



The Honorable Brett Guthrie
Chairman
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Gus Bilirakis
Subcommittee Chairman
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Frank Pallone
Ranking Member
U.S. House of Representatives
Washington, D.C. 20515

March 5, 2026

Dear Chairman Guthrie, Ranking Member Pallone, and Chairman Bilirakis:

We write as a coalition of young people, parents, and organizations united by a single conviction: the version of KOSA before you today not only fails to protect our families, but would actively hurt them.

Some of us are members of the generation this legislation is supposed to protect. We grew up as digital natives to these products. We have watched them shape our peers' self-image, mental health, and in too many cases, their decision to keep living. Others of us are parents who have buried children after platforms failed to protect them from design features that companies knew were causing harm. And still more of us are organizations that have spent years working to ensure that Congress will act meaningfully on children's online safety. All of us have engaged with this Committee in good faith for years. We have testified, met with staff, provided detailed feedback, and been transparent about where we believed bills fell short. All of us are now asking you: do not advance this bill in its current form.

This bill is built so that its own protections never apply and accountability can be subverted through an insufficient knowledge standard. Nearly every obligation in this bill, including safeguards, parental tools, default settings, and advertising restrictions, only triggers when a platform 'knows' a user is a minor. Section 2(7) defines 'know' as actual knowledge or willful disregard. This is the same defense Big Tech's lawyers have used on the stand and in courtrooms across this country. All while internal documents from these companies show they know children are on their platforms by the millions. They use this standard not to protect those children, but to avoid any obligation to do so. We asked for a standard that held platforms accountable when they should have known a user was a minor. Instead, this bill tells companies exactly how to avoid accountability. That is an outcome the industry lobbied for.

This bill eliminates the duty of care and guts the harms it was supposed to address. Section 213(c)(2) states that nothing in the bill "may be construed to impose a duty of care on a provider of a covered platform." The covered platforms in this bill are on trial in courtrooms across this country. Meta's CEO was confronted on the stand with his own internal documents showing he directed teen time spent to be the company's top growth priority. When researchers recommended making teen accounts private by

default, the growth team calculated it would cost 1.5 million monthly active teens per year, so the feature was shelved for seven years. Meta's own deactivation study found that users who stopped using its platforms for a week reported lower levels of anxiety, depression, and loneliness. The company shut the study down and never published the results. At every turn, when faced with a choice between protecting children and protecting growth, Meta chose growth.

That is why the Senate version of KOSA, which passed with 91 bipartisan votes, included a duty of care requiring platforms to prevent and mitigate anxiety, depression, eating disorders, substance use disorders, and suicidal behaviors. This bill eliminates the duty of care entirely and removes every one of those harms from the text. The decisions made by the CEOs of these companies have made it clear that if the law does not require them to protect children, they will not do it on their own.

This bill wipes out stronger state protections and undermines active litigation. Every subtitle of HR 7757 contains its own preemption provision. Sections 106, 221, 237, 244, 304, and 407 each bar states from maintaining or enforcing laws that conflict with the bill's provisions. The narrow carve-outs for tort, product liability, criminal law, and general consumer protection do not preserve strong, bipartisan state laws including age-appropriate design codes and algorithmic accountability requirements. The explicit no-duty-of-care disclaimer in Section 213(c)(2) will be cited by platforms in pending state court litigation to argue against the duty of care theories that underpin cases brought by families across this country. States are currently the primary source of enforceable protections for young people online, and this bill does not build on that progress. It dismantles it.

Yesterday, Roll Call reported that NetChoice's Vice President of Governmental Affairs, Amy Bos, publicly acknowledged that there has been discussion about “leveraging, or using, possibly, a kid's package to get” federal preemption of state AI laws “across the finish line.” We note that NetChoice's member companies include the defendants currently on trial in Los Angeles. We note that NetChoice has filed lawsuits to block state child safety laws across the country. And we note that the preemption language in HR 7757 is consistent with the framework NetChoice has publicly advocated for. The coalition that wrote this letter did not ask for preemption. The companies did.

Why, when protecting children, would the US Congress sideline the advocates and families in favor of the companies who harmed them?’

Worse yet this bill further burdens KOSA with other ineffective child safety proposals that are laden with preemption provisions that would expose state laws far beyond the scope of KOSA to challenges and litigation. The SCREEN Act contains provisions that claim to enhance encryption but instead provide a damaging new affirmative defense designed to protect industry at the expense of CSAM survivors and families. The only legislation in this package addressing AI safety, the SAFE BOTs Act, is a paper-thin proposal laden with loopholes that would expose the AI legislation many states are now working on to years of litigation. By tying these provisions onto the already gutted House KOSA the KIDS Act will be made not only ineffective, but actively harmful. The many states working to address these issues with real legislation this year would face years of litigation over whether their protections "conflict with" a federal standard that barely qualifies as regulation.

At every stage of this process, we have shown up. We have engaged constructively because we believe this Committee shares our goal of protecting young people. The text of HR 7757 does not reflect that shared goal. Every provision we fought for has been stripped or disclaimed. Every loophole the companies sought has been written in.

We understand this Committee will do what it believes is best. But if this bill moves forward, it moves forward over the objection of every group signed below. A stronger bill is not hypothetical. The Senate passed one with 91 votes. We are asking this Committee to meet that standard.

The children and teenagers living through this crisis deserve more than a bill that passed. They deserve a bill that works.

With conviction,

Parents RISE

ParentsTogether Action

Design It For Us

Young People’s Alliance

National Center on Sexual Exploitation

Heat Initiative

National Parents Union

Encode AI

The Tech Oversight Project

Mothers Against Media Addiction (MAMA)

World Without Exploitation

The Social Media Victims Law Center

Saniah’s Story

Emmy’s Champions

Buckets Over Bullying

The Carson J. Bride Effect

Alexander Neville Foundation

Marsh Law Firm PLLC

Devin J. Norring Foundation

American Federation of Teachers

Americans for Responsible Innovation

Zoe Ministries

Speaking of Social

Center for AI and Digital Policy

Just Love Worldwide

Disability Rights Education and Defense Fund

Chains Interrupted

Lynn’s Warriors

NC Stop Human Trafficking

Paradigm Shift Training and Consulting

No More Johns

Sierra Cares Foundation

ANew Life International

CA Survivor Coalition

Survivor Leader Network of San Diego

American Association of People with Disabilities

Breaking Generational Cycles

Economic Security Project Action

Resiliency Foundation

Porn Free Colorado

Emmy's Champions

Fly With Both Wings

Protect Us Kids Foundation

Children's Justice International, Inc.

Less Than 3 Foundation

ChildUSA

Not On Our Watch Texas

Realized Potential Inc.

Azul Esperanza

Unite for Safe Social Media

Rights4Girls

Stop The Wait RI

Prostitution Research and Education

WE RISE, USA

Ok to Delay Hoboken

Campaign Against Human Trafficking

Parent Impact

New Jersey Coalition Against Human Trafficking

Phoenix Rising, Inc.

Bondage2Freedom Inc

ProofGen

3Strands Global Foundation

Women Graduates USA

World Freedom Network

HMS: Have More Safety

Transparency Coalition

NOT JUST US

Yellowstone Human Trafficking Task Force

Paving the Way Foundation

Center for Justice & Democracy

Nurses United Against Human Trafficking

Victims2Survivors - US

AWK Survivor Advocate Attorneys