

The Honorable Cathy McMorris Rodgers
Chairwoman,
House Committee on Energy & Commerce
United States House of Representatives
Washington, DC 20510

The Honorable Frank Pallone
Ranking Member,
House Committee on Energy & Commerce
United States House of Representatives
Washington, DC 20510

May 31, 2024

Dear Chairwoman McMorris Rodgers and Ranking Member Pallone,

On behalf of the undersigned mental and physical health, suicide prevention, technology, consumer, and education organizations, we are writing to urge you to bring the original bipartisan Children and Teens' Online Privacy Protection Act (H.R. 7890) (COPPA 2.0) led by Reps. Walberg (R-MI-5) and Castor (D-FL-14) forward for consideration as a standalone bill within the House Energy & Commerce Committee's upcoming Full Committee markup for online privacy protections. While we appreciate the Committee's work and goals under the draft American Privacy Rights Act, unfortunately the limited incorporation of COPPA 2.0 provisions weakens the protections for children and teens from the original House and Senate legislation.

H.R. 7890 updates its 25-year-old predecessor, the Children's Online Privacy Protection Act (COPPA), to protect children and teens from the myriad of privacy risks that have emerged online since 1999. The bill extends COPPA's protections to teens, implements strong data minimization principles, bans targeted advertising to minors, gives parents and teens greater control over their data, and strengthens the law's knowledge standard to ensure covered entities cannot evade enforcement.

The problem could not be more urgent. We are in the midst of a teen mental health crisis, and it is well-documented that online platforms' data-driven business model is at odds with kids' and teens' healthy development. Research demonstrates a link between advertising exposure and behavior in teens,¹ who are still developing the cognitive abilities to process and critically analyze advertising messages.² Studies also show that advertisements and influencer marketing

¹ Matthew A. Lapierre, Frances Fleming-Milici & Esther Rozendaal, et al., *The effect of advertising on children and adolescents*, 140 *Pediatrics* (2017), <https://doi.org/10.1542/peds.2016-1758V>.

² Jenny Radesky, Yolanda (Linda) Reid Chassiakos & Nusheen Ameenuddin, et al., *American Academy of Pediatrics Policy Statement: Digital Advertising to Children*, 146 *Pediatrics* (2020), <https://doi.org/10.1542/peds.2020-1681>.

for tobacco and alcohol products³ and unhealthy foods⁴ impact minors' consumption of those products. Kids and teens are developmentally vulnerable to this digital influence: A recent American Psychological Association report warned that platforms' use and retention of minors' data "capitalizes on youths' relatively poor appreciation for long-term consequences of their actions, permanence of online content, or their ability to weigh the risks of their engagement on social media."⁵ Passing H.R. 7890 would strike at the heart of current data collection practices by preventing Big Tech from exploiting the heightened vulnerability of our nation's youth for profit.

We all have a substantial interest in protecting the safety and privacy of our nation's children and teens. Congress has devoted considerable time, thought, and energy to this issue, and we thank you for your leadership thus far. However, it would be irresponsible to delay passing protections for children's online privacy protections this year. H.R. 7890 is a bipartisan, bicameral bill that is ready for full consideration now. You can help secure a major win for American families by including the original COPPA 2.0 (H.R. 7890) when the House Energy & Commerce Committee holds a full committee markup of the American Privacy Rights Act and the Kids Online Safety Act (H.R. 7891).

Sincerely,

Alexander Neville Foundation

American Academy of Pediatrics

American Counseling Association

American Association for Marriage
& Family Therapists

American Psychological Association

Anxiety and Depression Association of America

Association of Maternal & Child Health Programs

Berkeley Media Studies Group

Center for Digital Democracy

Centerstone

³ *Id.*

⁴ Jeff Chester, Kathryn C. Montgomery, & Katharina Kopp, *Big Food, Big Tech, and the Global Childhood Obesity Pandemic*, Center for Digital Democracy (May 2021), https://www.democraticmedia.org/sites/default/files/field/publicfiles/2021/full_report.pdf; Anna E. Coates, Charlotte A. Hardman & Jason C.G. Halford, et al., *Social Media Influencer Marketing and Children's Food Intake: A Randomized Trial*, 143 *Pediatrics* (2019), <https://doi.org/10.1542/peds.2018-2554>.

⁵ American Psychological Association, *Potential Risks of Content, Features, and Functions: A Closer Look at the Science Behind How Social Media Affects Youth* (April 2024), <https://www.apa.org/topics/social-media-internet/psychological-science-behind-youth-social-media.pdf>.

Children and Adults with Attention-Deficit/Hyperactivity Disorder
Children and Screens: Institute of Digital Media and Child Development
Clinical Social Work Association
Common Sense Media
Consumer Action
Crisis Text Line
Defending the Early Years
Depression and Bipolar Support Alliance (DBSA)
Design It For Us
Devin J. Norring Foundation
Eating Disorders Coalition for Research, Policy, & Action
Enough Is Enough
Erik's Cause
Fairplay
First Focus
Girls Inc.
Global Alliance for Behavioral Health & Social Justice
Global Hope 365
Hope for Justice
Inseparable
LookUp.live
Lynn's Warriors
Mental Health America
Mental Health America of Illinois
National Association for Rural Mental Health
National Association of County Behavioral Health and Developmental Disability Directors
National Association of Social Workers
National Council for Mental Wellbeing
National Eating Disorders Association
National Federation of Families
National Register of Health Service Psychologists

Parents Who Fight
Phone-Free Schools Movement
Porn Free Colorado
Project STAND
REDC Consortium
Sandy Hook Promise
SAVE-Suicide Awareness Voices of Education
School Social Work Association of America
SMART Recovery
Street Grace
Student Data Privacy Project
The Kennedy Forum
The Safe Tech Workshop,
The Tech Oversight Project
U.S. Public Interest Research Group (PIRG)
Victus Counseling
WithAll
Yellowstone Human Trafficking Task Force
Youth Power Project