

119TH CONGRESS
1ST SESSION

H. R. 2657

To require large social media platform providers to create, maintain, and make available to third-party safety software providers a set of real-time application programming interfaces, through which a child or a parent or legal guardian of a child may delegate permission to a third-party safety software provider to manage the online interactions, content, and account settings of such child on the large social media platform on the same terms as such child, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2025

Ms. WASSERMAN SCHULTZ (for herself, Mr. CARTER of Georgia, Ms. SCHRIER, Mrs. MILLER-MEEKS, Mr. SUOZZI, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require large social media platform providers to create, maintain, and make available to third-party safety software providers a set of real-time application programming interfaces, through which a child or a parent or legal guardian of a child may delegate permission to a third-party safety software provider to manage the online interactions, content, and account settings of such child on the large social media platform on the same terms as such child, 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 “Sammy’s Law”.

5 **SEC. 2. SENSE OF CONGRESS.**

6 It is the sense of Congress that—

7 (1) parents and legal guardians should be em-
8 powered to use the services of third-party safety
9 software providers to protect the children of such
10 parents and legal guardians from certain harms on
11 large social media platforms; and

12 (2) dangers like cyberbullying, human traf-
13 ficking, illegal drug distribution, sexual harassment,
14 and violence perpetrated, facilitated, or exacerbated
15 through the use of certain large social media plat-
16 forms have harmed children on such platforms.

17 **SEC. 3. DEFINITIONS.**

18 In this Act:

19 (1) CHILD.—The term “child” means any indi-
20 vidual under the age of 17 years who has registered
21 an account with a large social media platform.

22 (2) COMMERCE.—The term “commerce” has
23 the meaning given such term in section 4 of the
24 Federal Trade Commission Act (15 U.S.C. 44).

1 (3) COMMISSION.—The term “Commission”
2 means the Federal Trade Commission.

3 (4) LARGE SOCIAL MEDIA PLATFORM.—The
4 term “large social media platform”—

5 (A) means a service—

6 (i) provided through an internet
7 website or a mobile application (or both);

8 (ii) the terms of service of which do
9 not prohibit the use of the service by a
10 child;

11 (iii) with any feature or features that
12 enable a child to share images, text, or
13 video through the internet with other users
14 of the service whom such child has met,
15 identified, or become aware of solely
16 through the use of the service; and

17 (iv) that has more than 100,000,000
18 monthly global active users or generates
19 more than \$1,000,000,000 in gross rev-
20 enue per year, adjusted yearly for inflation;
21 and

22 (B) does not include—

23 (i) a service that primarily serves—

24 (I) to facilitate—

1 (aa) the sale or provision of
2 professional services; or

3 (bb) the sale of commercial
4 products; or

5 (II) to provide news or informa-
6 tion, where the service does not offer
7 the ability for content to be sent by a
8 user directly to a child; or

9 (ii) a service that—

10 (I) has a feature that enables a
11 user who communicates directly with
12 a child through a message (including
13 a text, audio, or video message) not
14 otherwise available to other users of
15 the service to add other users to that
16 message that such child may not have
17 otherwise met, identified, or become
18 aware of solely through the use of the
19 service; and

20 (II) does not have any feature or
21 features described in subparagraph
22 (A)(iii).

23 (5) LARGE SOCIAL MEDIA PLATFORM PRO-
24 VIDER.—The term “large social media platform pro-
25 vider” means any person who, for commercial pur-

1 poses in or affecting commerce, provides, manages,
2 operates, or controls a large social media platform.

3 (6) STATE.—The term “State” means each
4 State of the United States, the District of Columbia,
5 each commonwealth, territory, or possession of the
6 United States, and each federally recognized Indian
7 Tribe.

8 (7) THIRD-PARTY SAFETY SOFTWARE PRO-
9 VIDER.—The term “third-party safety software pro-
10 vider” means any person who, for commercial pur-
11 poses in or affecting commerce, is authorized by a
12 child (if the child is 13 years of age or older) or a
13 parent or legal guardian of a child to interact with
14 a large social media platform to manage the online
15 interactions, content, or account settings of such
16 child for the sole purpose of protecting such child
17 from harm, including physical or emotional harm.

18 (8) USER DATA.—The term “user data” means
19 any information needed to have a profile on a large
20 social media platform or content on a large social
21 media platform, including images, video, audio, or
22 text, that is created by or sent to a child on or
23 through the account of such child with such plat-
24 form, but only—

1 (A) if the information or content is created
2 by or sent to such child while a delegation
3 under section 4(a) is in effect with respect to
4 the account; and

5 (B) during a 30-day period beginning on
6 the date on which the information or content is
7 created by or sent to such child.

8 **SEC. 4. PROVIDING ACCESS TO THIRD-PARTY SAFETY SOFT-**
9 **WARE.**

10 (a) DUTY OF LARGE SOCIAL MEDIA PLATFORM PRO-
11 VIDERS.—

12 (1) IN GENERAL.—Not later than 30 days after
13 the effective date of this Act (in the case of a service
14 that is a large social media platform on such effec-
15 tive date) or not later than 30 days after a service
16 becomes a large social media platform (in the case
17 of a service that becomes a large social media plat-
18 form after such effective date), the large social
19 media platform provider shall create, maintain, and
20 make available to any third-party safety software
21 provider registered with the Commission under sub-
22 section (b)(1) a set of third-party-accessible real-
23 time application programming interfaces, including
24 any information necessary to use such interfaces, by
25 which a child (if the child is 13 years of age or

1 older) or a parent or legal guardian of a child may
2 delegate permission to the third-party safety soft-
3 ware provider to—

4 (A) manage the online interactions, con-
5 tent, and account settings of such child on the
6 large social media platform on the same terms
7 as such child; and

8 (B) initiate secure transfers of user data
9 from the large social media platform in a com-
10 monly-used and machine-readable format to the
11 third-party safety software provider, where the
12 frequency of such transfers may not be limited
13 by the large social media platform provider to
14 less than once per hour.

15 (2) REVOCATION.—Once a child or a parent or
16 legal guardian of a child makes a delegation under
17 paragraph (1), the large social media platform pro-
18 vider shall make the application programming inter-
19 faces and information described in such paragraph
20 available to the third-party safety software provider
21 on an ongoing basis until—

22 (A) the child (if the child made the delega-
23 tion) or the parent or legal guardian of such
24 child revokes the delegation;

1 (B) the child or a parent or legal guardian
2 of such child revokes or disables the registra-
3 tion of the account of such child with the large
4 social media platform;

5 (C) the third-party safety software pro-
6 vider rejects the delegation; or

7 (D) one or more of the affirmations made
8 by the third-party safety software provider
9 under subsection (b)(1)(A) is no longer true.

10 (3) SECURE TRANSFER OF USER DATA.—A
11 large social media platform provider shall establish
12 and implement reasonable policies, practices, and
13 procedures regarding the secure transfer of user
14 data pursuant to a delegation under paragraph (1)
15 from the large social media platform to a third-party
16 safety software provider in order to mitigate any
17 risks related to user data.

18 (4) DISCLOSURE.—In the case of a delegation
19 made by a child or a parent or legal guardian of a
20 child under paragraph (1) with respect to the ac-
21 count of such child with a large social media plat-
22 form, the large social media platform provider
23 shall—

24 (A) disclose to such child and (if the par-
25 ent or legal guardian made the delegation) the

parent or legal guardian the fact that the delegation has been made;

(B) provide to such child and (if such parent or legal guardian made the delegation) such parent or legal guardian a summary of the user data that is transferred to the third-party safety software provider; and

(C) update the summary provided under subparagraph (B) as necessary to reflect any change to the user data that is transferred to the third-party safety software provider.

(5) LIMITATION.—Any management by a third-party safety software provider of online interactions, content, and account settings of a child under this subsection shall be limited to such management that protects such child from harm, including the optimization of the privacy settings of the account, stated user age, and marketing settings of the child.

(b) THIRD-PARTY SAFETY SOFTWARE PROVIDERS.—

(1) REGISTRATION WITH COMMISSION.—A third-party safety software provider shall register with the Commission as a condition of accessing an application programming interface and any information under subsection (a). As a condition of such

1 registration, the third-party safety software provider
2 shall—

3 (A) satisfactorily demonstrate to the Com-
4 mission that the third-party safety software
5 provider—

6 (i) is a company based in the United
7 States;

8 (ii) is not a subsidiary of any foreign-
9 owned company or otherwise controlled by
10 a foreign person or persons;

11 (iii) will solely use any user data ob-
12 tained under subsection (a) for the purpose
13 of protecting a child from harm in accord-
14 ance with any applicable terms of service
15 and the provisions of this Act;

16 (iv) will only disclose user data ob-
17 tained under subsection (a) as permitted
18 by subsection (f);

19 (v) will process and maintain all user
20 data obtained under subsection (a) and
21 copies of any communications generated in
22 relation thereto exclusively on hardware
23 and devices located within the territorial
24 boundaries of the United States;

1 (vi)(I) will delete any user data ob-
2 tained under this section as soon as pos-
3 sible but not later than 14 days after re-
4 ceiving such data from the large social
5 media platform, not including any data the
6 third-party safety software provider dis-
7 closes under subsection (f);

8 (II) for any data disclosed under sub-
9 section (f)(1)(C), will maintain such data
10 until the child or a parent or legal guard-
11 ian of the child who made a delegation
12 under subsection (a) and whose data is at
13 issue requests that the third-party safety
14 software provider delete such data; and

15 (III) in the event that the child or a
16 parent or legal guardian of the child who
17 made a delegation under subsection (a)
18 cancels their account with the third-party
19 safety software provider, will delete all ap-
20 plicable user data no later than 30 days
21 after the request for account cancellation
22 has been made; and

23 (vii) will disclose, in an easy-to-under-
24 stand, human-readable format, to each
25 child with respect to whose account with a

1 large social media platform the service of
2 the third-party safety software provider is
3 operating and (if a parent or legal guard-
4 ian of the child made the delegation under
5 subsection (a) with respect to the account)
6 to the parent or legal guardian, sufficient
7 information detailing the operation of the
8 service and what information the third-
9 party safety software provider is collecting
10 to enable such child and (if applicable)
11 such parent or legal guardian to make in-
12 formed decisions regarding the use of the
13 service; and

14 (B) as part of the registration process, un-
15 dergo a security review in such form as the
16 Commission may proscribe but which may in-
17 clude requiring that a qualified independent au-
18 diting firm conduct such a review to independ-
19 ently verify and confirm via a written report
20 (which shall be exempt from disclosure under
21 section 552(b)(3) of title 5, United States
22 Code) that the third-party safety software pro-
23 vider—

1 (i) is in compliance, or has the ability
2 to comply, with the requirements of sub-
3 paragraph (A);

4 (ii) is able to provide services in ac-
5 cordance with any applicable terms of serv-
6 ice and any relevant disclosures made to
7 any consumer, including whether such
8 terms and disclosures are clear and con-
9 spicuous and are written in plain and easy-
10 to-understand English;

11 (iii) has taken appropriate steps to as-
12 sess potential risks and to protect the con-
13 fidentiality, integrity, and security of any
14 user data, including a determination of the
15 adequacy of business and technology-re-
16 lated controls, policies, procedures, and
17 other safeguards employed by the third-
18 party safety software provider based on
19 guidance issued by the Commission and
20 other industry standards and best prac-
21 tices; and

22 (iv) assesses compliance with applica-
23 ble Federal law, including the requirements
24 of this Act.

25 (2) ANNUAL AUDIT.—

1 (A) AUDIT PROCESS; AUDIT REPORT.—For
2 each year or partial year during which a third-
3 party safety software provider is registered with
4 the Commission under paragraph (1), the third-
5 party safety software provider shall retain the
6 services of a qualified independent auditing firm
7 to complete an annual audit and write an audit
8 report (which shall be exempt from disclosure
9 under section 552(b)(3) of title 5, United
10 States Code), and such audit report shall—

11 (i) include a review and assessment of
12 the third-party safety software provider's
13 initial security review and any subsequent
14 written reports, including whether the
15 third-party safety software provider has re-
16 mained in compliance with the require-
17 ments described in paragraph (1)(B); and

18 (ii) identify whether the third-party
19 safety software provider has made any ma-
20 terial changes in how the third-party safety
21 software provider provides services, and in
22 the event of any such material changes,
23 provide an explanation as to how such
24 changes have impacted users.

1 (B) SUBMISSION TO COMMISSION.—Not
2 later than 30 days after the date on which an
3 audit report is written under subparagraph (A),
4 a third-party safety software provider shall sub-
5 mit to the Commission—

6 (i) a full copy of such audit report;
7 and

8 (ii) a summary of such audit report
9 that may contain redactions to protect the
10 proprietary information and trade secrets
11 of the third-party safety software provider.

12 (C) AUDIT REVIEW BY COMMISSION.—The
13 Commission shall—

14 (i) review each audit report submitted
15 by a third-party safety software provider
16 under subparagraph (B)(i) to verify com-
17 pliance;

18 (ii) make a copy of the summary of
19 such audit report submitted by a third-
20 party safety software provider under sub-
21 paragraph (B)(ii) available to the public;
22 and

23 (iii) in the event an audit required
24 under subparagraph (A) detects an un-
25 usual finding, direct a third-party safety

1 software provider to promptly investigate
2 and resolve the matter.

3 (3) ADDITIONAL AUTHORITY OF COMMISSION.—

4 In addition to the jurisdiction, powers, and duties of
5 the Commission otherwise provided under this Act
6 and any other provision of law, the Commission may
7 take an adverse action against a third-party safety
8 software provider, including by—

9 (A) denying an initial registration for the
10 third-party safety software provider under para-
11 graph (1);

12 (B) permanently de-registering the third-
13 party safety software provider; and

14 (C) suspending the registration of the
15 third-party safety software provider due to an
16 audit finding of a material risk to the security
17 of the data or safety of the public, including
18 for—

19 (i) willful misconduct or gross neg-
20 ligence by the third-party safety software
21 provider;

22 (ii) a material misrepresentation made
23 by a third-party safety software provider to
24 the Commission or to any consumer;

1 (iii) failure by the third-party safety
2 software provider to comply with any re-
3 quirements of this Act or failure to operate
4 in accordance with the affirmations, asser-
5 tions, representations, or terms of any se-
6 curity review, audit, terms of services, or
7 consumer disclosures;

8 (iv) failure by the third-party safety
9 software provider to respond to an unusual
10 finding in an annual audit completed
11 under paragraph (2)(A); and

12 (v) failure by the third-party safety
13 software provider to adhere to or imple-
14 ment guidance issued by the Commission.

15 (4) RIGHTS OF THIRD-PARTY SAFETY SOFT-
16 WARE PROVIDERS.—

17 (A) IN GENERAL.—In the event the Com-
18 mission takes an adverse action against a third-
19 party safety software provider under paragraph
20 (3), the Commission shall give the third-party
21 safety software provider—

22 (i) the opportunity to appeal the find-
23 ings of the auditor or such action of the
24 Commission; and

1 (ii) the opportunity to remediate any
2 deficiencies, except in the case of a finding
3 of—

4 (I) willful misconduct;

5 (II) gross negligence; or

6 (III) a demonstrated history of
7 multiple failures in relation to the
8 types of material risk described in
9 paragraph (3)(C)(ii) through
10 (3)(C)(v).

11 (B) EXCEPTION.—The rights described in
12 subparagraph (A) shall not prevent the Com-
13 mission from suspending the registration of a
14 third-party safety software provider to protect
15 the public from ongoing material risk for the
16 period during which the third-party safety soft-
17 ware provider is in the process of exercising the
18 rights described in paragraph (4).

19 (c) AUTHENTICATION.—Not later than 180 days
20 after the date of the enactment of this Act, the Commis-
21 sion shall issue guidance to facilitate the ability of a third-
22 party safety software provider to obtain user data or ac-
23 cess under subsection (a) in a manner that ensures that
24 a request for user data or access on behalf of a child is
25 a verifiable request.

1 (d) GUIDANCE AND CONSUMER EDUCATION.—The
2 Commission shall—

3 (1) not later than 180 days after the date of
4 the enactment of this Act, issue guidance for large
5 social media platform providers and third-party safe-
6 ty software providers regarding the maintenance of
7 reasonable safety standards to protect user data;
8 and

9 (2) educate consumers regarding the rights of
10 consumers under this Act.

11 (e) INDEMNIFICATION.—In any civil action in Fed-
12 eral or State court (other than an action brought by the
13 Commission), a large social media platform provider may
14 not be held liable for damages arising out of the transfer
15 of user data to a third-party safety software provider
16 under subsection (a), if the large social media platform
17 provider has in good faith complied with the requirements
18 of this Act and the guidance issued by the Commission
19 under this Act.

20 (f) USER DATA DISCLOSURE.—

21 (1) PERMITTED DISCLOSURES.—A third-party
22 safety software provider may not disclose any user
23 data obtained under subsection (a) to any other per-
24 son except—

1 (A) pursuant to a lawful request from a
2 government body, including for law enforcement
3 purposes or for judicial or administrative pro-
4 ceedings by means of a court order or a court-
5 ordered warrant, a subpoena or summons
6 issued by a judicial officer, or a grand jury sub-
7 poena;

8 (B) to the extent that such disclosure is re-
9 quired by law and such disclosure complies with
10 and is limited to the relevant requirements of
11 such law;

12 (C) to the child or a parent or legal guard-
13 ian of the child who made a delegation under
14 such subsection and whose data is at issue, with
15 such third-party safety software provider mak-
16 ing a good faith effort to ensure that such dis-
17 closure includes only the user data necessary
18 for a reasonable parent or caregiver to under-
19 stand that such child is experiencing (or is at
20 foreseeable risk to experience) the following
21 harms—

22 (i) suicide;

23 (ii) anxiety;

24 (iii) depression;

25 (iv) eating disorders;

1 (v) violence, including being the victim
2 of or planning to commit or facilitate as-
3 sault;

4 (vi) substance abuse;

5 (vii) fraud;

6 (viii) severe forms of trafficking in
7 persons (as defined in section 103 of the
8 Trafficking Victims Protection Act of 2000
9 (22 U.S.C. 7102));

10 (ix) sexual abuse;

11 (x) physical injury;

12 (xi) harassment;

13 (xii) sexually explicit conduct or child
14 pornography (as defined in section 2256 of
15 title 18, United States Code);

16 (xiii) terrorism (as defined in section
17 140(d) of the Foreign Relations Authoriza-
18 tion Act, Fiscal Years 1988 and 1989 (22
19 U.S.C. 2656f(d))), including communica-
20 tions with or in support of a foreign ter-
21 rorist organization (as designated by the
22 Secretary of State under section 219(a) of
23 the Immigration and Nationality Act (8
24 U.S.C. 1189(a)));

1 (xiv) academic dishonesty, including
2 cheating, plagiarism, and other forms of
3 academic dishonesty that are intended to
4 gain an unfair academic advantage; and

5 (xv) sharing personal information,
6 limited to—

7 (I) home address;

8 (II) phone number;

9 (III) social security number; and

10 (IV) personal banking informa-
11 tion;

12 (D) in the case of a reasonably foreseeable
13 serious and imminent threat to the health or
14 safety of any individual, if the disclosure is
15 made to a person or persons reasonably able to
16 prevent or lessen the threat; or

17 (E) to a public health authority or other
18 appropriate government authority authorized by
19 law to receive reports of child abuse or neglect.

20 (2) DISCLOSURE REPORTING.—A third-party
21 safety software provider that makes a disclosure per-
22 mitted by paragraph (1)(A), (1)(B), (1)(D), or
23 (1)(E) shall promptly inform the child with respect
24 to whose account with a large social media platform
25 the delegation was made under subsection (a) and

(if a parent or legal guardian of the child made the delegation) the parent or legal guardian that such a disclosure has been or will be made, except if—

(A) the third-party safety software provider, in the exercise of professional judgment, believes informing such child or parent or legal guardian would place such child at risk of serious harm; or

(B) the third-party safety software provider is prohibited by law (including a valid order by a court or administrative body) from informing such child or parent or legal guardian.

SEC. 5. IMPLEMENTATION AND ENFORCEMENT.

(a) ENFORCEMENT.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of this Act shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction,

1 powers, and duties as though all applicable
2 terms and provisions of the Federal Trade
3 Commission Act (15 U.S.C. 41 et seq.) were in-
4 corporated into and made a part of this Act.

5 (B) PRIVILEGES AND IMMUNITIES.—Any
6 person who violates this Act shall be subject to
7 the penalties and entitled to the privileges and
8 immunities provided in the Federal Trade Com-
9 mission Act (15 U.S.C. 41 et seq.).

10 (3) PRESERVATION OF AUTHORITY.—Nothing
11 in this Act may be construed to limit the authority
12 of the Commission under any other provision of law.

13 (b) FTC GUIDANCE.—Not later than 180 days after
14 the date of the enactment of this Act, the Commission
15 shall issue guidance to assist large social media platform
16 providers and third-party safety software providers in
17 complying with this Act.

18 (c) COMPLIANCE ASSESSMENT.—The Commission,
19 on a biannual basis, shall assess compliance by large social
20 media platform providers and third-party safety software
21 providers with the provisions of this Act.

22 (d) COMPLAINTS.—The Commission shall establish
23 procedures under which a child, or the parent or legal
24 guardian of such child, a large social media platform pro-
25 vider, or a third-party safety software provider may file

1 a complaint alleging that a large social media platform
2 provider or a third-party safety software provider has vio-
3 lated this Act.

4 **SEC. 6. ONE NATIONAL STANDARD.**

5 (a) IN GENERAL.—No State or political subdivision
6 of a State may maintain, enforce, prescribe, or continue
7 in effect any law, rule, regulation, requirement, standard,
8 or other provision having the force and effect of law of
9 the State, or political subdivision of a State, related to
10 requiring large social media platform providers to create,
11 maintain, and make available to third-party safety soft-
12 ware providers a set of real-time application programming
13 interfaces, through which a child or a parent or legal
14 guardian of a child may delegate permission to a third-
15 party safety software provider to manage the online inter-
16 actions, content, and account settings of such child on a
17 large social media platform on the same terms as such
18 child.

19 (b) RULE OF CONSTRUCTION.—This section may not
20 be construed to—

21 (1) limit the enforcement of any consumer pro-
22 tection law of a State or political subdivision of a
23 State;

24 (2) preempt the applicability of State trespass,
25 contract, or tort law; or

1 (3) preempt the applicability of any State law
2 to the extent that the law relates to acts of fraud,
3 unauthorized access to personal information, or noti-
4 fication of unauthorized access to personal informa-
5 tion.

6 **SEC. 7. EFFECTIVE DATE.**

7 This Act shall take effect on the date on which the
8 Commission issues guidance under section 5(b).

○