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# App Store Accountability Act

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## Background

When it comes to child online safety, app stores and developers have a perverse incentive: keep kids on their phones and addicted to their products, even if it contains material harmful to minors. This is how they make money. Whether it is sexually explicit material or social apps whereby children and teens can be targeted by criminal actors, parents have little agency to protect their kids. Some of the larger app stores claim to offer parental controls to mitigate the harms posed by their products, but they are often ineffective, inaccessible, and easy to circumvent. According to a study by the Family Online Safety Institute, 79% of parents use controls currently or in the past, yet young kids are still being exposed to harmful material at alarming rates.<sup>1</sup> Two-thirds of parents are generally unsatisfied with the tools available.<sup>2</sup>

The App Store Accountability Act tackles this problem by putting parents in the driver's seat for enforcement through a private right of action if the largest app stores do not meet minimum safety tool standards, including age verification, parental oversight and consent, and other important protections. Parents know their children best and know what is most harmful for them; it is time we empower them and hold app stores accountable.

## Solution

- Expresses the sense of Congress that—
  - Parents have the right to seek a remedy when their child is exposed to material that is harmful to children;
  - App stores ought to provide parents with effective tools to protect their children; and
  - Tools must empower parents and not be grossly negligent to loopholes.
- Establishes a private right of action for parents alleging injury to a minor as a result of exposure to harmful material. Relief may include actual and punitive damages, attorneys fees, and any other relief deemed appropriate.
- Establishes safe harbor for app stores that provide tools to parents, including:
  - Age verification using secure age category data
  - Parental oversight of app usage, downloads, purchases, etc.
  - Accurate app age rating displays
- Requires annual certification of safe harbor.
- Includes congressional oversight authority that mirrors Congressional Review Act and Midnight Rules Relief Act authority.
- Establishes a complaint mechanism for parents to report ineffective tools.
- Prohibits the selling of age category data for any reason.

***For more information or to be added as a cosponsor, please contact JD Logan ([jd\\_logan@lee.senate.gov](mailto:jd_logan@lee.senate.gov)) or Emme James ([emme\\_james@lee.senate.gov](mailto:emme_james@lee.senate.gov)) in Senator Lee's office.***

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<sup>1</sup> Family Online Safety Institute. [RESEARCH REPORT: TOOLS FOR TODAY'S DIGITAL PARENTS](#). 2020.

<sup>2</sup> Ibid.