

Markey, Barton Release Discussion Draft of Their “Do Not Track” Kids Online Privacy Legislation

Bi-Partisan bill would update landmark Children’s Online Privacy Protection Act, provide new protections for teens in mobile environment

WASHINGTON, D.C. – Co-Chairmen of the Bi-Partisan Congressional Privacy Caucus Rep. Edward J. Markey (D-Mass.) and Rep. Joe Barton (R-Texas) today released a discussion draft of their children’s online privacy legislation. Entitled the “Do Not Track Kids Act of 2011”, the draft bill amends the Children’s Online Privacy Protection Act of 1998 to extend, enhance and update the provisions relating to the collection, use and disclosure of children’s personal information and establishes new protections for personal information of children and teens.

“For millions of kids today, the Internet is their new 21st century playground – they learn, play, and connect with others every day,” said Rep. Markey. **“The Internet presents a wide array of opportunities to communicate and access entertainment that were unimaginable only a few years ago. But kids growing up in this online environment also need protection from the dangers that can lurk in cyberspace. Unfortunately, ‘Where the Wild Things Are’ can apply to the 21st century Internet and the beloved children’s book.**

“That’s why to ensure that kids are protected, I am releasing this discussion draft of the ‘Do Not Track Kids Act of 2011’ so that kids do not have their online behavior tracked or their personal information collected or used without permission,” said Markey. **“I look forward to hearing from stakeholders about this important legislation and working with my colleagues to move the bill forward.”**

“Times have changed since Congress passed the Children’s Online Privacy Protection Act back in 1998,” said Rep. Barton. “The Internet has transformed into an invaluable educational, research and entertainment tool, but with the good comes the bad.

“Every day we hear of new accounts of consumers’ personal information being mishandled and misused including our most vulnerable population – children,” continued Barton. “We have reached a troubling point in the state of business when companies that conduct business online are so eager to make a buck, they resort to targeting our children. I strongly believe that information should not be collected on children and used for commercial purposes.

“I have continually supported legislative initiatives seeking to increase the protections for all consumers,” concluded Barton. “I believe that it is imperative to ensure that consumers’ personal and private information remains personal and private. I understand that gathering some information from consumers is necessary

when conducting business online, however it is never acceptable to abuse that information. The Do Not Track Kids Act of 2011 is a bill that makes protecting our children a priority, and I believe that this is a great first step in consumer privacy.”

The “Do Not Track Kids Act of 2011” strengthens privacy protections for children and teens by:

- Requiring online companies to explain the types of personal information collected, how that information is used and disclosed, and the policies for collection of personal information;
- Requiring online companies to obtain parental consent for collection of children’s personal information;
- Prohibiting online companies from using personal information of children and teens for targeted marketing purposes;
- Establishing a “Digital Marketing Bill of Rights for Teens” that limits the collection of personal information of teens, including geolocation information of children and teens;
- Creating an “Eraser Button” for parents and children by requiring companies to permit users to eliminate publicly available personal information content when technologically feasible.

“We commend Reps. Markey and Barton for listening to the concerns of families and taking action by introducing a “Do Not Track Kids” privacy bill that places kids and teens front and center,” said Jim Steyer, CEO of Common Sense Media. “As it stands now, the nation’s tech privacy policies are outdated, as they do not include protections for mobile and geolocation technologies. Kids and teens are being tracked even more than adults, and marketed to without permission while companies make huge profits off the data – and that is wrong. It is promising to see leaders of both parties come together to address these issues on behalf of children and families. We hope the bill continues to gain bipartisan support so that Congress can put in place these much-needed protections that will prevent the industry from violating the privacy of kids and teens.”

“Young people are targets of a powerful digital data collection system, tracking them wherever they are – on mobile phones, social networks, playing games, or browsing the Web,” said Jeff Chester, Executive Director of the Center for Digital Democracy, who led the campaign that helped enact the Children’s Online Privacy Protection Act of 1998. “We need a 21st century privacy law that protects children and teens. The Do Not Track Kids Act will ensure they are protected online. Parents and those who care about America’s youth should support this bill. The ‘dynamic duo’ of privacy – Reps. Joe Barton and Ed Markey – deserve praise for spearheading this important new legislation.”

Reps. Markey and Barton have been Congressional leaders on providing privacy protections for personal consumer information. The lawmakers have investigated

the practices of companies such as Google, Apple, Facebook, and the four major wireless carriers about their data collection, storage, use and disclosure practices.

A copy of the discussion draft can be found [HERE](#).

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