

Age Verification Harms Everyone

Age verification systems will not protect children online. They are surveillance systems that threaten everyone's privacy online, chill access to online spaces, and burden First Amendment rights.

Age Verification Violates Everyone's Privacy

For age-verification systems to work, they cannot just confirm the age of young people – they must confirm the ages of all website visitors. This becomes a significant privacy violation because, as a practical matter, many websites will likely require people [to submit their government-issued identification credentials](#) to attempt to determine their age. Collection of ID online is fundamentally different – and more dangerous to privacy – than in-person ID checks. A physical ID check is ephemeral (unless your credential is scanned); the uploading of data-rich government identification to a website or third party not only creates a potentially lasting record of one's visit but also allows your information to be shared without your control, exposing you to [privacy harms](#).

Not Everyone Can Comply With an Age-Verification Regime

Further, not everyone has a government-issued ID. It is estimated that over [34.5 million adult citizens](#) have neither a driver's license nor a state ID card with their current name or address. This estimate does not include non-U.S. citizens who lack government-issued IDs, such as undocumented immigrants without a state ID or driver's license. Further, those without IDs are disproportionately [people of color](#), those with disabilities, and those with lower annual incomes. An age-verification system based on ID, or like documentation, would then bar access to parts of the internet from entire swaths of already vulnerable peoples.

Age Verification Violates the First Amendment Right of Users

Even if someone could provide proof-of-age, age verification destroys people's [First Amendment right to be anonymous online](#), [detering them from speaking](#) and [accessing lawful content online](#). Age verification legislation often restricts children's access to "harmful" or "sexual" content using vague and subjective definitions that often end up censoring access to [LGBTQ+](#) and [reproductive health content](#). Such regimes discourage people from accessing legal content for fear of stigma in accessing such content or even real harms if certain people knew they've accessed such content.

Courts across the country have confirmed it is nearly impossible to impose age-verification requirements without violating users' First Amendment rights, including the different iterations of "child-safety" proposals enacted by states. They have near unanimously affirmed these laws violate all internet users' rights to access information, often impinge on people's right to anonymity, and exacerbate their data security risks.

Requiring broad, privacy-invasive data collection from all users does not protect children online. All age-verification regimes will do is create a surveillance system that lessens everyone's privacy while chilling access to legitimate speech online.

Want more information? Please contact Legislative Associate Chao Jun Liu at chao@eff.org.



The Electronic Frontier Foundation is the leading nonprofit defending digital privacy, free speech, and innovation.
Learn More: <https://www.eff.org>