

119TH CONGRESS
2D SESSION

S. _____

To require social media platform providers to obtain parental consent with respect to children creating or maintaining accounts or profiles on their platforms, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. GALLEGO introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require social media platform providers to obtain parental consent with respect to children creating or maintaining accounts or profiles on their platforms, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Parental Approval for
5 Youth Social Media Act of 2026”.

6 **SEC. 2. REQUIRING PARENTAL CONSENT FOR CHILDREN**
7 **TO ACCESS SOCIAL MEDIA.**

8 (a) FINDINGS.—Congress finds the following:

1 (1) Social media use by children has been
2 linked to mental health and developmental harms.

3 (2) Certain social media platform features, in-
4 cluding recommendation algorithms and engage-
5 ment-maximizing designs, may exacerbate those
6 harms.

7 (3) Children require additional protections on-
8 line.

9 (b) IN GENERAL.—

10 (1) REQUIRING VERIFIABLE PARENTAL CON-
11 SENT FOR CHILDREN TO CREATE OR MAINTAIN SO-
12 CIAL MEDIA PLATFORM ACCOUNTS.—

13 (A) IN GENERAL.—Unless a social media
14 platform provider has received verifiable paren-
15 tal consent from the parent of a user that the
16 social media platform provider knows or should
17 know is a child, such social media platform pro-
18 vider may not allow such child to create or
19 maintain an account or profile on the social me-
20 dial platform of the provider.

21 (B) PARENT-SUPERVISED ACCOUNT.—If a
22 social media platform provider receives
23 verifiable parental consent for a child to create
24 and maintain an account or profile on the social
25 media platform of the provider, such social

1 media platform provider shall ensure that such
2 account or profile is a parent-supervised ac-
3 count.

4 (2) AGE AND PARENTAL CONSENT
5 VERIFICATION.—

6 (A) IN GENERAL.—A social media plat-
7 form provider shall take reasonable steps to de-
8 termine—

9 (i) whether a user of the social media
10 platform is a child; and

11 (ii) in the event the social media plat-
12 form provider determines that a user is a
13 child—

14 (I) whether verifiable parental
15 consent has been obtained; and

16 (II) whether the account of such
17 child is a parent-supervised account.

18 (B) USE OF INFORMATION.—A social
19 media platform provider—

20 (i) may not use any information col-
21 lected in complying with subparagraph (A)
22 for any other purpose; and

23 (ii) shall, unless required by other ap-
24 plicable law, delete such information—

1 (I) when the user to which such
2 information applies turns 16 years of
3 age; or

4 (II) if the user to which such in-
5 formation applies deletes their account
6 or profile before the date the user
7 turns 16 years of age, when the user
8 deletes their account or profile.

9 (3) REGULATIONS.—The Commission may pro-
10 mulgate regulations establishing—

11 (A) acceptable methods by which a social
12 media platform provider may determine whether
13 a user of the platform is a child;

14 (B) acceptable methods by which a social
15 media platform provider may obtain and verify
16 parental consent; and

17 (C) minimum requirements for parent-su-
18 pervised accounts.

19 (c) ENFORCEMENT.—

20 (1) ENFORCEMENT BY THE COMMISSION.—

21 (A) UNFAIR OR DECEPTIVE ACTS OR PRAC-
22 TICES.—A violation of this Act or a regulation
23 promulgated under this Act shall be treated as
24 a violation of a rule defining an unfair or de-
25 ceptive act or practice under section

1 18(a)(1)(B) of the Federal Trade Commission
2 Act (15 U.S.C. 57a(a)(1)(B)).

3 (B) POWERS OF THE COMMISSION.—

4 (i) IN GENERAL.—The Commission
5 shall enforce this Act in the same manner,
6 by the same means, and with the same ju-
7 risdiction, powers, and duties as though all
8 applicable terms and provisions of the Fed-
9 eral Trade Commission Act (15 U.S.C. 41
10 et seq.) were incorporated into and made a
11 part of this Act.

12 (ii) PRIVILEGES AND IMMUNITIES.—
13 Any person who violates this Act or a reg-
14 ulation promulgated under this Act shall
15 be subject to the penalties and entitled to
16 the privileges and immunities provided in
17 the Federal Trade Commission Act (15
18 U.S.C. 41 et seq.).

19 (iii) AUTHORITY PRESERVED.—Noth-
20 ing in this Act shall be construed to limit
21 the authority of the Commission under any
22 other provision of law.

23 (iv) RULEMAKING.—The Commission
24 shall promulgate in accordance with sec-
25 tion 553 of title 5, United States Code,

1 such rules as may be necessary to carry
2 out this Act.

3 (2) ENFORCEMENT BY STATES.—

(A) IN GENERAL.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person in a practice that violates this Act, the attorney general of the State may, as *parens patriae*, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to—

14 (i) enjoin further violation of this Act
15 by such person;

16 (ii) compel compliance with this Act;

(iii) obtain damages, restitution, or other compensation on behalf of such residents; and

20 (iv) obtain such other relief as the
21 court may consider to be appropriate.

22 (B) RIGHTS OF THE COMMISSION.—

23 (i) NOTICE TO THE COMMISSION.—

24 (I) IN GENERAL.—Except as pro-
25 vided in subclause (III), the attorney

1 general of a State shall notify the
2 Commission in writing that the attor-
3 ney general intends to bring a civil ac-
4 tion under subparagraph (A) before
5 initiating the civil action.

6 (II) CONTENTS.—The notifica-
7 tion required by subclause (I) with re-
8 spect to a civil action shall include a
9 copy of the complaint to be filed to
10 initiate the civil action.

11 (III) EXCEPTION.—If it is not
12 feasible for the attorney general of a
13 State to provide the notification re-
14 quired by subclause (I) before initi-
15 ating a civil action under subpara-
16 graph (A), the attorney general shall
17 notify the Commission immediately
18 upon instituting the civil action.

19 (ii) INTERVENTION BY THE COMMIS-
20 SION.—The Commission may—

21 (I) intervene in any civil action
22 brought by the attorney general of a
23 State under subparagraph (A); and

24 (II) upon intervening—

1 (aa) be heard on all matters
2 arising in the civil action; and
3 (bb) file petitions for appeal
4 of a decision in the civil action.

5 (C) INVESTIGATORY POWERS.—Nothing in
6 this paragraph may be construed to prevent the
7 attorney general of a State from exercising the
8 powers conferred on the attorney general by the
9 laws of the State to conduct investigations, to
10 administer oaths or affirmations, or to compel
11 the attendance of witnesses or the production of
12 documentary or other evidence.

13 (D) ACTION BY THE COMMISSION.—If the
14 Commission institutes a civil action or an ad-
15 ministrative action with respect to a violation of
16 this Act, the attorney general of a State may
17 not, during the pendency of such action, bring
18 a civil action under subparagraph (A) against
19 any defendant named in the complaint of the
20 Commission for the violation with respect to
21 which the Commission instituted such action.

22 (E) VENUE; SERVICE OF PROCESS.—

23 (i) VENUE.—Any action brought
24 under subparagraph (A) may be brought
25 in—

1 (I) the district court of the
2 United States that meets applicable
3 requirements relating to venue under
4 section 1391 of title 28, United States
5 Code; or

6 (II) another court of competent
7 jurisdiction.

8 (ii) SERVICE OF PROCESS.—In an ac-
9 tion brought under subparagraph (A),
10 process may be served in any district in
11 which the defendant—

12 (I) is an inhabitant; or

13 (II) may be found.

14 (F) ACTIONS BY OTHER STATE OFFI-
15 CIALS.—

16 (i) IN GENERAL.—In addition to civil
17 actions brought by attorneys general under
18 subparagraph (A), any other officer of a
19 State who is authorized by the State to do
20 so may bring a civil action under subpara-
21 graph (A), subject to the same require-
22 ments and limitations that apply under
23 this subsection to civil actions brought by
24 attorneys general.

1 (ii) SAVINGS PROVISION.—Nothing in
2 this paragraph may be construed to pro-
3 hibit an authorized official of a State from
4 initiating or continuing any proceeding in
5 a court of the State for a violation of any
6 civil or criminal law of the State.

7 (d) DEFINITIONS.—In this Act:

8 (1) CHILD.—The term “child” means an indi-
9 vidual who has not attained 16 years of age.

10 (2) COMMISSION.—The term “Commission”
11 means the Federal Trade Commission.

12 (3) EDUCATIONAL PLATFORM.—The term “edu-
13 cational platform” means a district-sanctioned or
14 school-sanctioned learning management system or
15 school information system used for the education of
16 students.

17 (4) PARENT.—The term “parent” includes a
18 legal guardian of a child.

19 (5) PARENT-SUPERVISED ACCOUNT.—The term
20 “parent-supervised account” means an account or
21 profile of a child on a social media platform that
22 provides a parent of such child with meaningful
23 oversight tools that allow such parent to supervise
24 and manage such child’s use of the social media
25 platform, including tools such as—

1 (A) the ability to access and manage the
2 privacy and account settings of the account or
3 profile;

4 (B) the ability to establish or modify time
5 limits regarding the child's use of the social
6 media platform;

7 (C) the ability to limit or disable direct
8 messages or other private communications with
9 other users of the social media platform;

10 (D) the ability to limit, approve, or disable
11 purchases and other financial transactions on
12 the social media platform;

13 (E) the ability to manage who may con-
14 tact, follow, or otherwise interact with the ac-
15 count or profile;

16 (F) the ability to view the child's activity
17 and use of the social media platform; and

18 (G) any additional oversight tools deter-
19 mined by the Commission to be appropriate
20 through rulemaking.

21 (6) SOCIAL MEDIA PLATFORM.—

22 (A) IN GENERAL.—The term “social media
23 platform”—

24 (i) means a website or internet me-
25 dium that—

1 (I) permits a person to become a
2 registered user, establish an account,
3 or create a profile for the purpose of
4 allowing users to create, share, and
5 view user-generated content through
6 such an account or profile;

7 (II) enables 1 or more users to
8 generate content that can be viewed
9 by other users of the website or inter-
10 net medium; and

11 (III) primarily serves as a me-
12 dium for users to interact with con-
13 tent generated by other users of the
14 website or internet medium; and

15 (ii) does not include—

16 (I) an email service;

17 (II) a text messaging service;

18 (III) an educational platform;

19 (IV) a video conferencing service;

20 (V) online gaming where social
21 interaction is incidental to the game
22 being played; or

23 (VI) a communication service or
24 tool where social interaction is inci-

1 dental to the primary function of such
2 service or tool.

(B) FTC RULEMAKING AUTHORITY.—In order to address evolving technologies and platforms, the Commission may promulgate in accordance with section 553 of title 5, United States Code, rules to determine what websites or internet mediums meet the definition of “social media platform”.

(7) SOCIAL MEDIA PLATFORM PROVIDER.—The term “social media platform provider” means any person who, for commercial purposes in or affecting commerce, provides, manages, operates, controls, or manufactures a social media platform.

(8) TEXT MESSAGING SERVICE.—The term “text messaging service” means a wireless messaging service, including such a service provided through short message service or multimedia messaging protocols that—

20 (A) is not a component of, or linked to, a
21 social media platform; and

(B) has a predominant or exclusive function of direct messaging consisting of the transmission of text, photos, or videos sent—

25 (i) by electronic means; and

1 (ii) from the sender to the recipient.

2 (9) VERIFIABLE PARENTAL CONSENT.—The
3 term “verifiable parental consent” means any rea-
4 sonable effort (taking into consideration available
5 technology) to ensure that a parent of a child au-
6 thorizes such child to create and maintain an ac-
7 count or profile on a social media platform.