

CONGRESS: DON'T FORCE UNCONSTITUTIONAL, PRIVACY THREATENING DIGITAL ID MANDATES ON APP STORES

The App Store Accountability Act effectively mandates that leading app stores collect American IDs to access apps and information, jeopardizing data privacy, violating free speech rights, and ignoring the courts and privacy experts internationally that warn against age verification requirements.



THE FACTS:

CREATES A DATA HONEYPOT THAT PUTS AMERICANS AT RISK →

ASAA mandates a massive, insecure data-sharing pipeline that will be ripe for predators and hackers to exploit. 419 security and privacy academics from 30 countries warned this week that large-scale age verification is "dangerous and socially unacceptable," citing severe risks to security and privacy.

UNCONSTITUTIONALLY CENSORS PROTECTED FREE SPEECH →

Federal courts have rejected treating all apps like pornography sites. A judge recently blocked a similar Texas law, ruling that requiring age verification for harmless apps, like news or sports, is unconstitutional as forcing bookstores to card every customer at the door. The court held that such broad restrictions unfairly cut teens off from the "democratic forum of the internet" and act as an illegal restraint on protected speech.

FORCES DIGITAL I.D. COLLECTION ON APP STORES →

ASAA's strict liability standards make the collection of hard IDs a practical necessity. Further, the bill's parental consent requirements may require birth certificates to establish parent-child relationships.

ACCURACY PROBLEMS WITH AGE VERIFICATION →

Mandating age verification across the whole internet is not a risk-proportionate response. As the 419 international academics warned, doing so "would require all users — minors and adults — to prove their age to converse with friends and family, read news, or search for information; well beyond what has ever happened in our offline lives."

COURTS HAVE ALREADY REJECTED THIS APPROACH →

A court struck down the Texas ASAA model, ruling its "exceedingly overbroad" scope failed strict scrutiny. Blocking all apps unconstitutionally strips minors of their access to the "democratic exchange of views online." Rather than this blanket ban, the ruling held that the state must use "less restrictive means."

THERE ARE BETTER, LAWFUL ALTERNATIVES.

Digital literacy education in schools, utilizing existing safety tools, and supporting a uniform federal privacy standard address the real problem without building surveillance infrastructure, creating data honeypots, or inviting constitutional litigation that will ensure the law is blocked.

