

# *The Kids Online Safety Act*

## Sponsored by Senators Blumenthal and Blackburn

### **Background**

As Congressional hearings, media reports, academic research, and heartbreaking stories from families across the country have repeatedly shown, online platforms can have a harmful effect on children and teens: fostering body image issues, creating addictive use, promoting products that are dangerous for young audiences, and fueling bullying and other destructive behaviors.

The Kids Online Safety Act provides kids and parents with the tools, safeguards, and transparency they need to protect against threats to children's health and wellbeing online.<sup>1</sup>

### **Summary**

#### Providing Parents and Kids Safeguards and Tools to Protect Kids' Experiences Online

- Requires social media platforms to provide minors with options to protect their information, disable addictive product features, and opt out of personalized algorithmic recommendations. Platforms are required to enable the strongest settings by default.
- Gives parents new tools to help support their children and provides them (as well as schools) a dedicated channel to report any harms to kids to those platforms.

#### Creating Accountability for Online Platforms' Harms to Kids

- Creates a duty for online platforms to prevent and mitigate specific dangers to minors in their product designs, including suicide, eating disorders, substance abuse, sexual exploitation, advertisements for certain illegal products (e.g. tobacco and alcohol).
- Requires large social media platforms to perform an annual independent audit that assesses the risks to minors and whether the platform is taking meaningful steps to prevent those harms.

#### Opening Up Black Box Algorithms

- Fosters research regarding harms to the online safety of minors by requiring the National Academies to study the impact of social media on youth.

### **Updates**

Since reintroduction, KOSA has been updated to strengthen and focus the bill's tools and safeguards and the duty of care. In the revised text:

- The duty of care is specifically focused on product design features that are used to keep kids hooked on tech platforms. To provide a more uniform standard, enforcement authority is centralized at the Federal Trade Commission.
- The revisions clarify how the safeguards and parental controls are applied to existing accounts and video games.
- The new draft includes a preemption provision that ensures KOSA will override conflicting state requirements, while also preserving the ability of states to enact stronger protections for kids.

### **Endorsements**

The Kids Online Safety Act has been endorsed by more than 250 organizations and associations representing mental health experts, nurses, parents' groups, young people, consumer advocates, faith groups, tech experts, and other communities, including Common Sense Media, American Psychological Association, American Academy of Pediatrics, American Compass, Eating Disorders Coalition, Fairplay, Mental Health America, Microsoft, Nintendo of America, Digital Progress Institute, and hundreds of other national and state groups.

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<sup>1</sup> The Filter Bubble Transparency Act, sponsored by Sen. Thune, was included in KOSA at Senate Commerce markup, and is now Subtitle II of the legislation. More on the FBTA is available here: <https://www.thune.senate.gov/public/index.cfm/2023/7/thune-s-big-tech-algorithm-transparency-bill-unanimously-approved-by-commerce-committee>