



House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

March 5, 2026

Dear Committee on Energy and Commerce Members,

The Woodhull Freedom Foundation writes to express our opposition to the Kids Internet and Digital Safety Act (KIDS Act), H.R. 7757, incorporating an amended version of the SCREEN Act, H.R. 1623, imposing mandatory age and identity verification to access adult content online. Woodhull is a nonprofit organization dedicated to defending sexual freedom as a fundamental human right, and our work centers on protecting free expression, privacy, and bodily autonomy. While we share Congress's stated goal of protecting children and teens online, we are deeply concerned that this legislation would undermine fundamental civil liberties without meaningfully improving youth safety.

As we have warned about similar proposals, including earlier versions of the Kids Online Safety Act, legislation built on broad "duty of care" requirements risks turning platforms into censors of lawful speech. The KIDS Act defines potential harms to minors so broadly that platforms will inevitably over-moderate or block entirely legal content to avoid liability. Information about sexual and reproductive health, LGBTQ+ identities, and other topics that young people often seek online could be swept up in these restrictions. When faced with vague legal mandates and significant penalties, companies have historically taken the safest route for themselves, not for users, by suppressing constitutionally protected speech.

Congress has already seen how this dynamic plays out. In 2018, lawmakers passed the Stop Enabling Sex Traffickers Act and the Fight Online Sex Trafficking Act (SESTA/FOSTA) to address the serious problem of human trafficking. In practice, the law has been largely ineffective in prosecuting trafficking cases, as documented in a 2021 report by the Government Accountability Office. Instead, it has led to widespread removal of lawful speech online. Woodhull funded [peer-reviewed research](#) documenting how platforms censored constitutionally protected expression to avoid liability under SESTA/FOSTA, and our organization [challenged the law in federal court](#) on First Amendment and due process grounds. The courts ultimately warned that the statute must be interpreted narrowly to avoid "grave constitutional questions." The lesson from SESTA/FOSTA is clear: **broad internet regulation aimed at protecting vulnerable populations often results in sweeping censorship without solving the underlying problem.**

The KIDS Act also raises serious privacy concerns because it will likely pressure platforms to implement age and identity verification systems in order to comply with its mandates. Woodhull's research initiative, [Fact Checked by Woodhull](#), has examined the growing wave of age-verification proposals and their impact on free expression and privacy. Our analysis demonstrates that online age



verification is [not comparable to “flashing an ID at a liquor store.”](#) In practice, digital verification systems require users to submit sensitive personal information—such as government identification, biometric data, or facial scans to third-party companies, creating significant risks of surveillance, data breaches, and identity theft. These systems chill lawful speech by forcing people to surrender their anonymity before accessing constitutionally protected material.

Fact Checked by Woodhull has also documented how age-verification mandates inevitably [limit speech online](#) by forcing websites and platforms to restrict access to lawful content or remove it entirely, rather than incur the financial and legal burdens of verification systems. When speech is conditioned on identification and monitoring, many users, particularly those seeking information about sexuality, reproductive health, or LGBTQ+ identity, simply stop accessing that information. Further, minors and adults seeking sexually-oriented content will instead be incentivized to access unregulated, foreign adult platforms where they risk exploitation, exposure to illegal materials, and other dangers. The result is not a safer internet, but a more censored one.

Protecting children online is an important goal, but it must not come at the expense of the constitutional rights of everyone else. Policies that undermine privacy, encourage surveillance, and pressure platforms to remove lawful speech will ultimately harm both adults and young people who rely on the internet for information, connection, and community. We urge Congress to pursue solutions that empower families, support digital literacy, and address genuine harms without eroding the First Amendment or Americans’ right to privacy.

For these reasons, the Woodhull Freedom Foundation respectfully urges you to vote no on the Kids Internet and Digital Safety Act unless its threats to freedom of expression and privacy are addressed.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Ricci Joy Levy". The signature is written in a cursive, flowing style.

Ricci Joy Levy
President & CEO
Woodhull Freedom Foundation



Affirming Sexual Freedom as a Fundamental Human Right

woodhullfoundation.org