

118TH CONGRESS
1ST SESSION

S. 419

To require social media platforms to verify that all individuals who create an account on the platform are age 16 or older, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2023

Mr. HAWLEY introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require social media platforms to verify that all individuals who create an account on the platform are age 16 or older, 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 “Making Age-
5 Verification Technology Uniform, Robust, and Effective
6 Act” or the “MATURE Act”.

7 **SEC. 2. REQUIRING SOCIAL MEDIA PLATFORMS TO VERIFY**

8 **THAT ACCOUNT HOLDERS ARE OF APPRO-**
9 **PRIATE AGE.**

10 (a) REQUIREMENT.—

1 (1) IN GENERAL.—Except as provided in sub-
2 section (c), beginning on the date that is 6 months
3 after the date of enactment of this Act, the operator
4 of a social media platform shall not allow an indi-
5 vidual to create an account on the platform unless
6 the individual is age 16 or older, as verified by the
7 platform using an age verification process that
8 meets the requirements specified in paragraph (2).

9 (2) AGE VERIFICATION PROCESS REQUIRE-
10 MENTS.—The requirements specified in this para-
11 graph are, with respect to an age verification process
12 and a social media platform, that the platform re-
13 quire any individual who attempts to create an ac-
14 count on the platform to provide the platform
15 with—

16 (A) the individual’s full legal name;
17 (B) the individual’s date of birth; and
18 (C) a scan, image, or upload of govern-
19 ment-issued identification of the individual that
20 verifies the information required under subpara-
21 graphs (A) and (B).

22 (b) USE OF DATA COLLECTED FOR AGE
23 VERIFICATION PURPOSES; DELETION OF DATA.—

24 (1) IN GENERAL.—The operator of a social
25 media platform shall not sell, transfer, or use any

1 information collected from an individual for the pur-
2 pose of verifying the individual's identity and age for
3 any other purpose.

4 (2) DELETION OF DATA.—If an account on a
5 social media platform is deleted (whether at the re-
6 quest of the account holder or otherwise), the oper-
7 ator of the social media platform shall delete any in-
8 formation collected from an individual for the pur-
9 pose of verifying the individual's identity and age
10 not later than 30 days after the date of such dele-
11 tion.

12 (c) APPLICATION TO EXISTING ACCOUNTS.—The op-
13 erator of a social media platform may continue to allow
14 an individual to maintain and use an account on the plat-
15 form without verifying that the individual is age 16 or
16 older as required under subsection (a) if—

17 (1) the account was created by the individual
18 before the date that is 6 months after the date of
19 enactment of this Act; and

20 (2) no other individual uses the account.

21 **SEC. 3. FTC COMPLIANCE AUDITS.**

22 (a) IN GENERAL.—Not later than 1 year after the
23 date of enactment of this Act, and not less frequently than
24 every 6 months thereafter, the Commission shall conduct
25 an audit of each large social media platform by comparing

1 the age verification information associated with a ran-
2 domly selected sample of all accounts created on the plat-
3 form since the last audit was conducted under this section
4 (or, in the case of the first audit conducted under this
5 section, since the date that is 6 months after the date of
6 enactment of this Act) to State and Federal records to
7 confirm that the individuals creating such accounts are
8 age 16 or older.

9 (b) COMPLIANCE STANDARDS.—An operator of a
10 large social media platform shall not be considered to be
11 in violation of the requirements of section 2(a) if—

12 (1) with respect to the first and second audits
13 conducted under this section, the Commission deter-
14 mines that 90 percent of the accounts reviewed
15 under the audit are accurate and in compliance with
16 the requirements of such section;

17 (2) with respect to the third and fourth audits
18 conducted under this section, the Commission deter-
19 mines that 95 percent of the accounts reviewed
20 under the audit are accurate and in compliance with
21 the requirements of such section; and

22 (3) with respect to the fifth audit and any sub-
23 sequent audit conducted under this section, the
24 Commission determines that 100 percent of the ac-

1 counts reviewed under the audit are accurate and in
2 compliance with the requirements of such section.

3 **SEC. 4. ENFORCEMENT.**

4 (a) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—

5 A violation of section 2 shall be treated as a violation of
6 a rule defining an unfair or deceptive act or practice pre-
7 scribed under section 18(a)(1)(B) of the Federal Trade
8 Commission Act (15 U.S.C. 57a(a)(1)(B)).

9 (b) POWERS OF THE COMMISSION.—

10 (1) IN GENERAL.—The Commission shall en-
11 force section 2 in the same manner, by the same
12 means, and with the same jurisdiction, powers, and
13 duties as though all applicable terms and provisions
14 of the Federal Trade Commission Act (15 U.S.C. 41
15 et seq.) were incorporated into and made a part of
16 this Act.

17 (2) PRIVILEGES AND IMMUNITIES.—Any person
18 who violates section 2 shall be subject to the pen-
19 alties and entitled to the privileges and immunities
20 provided in the Federal Trade Commission Act (15
21 U.S.C. 41 et seq.).

22 (3) EFFECT ON OTHER LAWS.—Nothing in this
23 Act shall be construed to limit the authority of the
24 Commission under any other provision of law.

25 (c) PRIVATE RIGHT OF ACTION.—

1 (1) IN GENERAL.—Any parent or guardian of
 2 an individual less than 16 years of age to whom a
 3 social media account is provided in violation of this
 4 Act may bring a civil action against the social media
 5 company in an appropriate district court of the
 6 United States or a State court of competent jurisdic-
 7 tion for—

8 (A) injunctive relief;

9 (B) damages; and

10 (C) attorney’s fees and costs.

11 (2) APPLICATION.—Paragraph (1) shall apply
 12 to any violation that occurs after the fourth audit
 13 described in section 3(b)(2).

14 **SEC. 5. DEFINITIONS.**

15 In this Act:

16 (1) COMMISSION.—The term “Commission”
 17 means the Federal Trade Commission.

18 (2) GOVERNMENT-ISSUED IDENTIFICATION.—
 19 The term “government-issued identification” means,
 20 with respect to an individual, a government-issued
 21 document that demonstrates the individual’s identity
 22 and age, including—

23 (A) a passport or visa;

24 (B) a birth certificate;

25 (C) a driver’s license;

1 (D) an identification card issued by a
2 State; or

3 (E) another document determined appro-
4 priate by the Commission.

5 (3) SOCIAL MEDIA PLATFORM; LARGE SOCIAL
6 MEDIA PLATFORM.—

7 (A) SOCIAL MEDIA PLATFORM.—The term
8 “social media platform” means any electronic
9 medium, such as Facebook, Instagram,
10 YouTube, or Twitter (as such services existed
11 in 2023), a live-chat system, or an electronic
12 dating service that—

13 (i) primarily serves as a medium for
14 users to interact with original content gen-
15 erated by other third-party users of the
16 medium;

17 (ii) enables users to create accounts or
18 profiles specific to the medium or to im-
19 port profiles from another medium; and

20 (iii) enables 1 or more users to gen-
21 erate original content that can be viewed
22 by other third-party users of the medium.

23 (B) LARGE SOCIAL MEDIA PLATFORM.—
24 The term “large social media platform” means
25 a social media platform that—

1 (i) averages more than 1,000,000
2 unique users on a monthly basis; or

3 (ii) has more than 1,000,000 user ac-
4 counts.

5 (C) EXCLUSION.—The term “social media
6 platform” shall not include a platform that only
7 permits users to interact via a predetermined
8 set of phrases, emoticons, or nonlinguistic sym-
9 bols.

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