

October 6, 2021

The Honorable Richard Blumenthal  
Chairman  
Subcommittee on Consumer Protection,  
Product Safety, and Data Security  
United States Senate  
Washington, D.C. 20510

The Honorable Marsha Blackburn  
Ranking Member  
Subcommittee on Consumer Protection,  
Product Safety, and Data Security  
United States Senate  
Washington, D.C. 20510

Dear Chairman Blumenthal and Ranking Member Blackburn:

We write to express our appreciation for the recent hearings held by the Subcommittee on Consumer Protection, Product Safety, and Data Security (“Subcommittee”) regarding social media and risks to children. The Subcommittee’s work on protecting kids from online risks has provided important information regarding the hazards posed by social media to our nation’s youth.

The issue of social media risks to children, as revealed in the recent investigative reporting, is further compounded by reports that social media platforms were used to coordinate attacks on our democracy and exacerbate social divisions. These developments underscore the need for further unbiased research and the creation of a comprehensive framework to oversee and police the conduct of major social media companies.

It is clear—from your hearings, academic research, and recent investigative reporting—that social media companies and their platforms have a unique ability to harm both the mental health of youth and the stability of our democratic institutions. I was particularly alarmed at recent reports in *The Wall Street Journal*, as well as information discussed in your hearing, that recounted how Facebook designed its algorithms to attract greater youth engagement at the expense of mental health and wellness of young people, disregarding known and foreseeable harms. Similarly, the *60 Minutes* and *New York Times* reporting that Facebook had notice of how its platform was used to organize and encourage individuals to storm the U.S. Capitol on January 6, 2021 and failed to take action was alarming.

These emerging risks require new solutions from Congress. As such, we encourage the Subcommittee and the Congress to evaluate the following priorities in working to establish responsible oversight of social media platforms.

First, we need to develop a comprehensive and unbiased understanding of the problems and hazards caused by social media platforms. Research by social media companies themselves, subject to no oversight or transparency, provides little or no assurance that social media products are designed and managed in a way that protects children and safeguards our democracy.

One critical question that merits further research and discussion is how algorithms are used. Notably, algorithms used by social media companies can lead to foreseeable harm—such as when algorithms connect searches on weight loss with videos promoting self-harm. Better


understanding how algorithms operate and impact people is an important public policy priority.

Second, Congress should enact a regulatory framework to address risks posed by social media. Such regulation would be consistent with prior congressional acts that protect citizens and consumers. Consider, for example, that television political advertisements are subject to comprehensive regulatory oversight, including strong transparency requirements. Yet no such oversight exists over major Internet advertising platforms like Facebook and Google. This issue warrants Congressional action. In the area of protecting children, any governmental oversight involving the regulation of speech must withstand constitutional scrutiny. But there are options—such as ensuring age verification and parental consent—that are both responsible and constitutionally sound.

The importance of overseeing the actions of social media companies is not limited to the impact on kids and our democracy. The protection of consumer privacy and competition in the online world also would benefit from a regulatory agency with the necessary authority to take appropriate action, as would strengthening tools to limit disinformation and combat online hate speech that is fueling an increase in hate crimes nationwide. To be sure, state enforcers have undertaken and are taking important actions in these areas, but optimal and effective oversight will ultimately require a federal regulatory framework and federal action. Such a framework should embrace state authority as a partner in any such regime—as the federal antitrust laws do, for example—and not preempt or undermine the States’ traditional police powers to protect our citizenry.

Thank you for your considering these concepts and working to address these important issues. Protecting our children, our democracy, our privacy, and competition are critical priorities and are worthy of congressional action. We are committed to this issue and are willing and able to assist the Subcommittee in such an effort.

Sincerely,



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