

May 23, 2024

Members of the House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Esteemed Members of this Committee:

We the undersigned are a group of individuals and organizations dedicated to protecting kids online and ensuring that tech is accountable for the harm they cause to our most vulnerable population—children. It is why we support the bipartisan Kids Online Safety Act (“KOSA”) as it will provide the necessary tools to address raising children in the digital age.

First, we would like to thank you for including KOSA in this important markup. As the committee is aware, social media companies are a threat to our children. A bipartisan Congress is now stepping up to make Big Tech products safe for our kids; but the social media companies are putting their incredible lobbying power behind efforts to break KOSA’s momentum.

Congress should not listen, because the stakes are just too high.

U.S. Surgeon General Vivek Murthy’s May 2023 advisory warning found “ample” evidence that social media use presents “a profound risk of harm to the mental health and well-being of children and adolescents.”¹ And a recent paper by the Institute for Family Studies and Gallup shows that access to social media has led to higher suicide rates for teenagers.² “Teens who spend more than 5 hours a day on social media,” the report found, “were 2.5 times more likely to express suicidal thoughts or harm themselves, 2.4 times more likely to hold a negative view of their body, and 40% more likely to report a lot of sadness the day before.”

At its core, the issue is that these companies are fully aware of the pernicious impact of their products on children and teens, yet they continue to redouble their efforts to ensnare the next generation. This takes the form of Meta’s creation of a team to study and create products for preteens,³ Twitter hiring online influencers to recruit young people,⁴ and TikTok targeting

¹ The U.S. Surgeon General Advisory, *Social Media and Youth Mental Health* (2023),

<https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf>.

² Jonathan Rothwell, *How Parenting and Self-Control Mediate the Link Between Social Media Use and Mental Health*, Institute for Family Studies and Gallup (2023), <https://ifstudies.org/ifs-admin/resources/briefs/ifs-gallup-parentingsocialmediascreentime-october2023-1.pdf>.

³ Georgia Wells & Jeff Horwitz, *Facebook’s Efforts to Attract Preteens Goes Beyond Instagram Kids, Documents Show*, Wall Street Journal (Sep. 28, 2021), <https://www.wsj.com/articles/facebook-instagram-kids-tweens-attract-11632849667>.

⁴ Taylor Lorenz, *Twitter is Looking for Younger Users. It’s Turning to the Tech World’s Teen Savant to Help Find Them*, Washington Post (Mar. 8, 2022), <https://www.washingtonpost.com/technology/2022/03/08/twitter-teenagers-michael-sayman/>.

teens with addictive content.⁵ These willful predations in the face of mounting evidence of these companies' destructive effects should push lawmakers to take action.⁶

KOSA would directly address those issues and hold Big Tech accountable. These companies oppose KOSA because it will force them to empower parents to protect their children and limit their influence and monetization of minors.

It also would allow the Federal Trade Commission and state attorney generals to go after tech platforms that fail to provide parents with options to protect their child's information, disable addictive product features, and opt out of algorithmic recommendations. It also creates a "duty of care" for social media platforms to prevent and mitigate harms to minors, such as content that promotes self-harm, suicide, eating disorders, substance abuse, and sexual exploitation.

We understand that privacy, irrespective of age, is a fundamental issue that needs to be addressed. We all support comprehensive privacy solutions and are supportive of the efforts this committee has made to get us closer in achieving that goal. But child safety and privacy must be handled distinctly with child safety taking priority.

The lives of so many children are on the line. Congress cannot wait.

We have a fully vetted and targeted solution, KOSA, that is ready to be delivered to the President's desk and become law. The time for talk is over. The time for action to protect our children is now. No other agenda should slow or deter that and the undersigned demand action now before moving into positive consideration of any comprehensive privacy proposal.

In sum, we ask that Congress not let perfect be the enemy of the good. Yes, we all would love to see comprehensive privacy move through the legislature and become law, but not at the cost of slowing down bills that can have an immediate impact on protecting children.

It is why we ask that KOSA be passed expeditiously and independent of other privacy legislation because it will move us one step closer to protecting our kids from Big Tech.

Sincerely,

Joel Thayer
President
Digital Progress Institute

Jon Schweppe
Policy Director
Americans Principles Project

⁵ Wall Street Journal, *Investigation: How TikTok's Algorithm Figures Out Our Deepest Desires*, (Jul. 21, 2021), https://www.wsj.com/video/series/inside-tiktoks-highly-secretive-algorithm/investigation-how-tiktok-algorithm-figures-out-your-deepest-desires/6C0C2040-FF25-4827-8528-2BD6612E3796?mod=article_inline.

⁶ Matt Richtel, Cathrine Pearson, & Michael Levenson, *Surgeon General Warns that Social Media May Harm Children and Adolescents*, Washington Post (May 23, 2023), <https://www.nytimes.com/2023/05/23/health/surgeon-general-social-media-mental-health.html>.

Tim Estes
CEO & Founder
Angel AI

Dawn Hawkins,
CEO
**National Center on Sexual Exploitation
(NCOSE)**

Chris McKenna
Founder, CEO
Protect Young Eyes

Allison Ivie
Government Relations Representative
**The Eating Disorders Coalition for Research,
Policy, & Action**

Clare Morell
Senior Policy Analyst
**The Ethics and Public Policy Center
(Individual Capacity)**

Alix Fraser
Director of the Council for Responsible Social
Media
Issue One

Josh Golin
Executive Director
Fairplay

Maurine Molak
Parents for Safe Online Spaces

Michael Toscano
Executive Director
The Institute for Family Studies

Patrice Willoughby
Senior Vice President Global Policy and Impact
NAACP