

May 7, 2024

The Honorable Chuck Schumer
Majority Leader
United States Senate

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives

The Honorable Mitch McConnell
Minority Leader
United States Senate

The Honorable Hakeem Jeffries
Minority Leader
U.S. House of Representatives

Dear Leader Schumer, Leader McConnell, Speaker Johnson and Minority Leader Jeffries:

We, the undersigned individuals and organizations, oppose the inclusion of the Kids Online Safety Act (KOSA) in legislation reauthorizing the Federal Aviation Administration (FAA).

The undersigned groups have raised a host of concerns about KOSA in its current forms in the Senate and the House. These include constitutional concerns, privacy concerns, concerns about partisan politicians enforcing content-based laws, and more.¹ The legislation does not keep kids safe online and does more to infringe on the constitutional rights of Americans.

Over the past two years, the undersigned and many more organizations and individuals have raised these concerns with sponsors, leadership, and the other members of the U.S. Senate and the U.S. House. While efforts have been made to address some issues, significant

¹ For example, see letters submitted by:

American Civil Liberties Union (Jul. 27, 2023), <https://www.aclu.org/wp-content/uploads/2023/10/2023.07.27-KOSA-Letter.pdf>; Engine (Jul. 26, 2023), <https://static1.squarespace.com/static/571681753c44d835a440c8b5/t/64c2b856bb14f3461ff1f731/1690482775011/KOSA+-COPPA+2.0+Markup+Letter.pdf>; Engine (Apr. 17, 2024), <https://static1.squarespace.com/static/571681753c44d835a440c8b5/t/661feb724fde0a782b2aae64/1713367922442/Engine+IDC+Hrng+SfR+April+17%2C+2024.pdf>; Interactive Advertising Bureau (Apr. 17, 2024), <https://www.iab.com/wp-content/uploads/2024/04/IAB-Letter-to-EC-re-April-17-2024-Hearing.pdf>; NetChoice (Mar. 7, 2024), <https://netchoice.org/updated-is-kosa-unconstitutional-what-the-netchoice-cases-say/>; Software & Information Industry Association (Apr. 16, 2024), https://www.siiia.net/wp-content/uploads/2024/04/SIIA-Letter-for-the-Record-4_17_24-EC-Hearing.pdf; Taxpayers Protection Alliance (Jul. 26, 2023), <https://www.protectingtaxpayers.org/technology/tpa-letter-kids-online-safety-act-kosa-is-the-wrong-way-to-protect-kids/>; Taxpayers Protection Alliance (Apr. 16, 2024), <https://x.com/Protecttaxpayers/status/1780617633269690448>; TechFreedom (Dec. 6, 2022), <https://techfreedom.org/wp-content/uploads/2022/12/Kosa-Letter-December-6-2022.pdf>; TechFreedom (Jul. 26, 2023), <https://techfreedom.org/wp-content/uploads/2023/07/KOSA-July-26-2023-TechFreedom-Letter.pdf>.

concerns remain. We urge members to vote no on including the amendment to the FAA reauthorization and on any further floor consideration until the areas of concern are addressed.

Signed,

American Civil Liberties Union
Chamber of Progress
Computer & Communications Industry Association
Engine
INCOMPAS
Interactive Advertising Bureau
Internet Infrastructure Coalition
Internet Works
NetChoice
PEN America
Software & Information Industry Association
Taxpayers Protection Alliance
TechFreedom