



April 2, 2025

House Health and Human Services Committee  
Attn: Elijah Chadioun  
Colorado State Capitol  
200 E Colfax Ave  
Denver, CO 80203-1784

**Re: HB 25-1287 – "Concerning tools to protect minor users of social media." – (Oppose)**

Dear Chair Brown and Members of the Health and Human Services Committee:

On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully oppose HB25-1287 in advance of the Health and Human Services Committee hearing on April 2, 2025. CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms.<sup>1</sup> Proposed regulations on the interstate provision of digital services therefore can have a significant impact on CCIA members.

CCIA firmly believes that children are entitled to greater security and privacy online. Our members have designed and developed settings and parental tools to individually tailor younger users' online use to their developmental needs. For example, various services allow parents to set time limits, provide enhanced privacy protections by default for known child users, and other tools allow parents to block specific sites entirely.<sup>2</sup> This is also why CCIA supports implementing digital citizenship curricula in schools, to not only educate children on proper social media use but also help teach parents how they can use existing mechanisms and tools to protect their children as they see fit.<sup>3</sup>

However, protecting children from harm online does not include a generalized power to restrict ideas to which one may be exposed. Speech that is neither obscene to young people nor subject to other legitimate laws cannot be suppressed solely to protect young online users from ideas or images that a legislative body disfavors.<sup>4</sup> While CCIA shares the goal of increasing online safety, this bill presents the following concerns.

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<sup>1</sup> For more than 50 years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. A list of CCIA members is available at <https://www.ccianet.org/members>.

<sup>2</sup> Competitive Enterprise Institute, *Children Online Safety Tools*, <https://cei.org/children-online-safety-tools/>.

<sup>3</sup> Jordan Rodell, *Why Implementing Education is a Logical Starting Point for Children's Safety Online*, Disruptive Competition Project (Feb. 7, 2023), <https://project-disco.org/privacy/020723-why-implementing-education-is-a-logical-starting-point-for-childrens-safety-online/>.

<sup>4</sup> *Erznoznik v. City of Jacksonville*, 422 U.S. 205, 212–14 (1975). See also *FCC v. Pacifica Found.*, 438 U.S. 726, 749–50 (1978); *Pinkus v. United States*, 436 U.S. 293, 296–98 (1978).



## **If enacted, HB25-1287 may result in denying services to all users under 18. Limiting access to the internet for children curtails their First Amendment right to information accessibility, including access to supportive communities that may not be open-discussion forums in their physical location.**

The bill’s definitions section begins with the phrase, “unless the context otherwise requires,” followed by definitions of the key terms. If the bill’s definitions can be altered based on a concept as vague as “context,” a covered social media platform cannot know in advance whether it is complying with the law or not. Such a provision is too vague to meet the Due Process Clause’s requirements.

The lack of narrowly tailored definitions could incentivize businesses to simply prohibit minors from using digital services rather than face potential legal action and hefty fines for non-compliance. The First Amendment, including the right to access information, is applicable to teens.<sup>5</sup> Moreover, requiring businesses to deny access to social networking sites or other online resources may also unintentionally restrict children’s ability to access and connect with like-minded individuals and communities. For example, children of certain minority groups may not live in an area where they can easily connect with others that represent and relate to their own unique experiences, so an online central meeting place where kids can share their experiences and find support can have positive impacts.<sup>6</sup>

The connected nature of social media has led some to allege that online services may be negatively impacting teenagers’ mental health. However, researchers explain that this theory is not well supported by existing evidence and repeats a ‘moral panic’ argument frequently associated with new technologies and modes of communication. Instead, social media effects are nuanced,<sup>7</sup> individualized, reciprocal over time, and gender-specific. A study conducted by researchers from several leading universities found that there is no evidence that associations between adolescents’ digital technology engagement and mental health problems have increased.<sup>8</sup> Particularly, the study shows that depression has virtually no causal relation to TV or social media.

As explained above, CCIA believes that an alternative to solving these complex issues is to work with businesses to continue their ongoing private efforts to implement mechanisms such as daily time limits or child-safe searching so that parents can have control over their own child’s social media use.

<sup>5</sup> See, e.g., *Reno v. ACLU*, 521 U.S. 844, 874-75 (1997).

<sup>6</sup> *The Importance of Belonging: Developmental Context of Adolescence*, Boston Children’s Hospital Digital Wellness Lab (Oct. 2024), <https://digitalwellnesslab.org/research-briefs/young-peoples-sense-of-belonging-online/>.

<sup>7</sup> Amy Orben et al., *Social Media’s enduring effect on adolescent life satisfaction*, PNAS (May 6, 2019), <https://www.pnas.org/doi/10.1073/pnas.1902058116>.

<sup>8</sup> Amy Orben, et al., *There Is No Evidence That Associations Between Adolescents’ Digital Technology Engagement and Mental Health Problems Have Increased*, Sage Journals (May 3, 2021), <https://journals.sagepub.com/doi/10.1177/2167702621994549>.

## Currently available tools to conduct age assurance are imperfect in estimating users' ages.

There is no perfect method of age determination, and the more data a method collects, the greater risk it poses to consumer privacy<sup>9</sup> and small business sustainability.<sup>10</sup> A recent Digital Trust & Safety Partnership (DTSP) report, *Age Assurance: Guiding Principles and Best Practices*, contains more information regarding guiding principles for age assurance and how digital services have used such principles to develop best practices.<sup>11</sup> The report found that “smaller companies may not be able to sustain their business” if forced to implement costly age verification methods, and that “[h]ighly accurate age assurance methods may depend on collection of new personal data such as facial imagery or government-issued ID.”<sup>12</sup>

Additionally, age verification software does not process all populations with equal accuracy, as explained recently by the National Institute of Standards and Technology (NIST).<sup>13</sup> The Commission Nationale de l’Informatique et des Libertés (CNIL) analyzed several existing online age verification solutions but found that none of these options could satisfactorily meet three key standards: 1) providing sufficiently reliable verification; 2) allowing for complete coverage of the population; and 3) respecting the protection of individuals’ data, privacy, and security.<sup>14</sup> Though the intention to keep kids safe online is commendable, this bill undermines that initiative by requiring more data collection about young people.

## Age determination and parental consent requirements for online businesses are currently being litigated in several jurisdictions.

When the federal Communications Decency Act was passed, there was an effort to sort the online population into children and adults for different regulatory treatment. That requirement was struck down by the U.S. Supreme Court as unconstitutional because of the infeasibility.<sup>15</sup> After 25 years, age authentication still remains a vexing technical and social challenge.<sup>16</sup>

Recent state legislation that would implement online age verification or estimation and parental consent measures is currently facing numerous constitutional challenges, and numerous federal judges have placed laws on hold until these challenges can be fully reviewed, including in Arkansas, California, Mississippi, Ohio, Tennessee, Texas, and Utah.<sup>17</sup>

<sup>9</sup> Kate Ruane, *CDT Files Brief in NetChoice v. Bonta Highlighting Age Verification Technology Risks* (Feb. 10, 2025), <https://cdt.org/insights/cdt-files-brief-in-netchoice-v-bonta-highlighting-age-verification-technology-risks/>.

<sup>10</sup> Engine, *More Than Just a Number: How Determining User Age Impacts Startups* (Feb. 2024), <https://static1.squarespace.com/static/571681753c44d835a440c8b5/t/66ad1ff867b7114cc6f16b00/1722621944736/More+Than+Just+A+Number+-+Updated+August+2024.pdf>.

<sup>11</sup> *Age Assurance: Guiding Principles and Best Practices*, Digital Trust & Safety Partnership (Sept. 2023), [https://dtspartnership.org/wp-content/uploads/2023/09/DTSP\\_Age-Assurance-Best-Practices.pdf](https://dtspartnership.org/wp-content/uploads/2023/09/DTSP_Age-Assurance-Best-Practices.pdf).

<sup>12</sup> *Id.* at 10.

<sup>13</sup> Kayee Hanaoka et al., *Face Analysis Technology Evaluation: Age Estimation and Verification (NIST IR 8525)*, Nat’l Inst. Standards & Tech. (May 30, 2024), <https://doi.org/10.6028/NIST.IR.8525>.

<sup>14</sup> *Online age verification: balancing privacy and the protection of minors*, CNIL (Sept. 22, 2022), <https://www.cnil.fr/en/online-age-verification-balancing-privacy-and-protection-minors>.

<sup>15</sup> *Reno v. ACLU*, 521 U.S. 844, 855-57, 862 (1997).

<sup>16</sup> Jackie Snow, *Why age verification is so difficult for websites*, Wall St. J. (Feb. 27, 2022), <https://www.wsj.com/articles/why-age-verification-is-difficult-for-websites-11645829728>.

<sup>17</sup> See, e.g., *NetChoice v. Bonta*, No. 24-cv-07885, 2025 WL 28610 (N.D. Cal. Jan. 2, 2025); *NetChoice v. Bonta*, No. 22-cv-08861, 2024 WL 5264045 (N.D. Cal. Dec. 31, 2024); *NetChoice, LLC v. Reyes*, No. 23-cv-00911, 2024 WL 4135626 (D. Utah Sept. 10, 2024); *NetChoice, LLC v. Fitch*, No. 24-cv-00170, 2024 WL 3276409 (S.D. Miss. July 1, 2024); *NetChoice, LLC v. Yost*, 716 F. Supp.



CCIA anticipates that these forthcoming rulings may clarify which age determination requirements are Constitutionally permissible. CCIA therefore recommends that lawmakers permit this issue to be more fully examined by the judiciary before burdening businesses with legislation that risks being invalidated and passing on expensive litigation costs to taxpayers.

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We appreciate the Committee’s consideration of these comments and stand ready to provide additional information as the Legislature considers proposals related to technology policy.

Sincerely,

Aodhan Downey  
State Policy Manager, West  
Computer & Communications Industry Association

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3d 539 (S.D. Ohio 2024); *NetChoice, LLC v. Griffin*, No. 23-cv-05105, 2023 WL 5660155 (W.D. Ark. Aug. 31, 2023); *Comput. & Commc’ns Indus. Ass’n et al. v. Paxton*, No. 24-cv-00849, 2024 WL 4051786 (W.D. Tex. Aug. 30, 2024).



From: Colorado Technology Association - Megan Sparks, Senior Vice President

Date: April 2, 2025

To: Chair Lindsey Daugherty, The House Health and Human Services Committee

Subject: HB25-1287: Social Media Tools for Minor Users & Parents

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On behalf of Colorado Technology Association (CTA), thank you for the opportunity to submit our written testimony in opposition to House Bill 1287, Social Media Tools for Minor Users & Parents.

CTA represents more than 400 members and a network of 18,000 leaders statewide. Our mission is to create and sustain a vibrant, high-growth technology ecosystem in Colorado and be the voice and champion for technology companies of all sizes. While we share the goal of ensuring a safer and more responsible digital environment for minors, this bill imposes rigid, impractical mandates that could hinder both innovation and the ability to effectively protect young users.

HB25-1287 calls for age assurance with 95% accuracy—an unrealistic standard given the current technological landscape. No single method is infallible, and instead of a one-size-fits-all mandate, businesses should be allowed the flexibility to implement a suite of tools tailored to their services and users.

Additionally, the bill's restrictions on data storage for age assurance purposes could limit companies' ability to conduct ongoing verification based on internal behavioral signals. Without further clarification, this provision may unintentionally weaken safeguards rather than strengthen them.

This bill maintains the warning label requirements passed last year, despite evidence that such labels do little to ensure safe, age-appropriate online experiences. Parents and policymakers alike should focus on meaningful protections—such as content moderation and parental oversight tools—rather than warnings that, as history has shown, may have the opposite effect by drawing attention to restricted content.

Section 6-1-1608 of HB25-1287 is particularly concerning as it broadly categorizes any algorithmic engagement feature as a heightened risk of harm. Algorithms are fundamental to creating a safer and more personalized online experience, helping to:

- Prioritize age-appropriate content for minors

- Identify and filter out harmful material
- Strengthen parental control features

Restricting algorithm use in the manner proposed by this bill could inadvertently expose minors to more harmful content by limiting companies' ability to apply these protections effectively.

Colorado is a hub for technology innovation, and our thriving tech sector plays a critical role in developing responsible digital solutions. CTA and its members support thoughtful, evidence-based policies that protect users—especially minors—without stifling technological progress or placing impractical burdens on businesses. HB25-1287, as written, risks unintended consequences that could hinder Colorado companies from continuing to lead in online safety and innovation.

For these reasons, we respectfully urge the committee to oppose HB25-1287. Thank you for your time and consideration.

### **Megan Sparks**

*Senior Vice President*

*Colorado Technology Association*

[megan\\_c@coloradotechnology.org](mailto:megan_c@coloradotechnology.org)

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### **About Colorado Technology Association**

*CTA represents over 400 companies in the Colorado technology sector - ranging in size from small startups to large corporations that employ a significant number of Coloradans. CTA's mission is to create and sustain a vibrant, high-growth technology ecosystem in Colorado and be the voice and champion for technology companies of all sizes. We do this through:*

- **Policy & Advocacy:** *We advocate for policies that support the technology industry.*
- **Member Connections & Thought Leadership:** *We provide opportunities for our members to grow connections, gain access to professional development and leadership opportunities, and engage in impactful programs and events.*
- **Economic Development & Partnerships:** *We support statewide economic development initiatives and increase Colorado's tech talent pipeline through collaborative partnerships.*

**House Health & Human Services**

**04/02/2025 01:30 PM**

**HB25-1287 Social Media Tools for Minor Users & Parents**

**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
<p>Jeany Rush Against themselves</p>	<p>TO: HOUSE HEALTH AND HUMAN SERVICES COMMITTEE RE: HB25-1287 SOCIAL MEDIA TOOLS FOR MINOR USERS &amp; PARENTS SPONSORS: CALDWELL, LUKENS, PELTON, MICHAELSON JENET FROM: JEANY RUSH, COLORADO SPRINGS CONSTITUENT 4-1-25 VOTE: NO</p> <p>Wait, let me quote the summary quote on this bill at the end.</p> <p>“Deems the use of a design, algorithm, or feature to increase, sustain, or extend a minor user's engagement with, or use of, a social media platform to be processing that presents a heightened risk of harm to minors, as defined in existing law, and therefore subject to certain data analysis requirements;”</p> <p>In order for us to believe in this quote, we would also have to acknowledge that our elections are also algorithmically corruptible. Which by the way, is a fact.</p> <p>It is not the role of this body to control the internet, but the ability of parents to control what their kids get into is doable. Platforms already have age requirements, and having a state, a legislature controlling the internet platform, when if they are engaging in outright porn, we already have laws about that.</p> <p>We all want our children protected from porn like media. However, this state, the bills passed, do not even protect children from really offensive over-sexual materials in school libraries, and further, don't even create any protective barriers to protect minors from these materials on computers, phones, and such.</p> <p>Rather than create more and more wheels of injustice, more committees, more enterprises, and more expenses for our state, We simply need to enforce the laws and rules we already have on the books.</p> <p>Colorado is one of 50 states, and I don't see how we can dictate to the rest of the nation, so we are being very naïve to expect to control</p>

	<p>the federal levels. Again, it is more about having the government tell us what to do, it is about holding accountable the offenders of real crimes against kids, and that sadly includes the often compromised teachers, counselors in our schools pushing agendas that allow the use, infiltration of porn type materials into their lives. Parents should be able to control, know what materials are actually being used in the school and on the computers there as well.</p> <p>If Porn is already illegal for minors, it would not be hard to render those sources as taboo.</p> <p>Social media is already bound to alert if a site is not for children. Even Youtube makes you say if the content is for children or not. And if it is wrongly listed, they do pull them.</p> <p>This bill oddly mirrors SB25-201 and all of them have what appears a good cause, but in reality takes away 1rst Amendment rights, and wants to control the access to the internet!</p> <p>Simply: this is another way to control people, and over reaches in the wrong ways.</p> <p>Death by a thousand cuts! This is also a huge endeavor for money and additional needed infrastructure, people, jobs, money money money. Much of what this bill wants to accomplish, already exists by law, it is just that no one is actually applying law.</p>
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## Colorado HB 25-1287, Concerning Tools to Protect Minor Users of Social Media

### OPPOSITION TESTIMONY

March 31, 2025

Health and Human Services Committee  
Colorado House of Representatives  
Colorado General Assembly  
200 E Colfax Avenue  
Denver, CO 80203

Dear Chair Daugherty, Vice Chair Young, and Members of the Health and Human Services Committee:

On behalf of NetChoice, a national trade association working to make the internet safe for free enterprise and free expression, we write to express our opposition to HB 25-1287, which would violate the First Amendment rights of users and platforms alike while compromising the privacy and data security of users of all ages.

We share the sponsors' goal to better protect minors from harmful content online. NetChoice members have taken issues of teen safety seriously and in recent years have rolled out numerous new features, settings, parental tools, and protections to better empower parents and assist in monitoring their children's use of social media. We ask that you oppose HB 25-1287 and instead use this bill as a way to jumpstart a larger conversation about how best to protect minors online and consider alternatives that do not raise constitutional issues, such as greater law enforcement resources and online education and safety information for students and parents.

### Key Concerns:

1. HB 25-1287's core provisions are unconstitutional and are already being litigated in other states;
2. Age-verification presents heightened threats to privacy and undermines the state's interest in protecting the privacy of users;

### HB 25-1287's core provisions are unconstitutional and are already being litigated in other states

HB 25-1287 raises serious First Amendment concerns by restricting the speech rights of minors and burdening access to lawful speech for adults. In addition, the bill also infringes upon the inherent expressive activity of platforms. The bill's requirement for platforms to implement age assurance systems

“with an accuracy of at least ninety-five percent,” will undoubtedly drive platforms to collect government-issued IDs or other sensitive information. This represents an overly broad restriction on speech that is unlikely to survive constitutional scrutiny. Courts have consistently recognized that even minors have constitutional rights to receive information and ideas through various media. But HB 25-1287’s requirements would effectively create a barrier to constitutionally protected speech for users *of all ages*, not just minors, as platforms would be required to verify ages of all “current or prospective Colorado user[s.]”

The Supreme Court has invalidated such restrictions when they impermissibly chill access to lawful speech.<sup>1</sup> In *Brown v. Entertainment Merchants Association*, the Court struck down a California law restricting minors' access to violent video games without parental consent. The Court rejected the notion that a new category of unprotected speech could be created for speech directed at children, emphasizing that minors are entitled to significant First Amendment protection. Justice Scalia's majority opinion noted that the government cannot "restrict the ideas to which children may be exposed" simply because it disagrees with them.

When other courts have examined age-verification laws, *Brown* governs. For example, the District Court for the Southern District of Ohio recently reiterated that parental consent laws do not enforce parental authority but enforce *governmental* authority subject to a parental veto. “[Ohio’s parental consent law] appears to be exactly that sort of law. And like content-based regulations, laws that require parental consent for children to access constitutionally protected, non-obscene content, are subject to strict scrutiny.”<sup>2</sup>

Several other state laws aimed at requiring age verification for online access are being challenged in federal courts on constitutional grounds. Federal judges have preliminarily blocked these laws in multiple states - including Arkansas,<sup>3</sup> California,<sup>4</sup> Mississippi,<sup>5</sup> Texas,<sup>6</sup> and Utah,<sup>7</sup> in addition to Ohio - pending full legal review of the challenges. A similar legal challenge to HB 25-1287 would bring confusion and significant cost to Colorado taxpayers and is best avoided.

Finally, the Supreme Court has recently weighed in on the ability of websites to organize and disseminate information. Restricting how websites disseminate information directly interferes with their ability to engage in editorial discretion. Editorial discretion is at the core of the First Amendment’s protection. It includes the right of a newspaper to run the pieces that accord with its editorial standards,<sup>8</sup> protects the parade organizer’s ability to exclude messages from being displayed,<sup>9</sup> and it protects a website’s ability to disseminate content to its users according to their own editorial choices.<sup>10</sup>

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<sup>1</sup> *Brown v. Entertainment Merchants Ass’n*, 564 U.S. 786 (2011).

<sup>2</sup> *NetChoice, LLC v. Yost* (S.D. Ohio 2024).

<sup>3</sup> *NetChoice, LLC v. Griffin* (W.D. Ark. 2023)

<sup>4</sup> *NetChoice v. Bonta* (N.D. Cal. 2024)

<sup>5</sup> *NetChoice, LLC v. Fitch* (S.D. Miss. 2024)

<sup>6</sup> *Computer & Communications Industry Association v. Paxton* (W.D. Tex. 2024)

<sup>7</sup> *NetChoice, LLC v. Reyes* (D. Utah 2024)

<sup>8</sup> *Miami Herald v. Tornillo*, 418 U.S. 241 (1974)

<sup>9</sup> *Hurley v. Irish-American Gay*, 515 U.S. 557 (1995)

<sup>10</sup> *Moody v. NetChoice*, 144 S.Ct. 2383 (2024)

HB 25-1287's Section 6-1-1608 is an extremely broad and vague restraint on such choices. It is antithetical to virtually any business, particularly media businesses, to design their public-facing products and services, from floor layouts in stores to cover art on books to newsfeeds on platforms, in ways that *do not* "increase" or "sustain" engagement. Given the breadth of this provision, platforms would undoubtedly degrade services for users of *all ages* to avoid triggering liability. Aside from the glaring constitutional issues, this provision would harm the experiences and reach of consumers, advertisers, and other small businesses that rely on platforms. It should be noted that Utah's law that similarly restricts platforms' design choices was recently enjoined by a federal court.<sup>11</sup>

## **Age-verification presents heightened threats to privacy and undermines the state's interest in protecting the privacy of users**

While we share the legislature's goal of protecting young people online, HB 25-1287's approach would create significant privacy and security concerns. The bill requires platforms to conduct age assurance on all existing and prospective users. Data collected in the process of age assurance would be stored indefinitely despite the bill's language regarding data segregation and deletion. The personal data obtained can be retained "to comply with state law or rules adopted pursuant to state law." The easiest way to prove compliance with the age assurance mandate would be to simply retain the data for this purpose. In addition, significant personal data will be retained for an extended period as part of the age assurance review process set forth in the legislation.

In effect, HB 25-1287 instructs social media companies to collect multiple forms of personally-identifiable information about users, creating massive databases that will inevitably become targets for hackers. This runs counter to best practices of data minimization and could make Colorado residents more susceptible to identity theft and fraud.

Age verification technology remains unproven and insufficiently secure. There are countless examples of high-profile hacks of concentrated collections of sensitive data, from the federal Office of Personnel Management<sup>12</sup> to health insurance exchanges created by the Affordable Care Act.<sup>13</sup> Concentrating sensitive data creates a bullseye for bad actors. Age verification systems create such a target, demonstrated by the recent hack of an age verification system used in Australia to verify and store the information of adults accessing physical locations with age restrictions, such as bars.<sup>14</sup> The requirements of HB 25-1287 would necessitate creating caches of sensitive data, including personal identification, of all Colorado users regardless of their age.

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<sup>11</sup> *NetChoice, LLC v. Reyes* (D. Utah 2024)

<sup>12</sup> Sciutto, Jim, "OPM government data breach impacted 21.5 million," CNN, July 10, 2015, <https://www.cnn.com/2015/07/09/politics/office-of-personnel-management-data-breach-20-million/index.html>

<sup>13</sup> Mandler, C., "Following a 'significant' breach, DC Health Link user data is being sold on the dark web," CBS News, March 8, 2023, <https://www.cbsnews.com/news/data-breach-washington-dc-health-link-user-data-sold-dark-web-congress/>

<sup>14</sup> Kidd, Jessica, "Cybercrime detectives arrest man following alleged data breach involving more than 1 million NSW clubs customer records," ABC News, May 1, 2024, <https://www.abc.net.au/news/2024-05-02/clubs-nsw-cybersecurity-potential-data-breach-venues/103793584>

Accordingly, state legislatures should evaluate whether their proposed policies would advance privacy protections or simply subject minors and adults to greater vulnerability in their online lives.

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Given the constitutional and privacy issues with the legislation, NetChoice urges you to oppose HB 25-1287. Instead, we respectfully ask you to work with industry stakeholders to develop more effective approaches to protecting young people online while preserving all users' privacy and youth access to beneficial digital services. These approaches can and should include greater resources for law enforcement to go after bad actors online directly, as well as resources for schools and local governments to educate students and parents about existing online safety tools and best practices. As always, we offer ourselves as a resource to discuss any of these issues with you in more detail.

Sincerely,

Patrick Hedger  
Director of Policy

*NetChoice is a trade association that works to protect free expression and promote free enterprise online.*