

Committee on Energy and Commerce
Opening Statement as Prepared for Delivery
of
Ranking Member Frank Pallone, Jr.

Markup of 18 Bills, Subcommittee on Commerce, Manufacturing, and Trade

December 11, 2025

Today we are marking up eighteen bills intended to protect kids online. I share this incredibly important goal: we all want our kids and teens to be safe online.

The internet has profoundly changed how we and our children connect with others, learn about the world, and participate in society. Our ever more connected lives have created new communities, shared interests, and entirely new ways to communicate.

However, we have also seen reckless practices by internet platforms to surveil us and our children, exploit vulnerabilities to turn a profit, and promote engagement regardless of the consequences. To protect our kids, Congress, alongside parents, educators, and states has to act to ensure these risks are addressed.

I have long said, and still believe, that comprehensive federal privacy legislation is the best way to protect kids online, as well as to protect all Americans. In the absence of a data privacy bill, I support commonsense, bipartisan proposals that protect kids while respecting all online users' privacy, safeguard kids in unsupportive households, and maintain flexibility to address emerging harms.

I am pleased we will be marking up my bill, the "Don't Sell Kids' Data Act," which will prevent shadowy data brokers from selling minors' data and allow parents and teens to request the deletion of any data already in the hands of brokers.

The data on our kids that is collected, processed, and sold by data brokers fuels invasive ads and compulsive design features without regard to the harm suffered by children and teens who are still developing critical thinking and judgment. My bill will turn off this flood of data being collected and sold about our kids.

I also appreciate many of the bipartisan bills included in the markup today, which show that we can work across the aisle to protect our kids. Mr. Chairman, I appreciate the good faith collaboration we have had and continue to have on these bills. I am pleased that two additional bills are now bipartisan, the SPY Kids Act and the Safer GAMING Act.

Unfortunately, Mr. Chairman, I continue to have concerns with several other bills we are considering, and it is clear more work is needed. Most concerning is that these bills put a ceiling on kids' privacy and safety by stopping states from doing more to protect kids. That's exactly the

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opposite of what our kids need with the speed that technology changes and with new harms emerging.

I cannot support the current versions of the Kids Online Safety Act or COPPA 2.0 that forever close the door on greater state protection for kids. The broad preemption language in these bills and others would wipe out existing state laws on the books that keep kids safe, like state data privacy and product liability laws. This could shut parents who have lost children out of the courtroom and shield tech companies from responsibility for harms they inflict.

I am also concerned that other bills we are discussing place the onus on overburdened parents to protect their kids, rather than making tech companies step up and do more. Parents play an important role in keeping kids safe online, but platforms cannot hide behind parental tools to avoid making their underlying products safer. Moreover, for kids in unsupportive, neglectful, or even abusive households, there can be real world harms from allowing parents complete access and control over their teens' existence online.

Finally, I am very concerned that some of these bills would move us in the wrong direction in the fight for online privacy. I have concerns about bills that mandate third-party access to children's data or require an adult or kid to provide additional sensitive data like a government ID or biometrics before they can access content, send a message, or download an app. These bills would address the harms of tech companies' reckless data practices by giving even more data to even more tech companies. That does not solve the underlying problem.

Before I close, I must touch on the Federal Trade Commission – the agency tasked with implementing and enforcing many of the bills on this markup. When President Trump attempted to illegally fire the FTC's Democratic commissioners, he made our children less safe online. I urge my Republican colleagues to empower the FTC to protect kids and teens by joining Democrats in standing up for a bipartisan and independent FTC.

Thank you Mr. Chairman and I yield back the balance of my time.