December 1, 2025

The Honorable Brett Guthrie
Chairman
U.S. House Committee on
Energy and Commerce
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member
U.S. House Committee on
Energy and Commerce
Washington, DC 20515

The Honorable Gus Bilirakis
Chairman
U.S. House Subcommittee on
Commerce, Manufacturing, and Trade
Washington, DC 20515

The Honorable Jan Schakowsky
Ranking Member
U.S. House Subcommittee on
Commerce, Manufacturing, and Trade
Washington, DC 20515

RE: H.R. 6291, Children and Teens' Online Privacy Protection Act ("COPPA 2.0")

Dear Chairman Guthrie, Ranking Member Pallone, Chairman Bilirakis, and Ranking Member Schakowsky:

The Main Street Privacy Coalition (MSPC) and its member organizations appreciate the Committee's work in developing H.R. 6291, the Children and Teens' Online Privacy Protection Act ("COPPA 2.0"), to amend the Children's Online Privacy Protection Act of 1998 ("COPPA"). In particular, we appreciate the work of Reps. Tim Walberg and Laurel Lee in introducing a revised version of COPPA 2.0 that addresses two significant concerns Main Street businesses raised with past versions of the House bill and the current version of the Senate bill.

The MSPC member associations represent a broad array of companies that line America's Main Streets, from retailers to restaurants, grocery stores to convenience stores, hotels to resorts, and gas stations to a wide range of franchise establishments. MSPC members' companies interact with consumers on a daily basis and can be found in every town, city, and state, providing jobs, supporting our economy, and serving Americans as a vital part of their communities. Collectively, the industry sectors that MSPC trade groups represent directly employ approximately 34 million Americans and constitute one-sixth of the U.S. economy by contributing $4.5 trillion to the annual U.S. gross domestic product.[1]

First, MSPC greatly appreciates that H.R. 6291 *preserves* COPPA's nearly three-decade primacy as the country's uniform national standard for children's privacy regulation and strengthens the existing preemption clause enacted in 1998. Second, MSPC is grateful that the bill recognizes the significant differences between Main Street businesses and high-impact social media companies by maintaining COPPA's actual knowledge standard for Main Street businesses while raising the bar for social media company practices that have driven legislators' concerns over the past several years.

[1] Additional information about the Main Street Privacy Coalition can be found at: https://mainstreetprivacy.com

Preserving COPPA's Primacy as a 27-Year Uniform, National Standard

As introduced, H.R. 6291 properly preserves COPPA as the uniform, national standard for children's privacy legislation. Main Street businesses have raised significant concerns with other versions of this legislation, including S. 836, that would amend and reverse the 27-year COPPA federal preemption standard that protects all American children equally, regardless of where they live, by preempting inconsistent state laws. We are concerned that S. 836 overturns the uniformity that has been a foundational principle of federal children's privacy law for over a quarter-century and encourages development of 51 different laws for the same personal data processed in interstate commerce. This would unduly burden Main Street businesses operating across state lines that have complied with COPPA since 1998. Further, that policy would result in children and teens being protected differently depending on the state in which they live, a condition and location over which these young individuals have no control. As Congress works to reform COPPA to establish an improved federal framework, it should protect and strengthen the balance achieved in the updated law by preserving COPPA as the uniform, national standard for children's and teens' privacy.

Maintaining an "Actual Knowledge" Standard for Main Street Businesses

H.R. 6291 greatly benefits from years of work by the bill sponsors to develop an appropriate definition for the term "knowledge" that recognizes the significant differences between Main Street businesses and high-impact social media companies. MSPC believes it is wholly appropriate for the Committee to adopt a more rigorous knowledge standard for Big Tech social media companies that have a history of abuses and collect significant amounts of highly sensitive data about children and teens, including the content of their communications, which provides greater awareness of their users' ages. Main Street businesses, on the other hand, do not collect nor wish to have this type of sensitive data or communications, and they lack any history of abuse that would justify altering their standard away from the "actual knowledge" standard in COPPA to a more subjective one. The careful balance achieved in the bill's context-dependent definition of "knowledge" is also supported by the hearing record before the Committee, which predominantly documents serious abuses by Big Tech social media companies (not Main Street businesses) in how they treat children and teens even when they could be aware of their age. It is important the bill maintain an actual knowledge standard for Main Street businesses selling goods to the general public in high volume on a daily basis because they lack the data and context to determine every customer's age in a mass market with a broad consumer base.

In closing, MSPC strongly supports passage of H.R. 6291 to maintain COPPA's primacy as a uniform, national law. We also strongly support the two-tiered knowledge standard that ensures Main Street businesses are not held liable for information they do not actually know.

Sincerely,

Main Street Privacy Coalition

cc: The Honorable Tim Walberg
The Honorable Laurel Lee
Members of the Committee on Energy and Commerce