

June 3, 2026

The Honorable Mike Johnson
Speaker
United States House of Representatives
Washington, District of Columbia 20515

The Honorable Hakeem Jeffries
Minority Leader
United States House of Representatives
Washington, District of Columbia 20515

The Honorable John Thune
Majority Leader
United States Senate
Washington, District of Columbia 20510

The Honorable Chuck Schumer
Minority Leader
United States Senate
Washington, District of Columbia 20510

RE: Opposition to the App Store Accountability Act (ASAA) and Support for Parents Over Platforms Act (POPA)

Dear Speaker Johnson, Minority Leader Jeffries, Majority Leader Thune, and Minority Leader Schumer:

As members of the Association for Competitive Technology (ACT), we represent a diverse community of startups, scaleups, and developers, including those building and deploying artificial intelligence (AI), across the digital economy. We urge you to reject the App Store Accountability Act (ASAA, H.R. 3149 / S. 1586) and instead support the Parents Over Platforms Act (POPA, H.R. 6333 / S. 4349).

Bipartisan efforts to address risks to children online have accelerated in recent months and the National Policy Framework for AI has helped draw these discussions into broader AI legislative efforts. Notably, the Framework calls for proposals that would put parents at the center of kids' online safety and include "age assurance requirements (such as parental attestation)."¹ If Congress includes a kids' online safety element of an AI framework, we agree that it should allow for flexible age assurance methods that are based on risk, and POPA reflects these principles.

ASAA Imposes Broad and Unworkable Compliance Obligations

ASAA establishes a sweeping mandate for app stores to bar access to any app unless users undergo "age verification," the most privacy-invasive form of age assurance. Age verification is typically reserved as a bar for accessing only the most sensitive materials for which access by minors is illegal—like purchasing tobacco or alcohol or accessing adult content, for example. ASAA would distribute this onerous mandate to every single entity

¹ EXEC. OFFICE OF THE PRESIDENT, NAT'L POLICY FRAMEWORK: ARTIFICIAL INTELLIGENCE, (Mar. 2026), *available at* <https://www.whitehouse.gov/wp-content/uploads/2026/03/03.20.26-National-Policy-Framework-for-Artificial-Intelligence-Legislative-Recommendations.pdf>.

that happens to have an app on the stores—from barber shops to local pizza chains. The resulting compliance labyrinth is no laughing matter.

For any entity with an app on the store, compliance with ASAA would involve building complex new systems to verify age, receive parental consent signals, and maintain records—burdens that are costly, technically complex, and difficult to sustain. Not only that, but because ASAA would require all apps to receive verification-backed age category flags, if someone under 13 happens to request a download, these companies would have “actual knowledge” of a child’s under-13 status. Operators subject to COPPA must create a system for obtaining “verifiable parental consent” before collecting information about any individual under the age of 13. Similarly, the operator must facilitate revocation of consent, which further requires the maintenance of records associating individual children with their guardian or parent. This is why law firms have begun to refer to ASAA as a “COPPA trap” and the compliance web extends far beyond the requirements in ASAA alone. Unlike large multinational companies, small businesses typically lack dedicated compliance teams or legal resources, placing them at a disproportionate disadvantage. According to one estimate, the initial compliance obligations could cost small businesses with apps on the major stores up to \$280 billion.²

The likely result is fewer choices for our customers, reduced innovation, and some businesses limiting services or exiting the market altogether. This would thoroughly undermine Congress’s purposes in advancing an AI framework and associated measures seeking to improve child safety protections in the age of AI.

POPA is a Targeted, Risk-Based Framework Putting Parents in Control

POPA is a more workable framework that focuses on ensuring parents have the control and flexibility to manage and monitor their children’s online experience, which makes for a far better experience for developers and consumers, while avoiding the privacy risks presented by blanket age verification. First, POPA only requires platforms providing intentionally differentiated experiences for adults than for minors (or for adults only) to take reasonable measures to assure age. Relatedly, POPA requires the app stores to ask store users for their child’s date of birth but gives them the option of providing any more information to back up age assurance. Accordingly, POPA does not require all apps on the store to receive an age signal and lets parents decide whether to send an age signal to developers. Developers that differentiate between adults and minors can use the flag to meet the age assurance requirements, if the parent agrees to sharing the signal. Finally, POPA would preempt state-level ASAA frameworks, which are unconstitutional and threaten to drown local small businesses in unnecessary liability and red tape.

² TRUSTED FUTURE, THE HUGE COSTS FOR SMALL BUSINESSES OF APP STORE AGE VERIFICATION BILLS, (May 27, 2026), available at <https://trustedfuture.org/the-huge-costs-for-small-businesses-of-app-store-age-verification-bills/>.

POPA's framework fits with parents', kids', and developers' real-world experience. Thus, it is unsurprising that a recent poll of likely voters indicated that they prefer POPA to ASAA by a margin of seven-to-one.³ Small business innovators need a legal and policy framework that empowers parents, maximizes flexibility, protects privacy, and avoids unnecessary compliance mandates on small business innovators with offerings that pose no cognizable age-related risks. POPA represents a reasonable balance of these priorities, and we urge you to support and advance the measure as part of a broader effort to safeguard and advance U.S. leadership in tech markets and better equip families to protect kids online.

Sincerely,

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³ KAConsulting, LLC, New Poll: Americans Demand Congress Bolster Online Safety for Children without Overburdening Adult Users or Violating Speech or Privacy, (April 13, 2026).

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