiting a business from offering a certain online product before completing a data protection impact assessment; requiring businesses to document certain risks associated with certain online products; requiring certain privacy

protections for certain online products; prohibiting certain data collection and sharing practices; etc.” [Maryland General Assembly, SB844/HB901 Summary, 3/20/23]

**The CCIA Opposed SB844/HB901.** “On behalf of the Computer & Communications Industry Association (CCIA) 1 , I write to respectfully oppose SB 844. CCIA is a 50-year-old not-for-profit international tech trade association that advocates for policy and market conditions that benefit innovation, the tech sector, and consumers. Proposed regulations on the interstate provision of digital services therefore can have a significant impact on CCIA members. Recent sessions have seen an increasing volume of state legislation related to the regulation of digital services. While recognizing that policymakers are appropriately interested in the digital services that make a growing contribution to the U.S. economy, these bills require study, as they may raise constitutional concerns, conflict with federal law, and risk impeding digital services companies in their efforts to restrict inappropriate or dangerous content on their platforms.” [Computer And Communications Industry Association, Letter, 3/8/23]

### ***The CCIA Opposed Proposed Safety And Privacy Internet Protections For Children In Nevada***

**The CCIA Opposed Proposed Safety And Privacy Internet Protections For Children In Nevada.** “Federal efforts to pass children’s online safety protections have languished amid disagreements between House and Senate leaders about which proposals to rally around. State officials have rushed to fill the void with a wave of their own bills, including proposals in Maryland and half a dozen other states requiring tech companies to vet their products for risks to children before rolling them out.[...] Tech groups including NetChoice, CCIA and the Chamber of Progress have fired off letters warning about the potentially catastrophic impact of the bills on user privacy and free speech online, deployed lobbyists to meet with key state officials and sent their leaders to testify in opposition to the efforts in Maryland, Minnesota and Nevada, among other states — part of a widespread campaign to neutralize the budding regulatory push.” [Washington Post, 5/3/23]

## **R Street Institute**

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### ***The R Street Institute Was A “Center-Right” Think Tank, Funded By Google***

**Google Reported That R Street Institute Received Some Of Google’s “Most Substantial” Contributions.** [Google Transparency Memberships Report, 2022]

**Google Provided “Substantial Funding” To R Street.** "The connection goes as follows: Google provides, in its own terms, ‘substantial funding’ to R Street, the Electronic Frontier Foundation, Engine Advocacy, the Computer & Communications Industry Association, TechFreedom, the Cato Institute, and AEI. Those organizations also receive funding from a variety of other corporate benefactors." [NBC News, 7/3/19]

**The R Street Institute Identified Itself As “Center-Right,” And “In Support Of Free Markets And Limited, Effective Government.”** “Founded in 2012, the R Street Institute is the leading think tank engaged in policy research in support of free markets and limited, effective government. We work to bolster American innovation, increase consumer choice and protect individual liberty and believe in smaller, smarter government. [...] Politically, we align with the center-right. Our work has real impact, even if it does not make headlines. We do this through building broad coalitions with Republicans, Democrats, conservatives, liberals and everyone in between. This makes us uniquely capable of earning cross-partisan consensus and helping win victories at all levels of government.” [R Street Institute, accessed 6/29/23]

***The R Street Institute Opposed California Legislation That Would Fine Social Media Companies For Using Algorithms That Influence Children To Harm Themselves Or Others***

**The R Street Institute Opposed California’s SB 287.** “My name is Steven Greenhut. I am a senior fellow and Western region director at the RStreet Institute, a free-market think tank that supports limited, effective government in many areas, including tech-related and social-media policy. We believe that an open internet, free from unnecessary government regulation, is the best way to promote the widest-possible discourse and remain in concert with the principles of the First Amendment. I am writing to oppose Senate Bill 287, which “subjects social media platforms to civil liability for damages” caused by their practices, algorithms and features that could lead minors to purchase illegal substances or guns, commit suicide, develop an eating disorder, become addicted to a social-media platform or inflict harm on themselves or others. This broad terminology will lead to an unending sea of litigation. It will stifle internet innovation and development while offering no real protection for minors.” [R Street Institute, Testimony, 5/30/23]

**SB 287 Would Fine Social Media Companies For Using Algorithms That Influence Children To Harm Themselves Or Others.** “California lawmakers this year will consider a measure that would fine social media companies for using algorithms that influence children to harm themselves or others and that prompt people to buy illegal guns. Democratic State Sen. Nancy Skinner filed the bill, Senate Bill 287, which would fine companies like Meta and TikTok up to \$250,000 per violation, plus other costs related to enforcing the law.” [KCRA, 2/2/23]

***The R Street Institute Opposed Maryland Legislation That Required Businesses That Offered Online Products Likely To Be Accessed By Children To Conduct Data Protection Impact Assessments***

**Maryland’s SB844/HB901 Required Business That Offered Online Products Likely To Be Accessed By Children To Conduct Data Protection Impact Assessments.** “Requiring a business that offers an online product likely to be accessed by children to complete a certain data protection impact assessment by April 1, 2025, under certain circumstances; prohibiting a business from offering a certain online product before completing a data protection impact assessment; requiring businesses to document certain risks associated with certain online products; requiring certain privacy protections for certain online products; prohibiting certain data collection and sharing practices; etc.” [Maryland General Assembly, SB844/HB901 Summary, 3/20/23]

**The R Street Institute Opposed SB844/HB901.** “My name is Josh Withrow, and I am a fellow with the Technology and Innovation Policy team at the R Street Institute (“R Street”), which is a nonprofit, nonpartisan, public policy research organization. Our mission is to engage in policy research and outreach to promote free markets and limited, effective government in many areas, including the technology and innovation sector. We are concerned that in pursuit of the principled goal of protecting children, SB 844 places a duty of care upon online services that would make it near impossible to know if they comply, and which would place unconstitutional burdens on both platforms’ and users’ freedom of speech..” [R Street Institute, Letter, 3/8/23]

## **Entertainment Software Association**

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**Amazon Was A Member Of The Entertainment Software Association.** [Entertainment Software Association, Membership, accessed [7/24/24](#)]

## ***The Entertainment Software Association Opposed Minnesota’s H.F. 1503, Which Prohibited Social Media Platforms From Using Algorithms To Target Children With Specific Types Of Content***

**H.F.1503 Prohibited “Social Media Platforms Like Facebook, Instagram, WhatsApp, Tik Tok, And Others” From Using Algorithms To Target Children With Specific Types Of Content.** “This bill prohibits social media platforms like Facebook, Instagram, YouTube, WhatsApp, TikTok, and others, from using algorithms to target children with specific types of content. The bill would require anyone operating a social media platform with more than 1,000,000 users to require that algorithm functions not target content to anyone under the age of 18. The bill makes the social media platform liable for damages and a civil penalty of \$1,000 for each violation of the section and provides an exemption for content provided by the government, schools, and colleges, or used to implement parental controls or block banned content.” [MN House Research, H.F. 1503 Bill Summary, 2/28/23]

**The Entertainment Software Association Opposed Minnesota’s H.F.1503.** “The Entertainment Software Association (ESA), the trade association representing video game publishers and console makers, respectfully opposes House File 1503. The video game industry has long supported efforts and complied with laws that keep children safe online. Though this bill aims to address a perceived online harm, this bill contemplates regulating foundational technologies that power the internet and is so imprecisely drafted that its regulations would cause more harm than good. Additionally, HF 1503 attempts to establish a new legal standard for circumstances under which parental consent is required, a stance that is at odds with existing requirements in the federal Children’s Online Privacy Protection Act (COPPA) and various state privacy laws.” [Entertainment Software Association, Letter, 3/1/23]

## **American Action Forum**

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### ***The American Action Forum Was Funded By Google, And Advocated Against Federal Child Online Safety Efforts***

**Google Reported That American Action Forum Received Some Of Google’s “Most Substantial” Contributions.** [Google Transparency Memberships Report, 2022]

**Google Donated To The American Action Forum.** “Facebook and Google have also donated to the American Action Forum, a policy group affiliated with the American Action Network, the dark money organization associated with House Republican congressional leaders.” [Fast Company, 10/31/19]

### ***The American Action Forum Opposed The Kids Online Safety Act***

**HEADLINE: “Kids Online Safety Act Could Do More Harm Than Good”** [American Action Forum, 9/22/22]

**American Action Forum Opposed The Kids Online Safety Act.** “The Senate Commerce Committee recently unanimously approved the Kids Online Safety Act (KOSA), which would require platforms to protect children from dangerous materials online. KOSA would create a “duty of care” for covered platforms, ranging from social media to streaming services and video games, to act in the best interest of minors, allowing the Federal Trade Commission to seek significant fines for companies that fail to protect minors from harms experienced using those platforms. The bill would likely come with significant tradeoffs such as requiring minors to provide information to verify their



age or making it more difficult for them to find information on challenges they may be facing, such as mental health or addiction.” [American Action Forum, 9/22/22]