

Open Source Organizations Weigh in on Age Attestation

Operating systems are fundamental to the technology we use everyday — from personal computers to smart phones and tablets. Most people know the major operating system providers: Microsoft (Windows), Apple (iOS/macOS), and Google (Android/Chrome). But there are many other operating systems that make up a robust ecosystem of Open Source technology. They are community projects, broadly adopted, and often maintained by volunteers or a small team of developers, that make the code for the operating system available under an Open Source Initiative (OSI)-approved [license](#) so that anyone can use, study, modify, and share it. Open Source operating system projects include distributions of the Linux kernel (Ubuntu, Fedora, Debian, Mint, etc.) and many others including FreeBSD, FreeDOS, and GNU Hurd.

Open Source operating system projects have been crucial to ensuring consumer choice, innovation, and competitiveness in the marketplace. These operating systems lower barriers to entry and enable users to customize the software for their needs without being locked into a specific vendor. They offer enormous flexibility and benefit to everyday technology users.

Recent policy proposals meant to improve online safety for minors seek to require the collection of age information at the operating system level, regardless of if the code is Open Source or proprietary. In practice, this would mandate that any operating system provider must include a feature for the user to enter their age information and then provide a “signal” to application providers or browsers. These policy proposals risk shutting down smaller Open Source projects that exist for the benefit of all by creating a legal and technical environment that is so complex that only the large, proprietary vendors with significant resources can participate. And because Open Source code is present in [98% of codebases](#), policies that make it harder for these projects to operate will have ripple effects throughout technology that are not well understood.

We recognize that some of the age verification and attestation bills being considered in the United States may not take into account the many Open Source operating systems that make their code available for public benefit. We appreciate the engagement thus far from some lawmakers and encourage others to work with the Open Source community to better understand how these projects operate and the impact of proposed age laws on these public resources.

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Signed,

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Electronic Frontier Foundation (EFF)
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Open Source Initiative (OSI)
Open Source Technology Improvement Fund (OSTIF)

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