



March 27, 2025

The Honorable Jacquelyn Baginski
Chair, Committee on Innovation, Internet & Technology
State House, 82 Smith Street
Providence, RI 02903

Re: Oppose HB 5291 and protect vulnerable youth

Dear Chair Baginski and members of the Committee:

On behalf of Chamber of Progress – a tech industry association supporting public policies to build a more inclusive society in which all people benefit from technological advancements – I respectfully **urge you to oppose HB 5291**, which would compromise online privacy, grant parents excessive and easily weaponized control, and disproportionately harm Rhode Island's at-risk youth.

One of the Chamber of Progress's top priorities is protecting online privacy. We support policies to prevent particularly sensitive data from being used in harmful ways, and we are staunch supporters of efforts to create comprehensive privacy protections. We also strongly support making the internet safe for young people.

HB 5291 would undermine the privacy and online experiences for all users

As written, HB 5291 requires covered companies to verify the identity and age of ALL users – including both new and existing users – a tremendous encroachment of individual privacy. Moreover, many adult users reasonably would prefer not to share their identifying information with online services - creating an unpleasant dilemma for adult users: turn over sensitive personal data to access protected speech online, or forego enjoyment of that online service entirely.

HB 5291 may lead to online services opting out of gathering identifying information and opting instead to treat all users as minors. This would cause the curation of online content accordingly: in other words, covered platforms may turn entirely to children's programming and eliminate all content for adults, turning YouTube into YouTube kids for everyone.

Compelling companies to gather personal information from so many users threatens cybersecurity. Specifically, services that cater to LGBTQ+ communities would be at

particular risk for targeting since their data could be used for cyberbullying or blackmail – which could have “life-altering consequences, from forced outings to physical harm.”¹ In 2024, LGBTQ+ people experienced increases in physical threats,² and in 2022, 54% of respondents reported experiencing severe harassment, including stalking, physical threats, and doxing.³ And more broadly, malevolent actors will see any covered company as a ripe target for ransomware attacks. This is not a theoretical threat: recently, a company that offered verification services to online platforms was found to have left personal data unprotected, threatening the privacy of untold numbers of users.⁴

Disparate impact of age verification mandates on marginalized communities

Beyond privacy issues, the age verification requirement also poses accessibility challenges for many individuals. HB 5291 requires platforms to “deny access” to accounts that cannot meet the bill’s age verification requirements. HB 5291 incorrectly makes the assumption that everyone has access to and is willing to provide identifying information, which raises concerns about the challenges faced by individuals without official documentation, particularly within marginalized communities. The University of Maryland found that “18% percent of Black adult citizens, 15% of Hispanic adult citizens, and 13% of Asian/Pacific Islander adult citizens do not have a license at all, compared to just 5% of White adult citizens.”⁵

This is further exacerbated by the Trump administration’s anti-immigration policies.⁶ Requiring users to submit identifying documentation risks it being used against them, and if accessed by immigration authorities, could become a tool for targeting and deporting vulnerable individuals.⁷ Moreover, requiring users to verify their age and identity – and denying access to their accounts if they cannot – poses significant risks to the 43% of transgender Americans who lack IDs that reflect their affirmed name or gender,⁸ which makes navigating identity verification processes particularly difficult and exposes them to the risk of discrimination or exclusion.

Consent laws may harm more than they may protect

While it is important to encourage parental involvement to ensure minors’ safety online, parents are not always best suited to control how their child uses a platform. Consent

¹ See <https://www.lgbttech.org/post/the-pitfalls-of-app-store-age-verification-requirements>

² See <https://www.adl.org/sites/default/files/documents/2024-06/online-hate-and-harassment-the-american-experience-v2024.pdf>

³ See <https://www.adl.org/sites/default/files/pdfs/2022-09/Online-Hate-and-Harassment-Survey-2022.pdf>

⁴ See <https://www.404media.co/id-verification-service-for-tiktok-uber-x-exposed-driver-licenses-au10tix/>

⁵ See <https://cdce.umd.edu/sites/cdce.umd.edu/files/pubs/Voter%20ID%202023%20survey%20Key%20Results%20Jan%202024%20%281%29.pdf>

⁶ See <https://www.aclu.org/trump-on-immigration>

⁷ See <https://progresschamber.org/insights/new-yorks-kids-social-media-law-paves-the-way-for-trump-era-deportations/>

⁸ See <https://www.lgbttech.org/post/the-pitfalls-of-app-store-age-verification-requirements>

laws, for example, can be weaponized by divorced parents who share custody of a child. If the parents are at odds with each other, they can use consent laws to override each other's decisions, especially when they disagree on what's in the best interest of their child.

HB 5291 requires platforms to obtain "express consent" from parents or guardians before allowing users under 18 to create an account. This requirement, along with granting parents unrestricted access to their child's posts, messages, and responses, undermines privacy rights and personal autonomy. Additionally, the mandated default restrictions on direct messaging and curfews from 10:30 PM to 6:30 AM overlook the rights of youth who may use social media platforms for essential support networks—especially in cases where they face unsafe or abusive home environments.

For example, LGBTQ+ youth, especially those who may live in communities hostile to their identity, see social media as a crucial tool to connect with LGBTQ+ groups, access content from people's shared experiences, maintain positive connections, and reduce perceived isolation.⁹ LGBTQ+ youth use online platforms to seek emotional support, search for information about their identities, and find communities that accept them when their own parents do not.¹⁰ In fact, less than half of Rhode Island LGBTQ+ youth report living in affirming households,¹¹ while 60% reported finding online spaces to be supportive.¹²

While well-intentioned, HB 5291 could promote toxic posts over healthy content

When a teen shows interest in healthy content – like journalism, sports figures, or book trends – online platforms can nurture that spark and build community with peers who share the same interests by serving relevant content. However, this bill prohibits online platforms from showing teens a feed with relevant content by default – algorithmically curated feeds – as it bars “the use of targeted or suggested groups, services, products, posts, accounts, or users.”

Worst of all, algorithmically curated feeds can protect users from harassment and cyberbullying. Unfortunately, HB 5291 could require platforms to display cyberbullying from classmates in a reverse chronological feed. Content curation allows platforms to downrank or even remove unwanted interactions like coordinated racial or gender-based harassment.

⁹ Cesar Escobar-Viera, et. al., “Examining Social Media Experiences and Attitudes Toward Technology-Based Interventions for Reducing Social Isolation Among LGBTQ Youth Living in Rural United States: An Online Qualitative Study.” *Frontiers in Digital Health*, (2022). <https://pubmed.ncbi.nlm.nih.gov/35832658/>

¹⁰ Michele Ybarra, et. al., “Online social support as a buffer against online and offline peer and sexual victimization among U.S. LGBT and non-LGBT youth.” *Child Abuse & Neglect* vol. 39 (2015).
<https://www.sciencedirect.com/science/article/pii/S014521341400283X?via%3Dihub>

¹¹ See <https://www.thetrevorproject.org/state-reports-rhode-island-2024/>

¹² See <https://www.thetrevorproject.org/survey-2023/>

Instead of ensuring the internet is a positive place where young people can find community and thrive, this bill, in practice, could strip platforms of their ability to protect those same vulnerable users altogether.

HB 5291 could prevent age-appropriate design of online services

Online services are working hard to design age-appropriate services for teenagers, particularly younger teens. Online platforms use algorithms to provide a different experience for a thirteen-year-old than the experience they provide for a seventeen-year-old. Just like movie ratings restrict access to films depending on the age of a minor, algorithms tailor content by age. Instead, HB 5291 would restrict platforms from curating social media feeds by default, forbidding services from tailoring content to younger teens based on age inference.

A recent Common Sense Media survey of teens and young adults aged 14 to 22¹³ found that most value algorithmic curation for their social media feeds, allowing them to shape their online experience. Among respondents, 76% actively used tools to filter out unwanted content, and 67% had curated their feeds by engaging with content that aligns with their interests. LGBTQ+ youth were even more proactive, with 89% avoiding disliked content and 78% personalizing their feeds. Young people with moderate to severe depressive symptoms were also more likely to curate their feeds—90% filtered out disliked content, and 81% tailored their feeds, compared to peers with no symptoms. According to Common Sense Media, these curation practices are vital for helping teens build healthier, more supportive online environments, yet they would be restricted under HB 5291.

HB 5291 overlooks social media's benefits for marginalized youth

Marginalized and at-risk youth have the most to gain from social media engagement, particularly if they face adversity or isolation offline. Researchers have identified that social media can be beneficial by offering meaningful social interactions, confirmed by a recent Pew survey indicating 81% of American teens say social media makes them feel more connected, while 68% say social media makes them feel that they have a support network in the face of hardship.¹⁴ The network benefit is most critical for marginalized youth, including but not limited to youth of color,¹⁵ LGBTQ+ youth, youth with disabilities,¹⁶ Neurodiverse youth, and low-income youth Common Sense Media reports

¹³ See https://www.common sense media.org/sites/default/files/research/report/2024-double-edged-sword-hopelab-report_final-release-for-web-v2.pdf

¹⁴ Zain Jafar, et. al., at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10439458/#R18>

¹⁵ Thomas, A., Jing, M., Chen, H. Y., & Crawford, E. L. (2023). Taking the good with the bad?: Social Media and Online Racial Discrimination Influences on Psychological and Academic Functioning in Black and Hispanic Youth. *Journal of youth and adolescence*, 52(2), 245–257. <https://doi.org/10.1007/s10964-022-01689-z>

¹⁶ See <https://www.nytimes.com/2019/06/05/learning/im-a-disabled-teenager-and-social-media-is-my-lifeline.html>

that for Black, Latino, and LGBTQ+ youth, “social media is a vital source of connection, news, and inspiration.”¹⁷

For these reasons, we respectfully ask you to **oppose HB 5291**.

Sincerely,

A handwritten signature in black ink, appearing to read "Brianna January". The signature is fluid and cursive, with the first name "Brianna" written in a larger, more prominent script than the last name "January".

Brianna January
Director of State & Local Government Relations, Northeast US

¹⁷ See https://www.commonsensemedia.org/sites/default/files/research/report/2024-double-edged-sword-hopelab-report_final-release-for-web-v2.pdf