



INFO REPORT ON THE KIDS ONLINE SAFETY ACT (KOSA) BILL

The SPRING Group

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Prepared for:

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1. Social Media's Effect on Children

1.1 Increased Usage

In recent years, access to and usage of social media has massively increased. In 2014 to 2015, around 73% of teens in America had access to smartphones.¹ This number rose to 95% in 2022. Additionally, over this same time period teens who use the internet constantly went from 24% to 46%. This increase in time online has translated into more time spent on social media especially among tweens and teens.² The increase of usage has led to the exponential growth of many social media companies like Meta, Google, and Bytedance. For example, Meta grew from 44.587 billion dollars in revenue in 2018 to 170.36 billion dollars in 2025, a nearly 280% increase.³ Over that same period, Google grew from 117.25 billion dollars in revenue to 359.713 billion dollars.⁴

1.2 Mental Health

Some research indicates that social media can alter parts of the brain that regulate learning and emotions.⁵ Social media has also been found to negatively affect social behavior, impulse control, and sensitivity to rewards. Similarly, social media leads to increased levels of stress, sleep deprivation, and a decrease in healthy habits. While depression is complex and a result of many shifting factors, the negative effects of increased social media use contribute to worsening symptoms of depression especially among teens and children.⁶ Another factor of social media that leads to the deterioration of mental health is unrealistic body expectations. Especially among adolescent females, the exposure to highly distorted images on platforms such as Instagram, create a feeling of self-hate and unattainable standards.⁷ A study in the United States and United Kingdom found that 40% of teens who felt “unattractive” and were users of Instagram, came to feel this way as a result of the app.⁸ The rapid advancement in editing technology only increases the severity of distorted images and their prevalence. This has also led to eating disorders among young women due to the “thin-ideal” body that is constantly displayed online.⁹

¹ [Pew Research Center, 2022](#)

² [New York Times, 2022](#)

³ [Macrotrends, n.d.](#)

⁴ [Macrotrends, n.d.](#)

⁵ [The U.S. Surgeon General's Advisory, 2023](#)

⁶ [Johns Hopkins Medicine, n.d.](#)

⁷ [Krzymowski, 2024](#)

⁸ [Gayle, 2021](#)

⁹ [Aparicio-Martinez et al., 2019](#)

1.3 Academic Performance

The spread of social media to children as young as 11 has negatively impacted academic achievement.¹⁰ A 2023 study surveyed 1,459 middle scholars across the Northeast of the United States to come to this conclusion. Additionally, the University of Delaware found that for every 1% increase in social media use by a student, a 0.19% decrease in grades followed.¹¹ Finally on the National Assessment on Educational Progress, after 2013 and the massive increase in smartphone ownership among teens, average math and reading scores dropped 2 points and 6 points respectively from 2013 to 2019.¹² Through distraction and deterioration of relationships with family and peers, children and adolescents who use social media commonly experience a decrease in school grades.

2. Similar Legislation

2.1 Children's Online Privacy Protection Act (COPPA) S.2326

The Children's Online Privacy Protection Act was signed in 1998 but did not come into effect until 2000. The act restricts websites from collecting personal information from children under 13 without parental consent. It also includes data security obligations.¹³ There has been widespread criticism of the act's effectiveness. These include criticism of the widespread lack of authentic age verification, costly fees associated with hiring legal teams to outline privacy policies by websites, cutting back of services for children due to fear of massive financial penalties, and the hindering of educational resources for children because of the constant need for parental consent on websites.¹⁴ Provisions to COPPA were passed in the Senate in 2024 (S.1418) but stalled in the House. However, it was reintroduced to the Senate in March of 2025 (S.836) by Senator Markey (D-Mass.) and Senator Cassidy (R-La.). It advanced out of the Committee of Commerce in late June.

2.2 Kids Off Social Media Act (KOSMA) S.278

The Kids Off Social Media Act was introduced by Hawaiian Senator Brian Schatz. It is a bipartisan bill that bans anyone under 13 from making a social media account, prohibits algorithms being applied on users younger than 17, and requires schools to limit social

¹⁰ [University of Delaware, 2024](#)

¹¹ [Doolittle, 2024](#)

¹² [Petrilli, 2023](#)

¹³ [Texas Attorney General, n.d.](#)

¹⁴ [Northwestern Journal of Law & Social Policy, 2010](#)

media use on their networks.¹⁵ On April 30th, 2024, the bill was introduced for the first time but failed to advance out of the committee stage. It was reintroduced in late January 2025, before advancing out of the Senate Committee on Commerce, Science, and Transportation on February 5th, 2025.

2.3 The Walker Montgomery Protecting Children Online Act (HB.1126)

The Walker Montgomery Protecting Children Online Act is a law in the state of Mississippi. It was introduced on February 14, 2024, and passed through both the Mississippi Senate and House with no votes against it. The act requires age registration for minors on digital services, limits the collection and usage of minor's personal information, and requires digital services to moderate content that promotes illegal activities and/or self harm, eating disorders, substance use disorders, and suicidal behaviors.¹⁶ The act experienced legal trouble after the trade association, NetChoice, filed a lawsuit against the attorney general, Lynn Fitch, on June 7, 2024, on the basis of first amendment violations.¹⁷ The law was enjoined in The Southern District Court of Mississippi on July 1, 2024. It was appealed to the The Fifth Circuit Court of Appeals on July 5, 2024 and on April 17, 2025, the court vacated the injunction due to incorrect standard of review by the district court.¹⁸ This allowed the law to go into effect.

3. The KOSA Bill

3.1 History

After internal documents leaked revealing the negative impact Instagram had on the mental health of minors, Senator Blackburn (R-TN) and Senator Blumenthal (D-CN) introduced the Kids Online Safety Act (KOSA) to the Senate on February 16, 2022. The bill advanced through the Senate Commerce Committee along with aforementioned COPPA provisions, but stalled on the senate floor. On May 2, 2023 Senator Blumenthal and Blackburn reintroduced KOSA to the Senate. Again, KOSA and COPPA provisions advanced through the Senate Commerce Committee. Senators Blackburn and Blumenthal attempted to attach KOSA as an amendment to the must-pass FAA reauthorizations, but instead KOSA was combined with the COPPA provision and the Filter Bubble Transparency Act to form the Kids Online Privacy and Safety Act (KOPSA) (S.2073).¹⁹ Senate majority leader Chuck Schumer introduced KOPSA as an amendment

¹⁵ [Shatz, n.d.](#)

¹⁶ [HB.1126, 2024](#)

¹⁷ [NetChoice v. Fitch, 2024](#)

¹⁸ [United States Court of Appeal for the Fifth Circuit, 2025](#)

¹⁹ [The Hill, 2024](#)

replacing the Eliminate Useless Reports Act. On July 30, 2023 the bill passed with a vote of 91-3. The bill stalled in the house during the summer of 2024. In response to First Amendment concerns as a result of the “duty of care” provisions in the bill, several provisions were made to the bill as it advanced through the House Energy and Commerce subcommittee. These changes remained insufficient and eleventh hour revisions were made in December 2024 with input from Elon Musk. These revisions attempted to more concretely protect First Amendment rights and allow for children to collect important information online about mitigating harms like depression, sexual assault, and addiction.²⁰ Despite the multitude of revisions, the bill stalled on the house floor. In May 2025, Senator Blumenthal reintroduced KOSA (S.1748) in its December 2024 draft form with the exception of the COPPA provisions.

3.2 Key Features

The Kids Online Safety Act attempts to protect children on a variety of tech platforms and websites. It does so through placing various obligations on tech platforms and providing increased resources for parents, educators, and policymakers alike to ensure the safety of children as they navigate social media.²¹ Specifically, KOSA mandates social media platforms allow minors to reject personalized algorithmic recommendations, disable addictive features, and protect their information. Similarly, these platforms are required to stop the promotion of eating disorders, suicide, substance use, sexual exploiting, and certain illegal substances such as alcohol. Not only are there restrictions on companies, but a dedicated channel is provided to educators and parents to report any harmful behavior. Finally, the bill introduces independent audits to analyze social media’s impact on children and teenagers.²²

3.3 Objections

Despite the seemingly righteous motivations behind the bill, there is significant concern surrounding the First Amendment and targeting of marginalized communities. The main reason for the lengthy history of stalling and failure of the bill comes as a result of fear in regulating free speech on the internet. Despite key provisions added in the December draft, there remains a large degree of criticism surrounding the prospect of potentially censoring protected speech. Organizations like the American Civil Liberties Union have voiced concerns about the vague and expansive wording used in the bill.²³ Phrases like “design features” and “duty of care” could allow the suppression of information on

²⁰ [The National Law Review, 2025](#)

²¹ [Feiner, 2025](#)

²² [Blumenthal, n.d.](#)

²³ [ACLU, 2024](#)

eating disorders, sexual health, and gender identity. Additionally, out of fear of lawsuit, there is a significant risk that companies will simply overcensor speech, resulting in critical information about how to combat depression, addiction, etc., will be unavailable.²⁴ Finally, KOSA utilizes terms like “compulsive usage” that lack widely agreed upon definitions, which risks confusion and subjective censoring efforts.

4. Importance to the Youth

As the very individuals this bill is meant to protect, teenagers growing up in an age of constant social media and internet use, we are directly affected by this issue. That’s why legislation like this is so critical. We believe we deserve a voice in the decision-making process, because the outcomes of this bill will shape not just our experiences online, but our overall development and future.

5. Recommendations & Next Steps

The KOSA brief appears at a time in which urgent action to combat the prevalent harms associated with social media is needed. This is why we would endorse the bill but suggest reforming it from its current form. First, surrounding the bill’s goal of regulating certain features within social media platforms, there remains a large concern with the expansive definition of “design features”. We would recommend more concrete and targeted features to be outlined, to remove confusion and potential over-restriction on these social media platforms. Through outlining specific features that exist on key major social media platforms, such as TikTok, Youtube, Facebook, and Instagram, the bill can have increased success and effectiveness in reducing the harms of social media without triggering government overreach. While there are numerous platforms across the internet affecting children, it is important to focus on the large players in the social media industry in order to find real success. Through focusing on too broad of a set of features and not specifying features for specific apps, there will inevitably be increased circumvention and barring access to critical online resources for children and teens. Another harm surrounds the difficulty in age verification, as the banning of certain features for children is futile if the website cannot accurately identify which users are under age. A solution could be to take the advice on identifying platform specific negative features, and banning them for all users. Next, there remain concerns on the government restricting what content is allowed on social media, such as depressing, eating disorders, etc. While it is important to remove harmful content that promotes dangerous and negative activities, it is equally as important to understand the risk in over censoring all information surrounding these topics. There is critical

²⁴ [Mullin, 2025](#)

information on these platforms about how to overcome and combat these severe addictions, and too expansive regulation on this content risks removing it in the cross fire. The potential of lawsuits and government action against social media platforms for not perfectly restricting these negative topics, will cause them to carelessly overcensor any mention of the word “suicide” or “depression” in fear. The threat of FTC lawsuits may have a reverse effect and violate the First Amendment, which is why implementing a more clear and restrictive threshold for lawsuit and legal action would be recommendable. A line that keeps social media companies accountable while not pushing too hard and causing over censorship is required. The bill could similarly explore incentivising companies for removing harmful content while preserving helpful content. Additionally, it is important to establish clearer and specific guideline for what content is “promoting” harmful content versus content that is helpful to combat harmful actions like addiction. If the threshold is outlined in a clear way, it makes it easier for the social media companies to go about regulating certain content without going too far. Finally, the independent audits that analyze social media’s impact and the resources provided to parents and educators are very important steps that we fully endorse to help combat this prevalent issue. In all, the bill is a step in the right direction but requires a more specific and outlined approach to “design features” that are harmful, the threshold for FTC or government lawsuits, and classification for content that is promoting harmful activities, one that leaves out critical information on how to combat these same activities.