

Before the
NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION
Washington, D.C. 20230

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In the Matter of)	
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Initiative to Protect Youth Mental)	Docket No. 230926-0233
Health, Safety & Privacy Online)	
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COMMENTS OF JEFFREY WESTLING¹

Where once limited mediums of communication acted like gatekeepers to knowledge, today individuals can connect across the globe with nothing more than a broadband connection and a social media account. With that connectivity comes great opportunity, but also risk. Those that lack the skill to navigate information in a healthy, mindful manner can easily become overwhelmed or led down a dark path. The National Telecommunications and Information Administration’s (NTIA) Request for Comment² seeking input on the “Initiative to Protect Youth Mental Health, Safety & Privacy Online” is both timely and appropriate.

While children do face legitimate risks online, these comments seek to put these risks into larger context. Most literature suggests that the risks associated with youth social media use are not as widespread as has been suggested. Further, while social media use presents legitimate risks for children, this use also can come with significant benefits in the form of access to information, solidarity, and

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² Request for Comment, “Initiative to Protect Youth Mental Health, Safety & Privacy Online,” Docket No. 230926-0233 (Oct. 2, 2023).

community. The NTIA, in recommending solutions, should therefore focus on tools such as digital literacy to maximize the benefits of youth social media use while limiting potential risks.

I. Contextualizing Harms to Children Online

A developing narrative suggests that social media companies harm children knowingly for profit. As Senators Richard Blumenthal and Marsha Blackburn, leading voices in the Senate on these issues, explained in an op-ed in May, tech firms such as Facebook knew they were “driving toxic, addicting, and dangerous content at young people to maximize profit.”³ But these characterizations miss the broader context of the research on kid safety online, especially considering the countervailing benefits.

A. Content Effects on Mental Health

Primarily, the large outcry against social media companies stems from the effect that harmful content can have on the mental health of children, as well as the incentives for social media companies to push content out, harmful or not, that maximizes engagement.⁴ Most notably, internal Meta studies released by a whistleblower in 2021 highlighted the effect that the platform has on children.⁵ According to the studies, “[t]hirty-two percent of teen girls said that when they felt bad about their bodies, Instagram made them feel worse.”⁶ And many teens blame Instagram for increases in the rate of anxiety and depression, with 6 percent of American users tracing the desire to kill themselves to Instagram, as one presentation showed.⁷

³ Marsha Blackburn & Richard Blumenthal, “It’s time to put kids’ online safety ahead of Big Tech profits,” *The Hill* (May 02, 2023), <https://thehill.com/opinion/congress-blog/3982949-its-time-to-put-kids-online-safety-ahead-of-big-tech-profits/>.

⁴ Statement of Frances Haugen, *Protecting Kids Online: Testimony from a Facebook Whistleblower before the Subcommittee on Consumer Protection, Product Safety and Data Security of the Committee on Commerce, Science, & Transportation* (Oct. 4, 2021), <https://www.commerce.senate.gov/services/files/FC8A558E-824E-4914-BEDB-3A7B1190BD49>.

⁵ Scott Pelley, “Whistleblower: Facebook is misleading the public on progress against hate speech, violence, misinformation,” *CBSNews* (Oct. 4, 2021), <https://www.cbsnews.com/news/facebook-whistleblower-frances-haugen-misinformation-public-60-minutes-2021-10-03/>.

⁶ Georgia Wells, Jeff Horwitz, and Deepa Seetharaman, “Facebook Knows Instagram is Toxic for Teen Girls, Company Documents Show,” *The Wall Street Journal* (Sept. 15, 2021), <https://www.wsj.com/articles/facebook-knows-instagram-is-toxic-for-teen-girls-company-documents-show-11631620739>.

⁷ *Id.*

While the whistleblower releases shifted the focus to Meta, these concerns extend to many social media platforms. Researchers suggest that “[t]here are youth, especially those with social anxiety or depression, who may have a tendency to spend more time online and reduce their real, face-to-face contact with other folks,” increasing isolation and loneliness.⁸ Others see social media apps such as TikTok creating a “culture of comparison” mindset, adding to feelings of inadequacy and isolation.⁹

Empirical research casts doubt on these conclusions, however, in part because the conclusions ignore the countervailing benefits. First, research suggests that apart from a specific practice known as vaguebooking (posting unclear but alarming sounding posts to get attention), the focus on social media may be misplaced and there is a lack of correlation between social media use and outcomes such as mental health symptoms, suicidal ideation, loneliness and social anxiety.¹⁰ At the same time, many individuals living with a range of mental disorders, including depression, psychotic disorders, or other severe mental illnesses, use social media as a tool to share their personal experiences, seek information about mental health and treatment options, and give and receive support from others facing similar mental health challenges.¹¹

In fact, even the studies released by the Meta whistleblower showed a potential net positive effect on children. The reporting rightly focused on the harms that children were facing, but many teens reported feeling better after using social media and also felt more connected with friends and

⁸ “The Alliance Insider – TikTok and Youth Mental Health,” DBS Alliance (last visited Nov. 13, 2023), <https://www.dbsalliance.org/education/newsletters/tiktok-and-youth-mental-health/>.

⁹ *Id.*

¹⁰ Chloe Barryman, Christopher J. Ferguson & Charles Negy, “Social Media Use and Mental Health Among Young Adults,” 89 *Psychiatric Quarterly* 307 (Nov. 1, 2017), <https://link.springer.com/article/10.1007/s11126-017-9535-6>.

¹¹ John A. Naslund, Ameya Bondre, John Torous & Kelly A. Aschbrenner, “Social Media and Mental Health: Benefits, Risks, and Opportunities for Research and Practice,” 5 *J. of Tech. in Behavioral Science* (April 20, 2020), <https://link.springer.com/article/10.1007/s41347-020-00134-x>; see also Krystan Nyman, Jeffrey Westling, and Shoshana Weissman, “Testimony for Fostering a Healthier Internet to Protect Consumers Section 230 of the Communications Decency Act,” *R Street Institute* (Oct. 16, 2019), <https://www.rstreet.org/outreach/testimony-for-fostering-a-healthier-internet-to-protect-consumers-section-230-of-the-communications-decency-act/>.

relatives.¹² While Facebook acknowledged that it was late to recognize the drawbacks of connecting people in large numbers, the website's effect on teens is likely "quite small."¹³ At the same time, even if the negatives aren't necessarily widespread, their impact on individuals may be "huge."¹⁴ While some children experience harms online, if used in a healthy manner, social media can provide significant benefits for children.

B. Designing Applications to Maximize Use

Similarly, many researchers and policymakers have expressed concern about the "addictive" aspects of social media.¹⁵ Many social media apps use an "endless scrolling" model, in which the application continues to provide additional content once the user reaches the end of a page of content. Further, these applications can design the scroll to minimize the chance that a user closes the application by promoting content designed to keep the user engaged.¹⁶

While these concerns are valid, and the administration can look to tools to give users more control over their experience, two separate points should contextualize the issue. First, the rhetoric surrounding addiction shouldn't cloud policy decisions. As researchers point out, there are clear distinctions between the overuse of social media and the actual addictive properties of drugs and alcohol.¹⁷ Mischaracterizing the use of social media as an addiction could inadvertently result in an overcorrection, which should be avoided.

¹² Georgia Wells, Jeff Horwitz, and Deepa Seetharaman, "Facebook Knows Instagram is Toxic for Teen Girls, Company Documents Show," *The Wall Street Journal* (Sept. 15, 2021), <https://www.wsj.com/articles/facebook-knows-instagram-is-toxic-for-teen-girls-company-documents-show-11631620739>.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Kaitlin Woolley and Marissa A. Sharif, "The Psychology of Your Scrolling Addiction," *Harvard Business Review* (Jan. 31, 2022), <https://hbr.org/2022/01/the-psychology-of-your-scrolling-addiction>.

¹⁶ *Id.*

¹⁷ Bev John and Martin Graff, "Too much social media can be harmful, but it's not addictive like drugs," *The Conversation* (Mar. 23, 2021), <https://theconversation.com/too-much-social-media-can-be-harmful-but-its-not-addictive-like-drugs-157082>.

Second, many of the features described as addictive also improve the quality of the product. When scrolling, social media algorithms will seek to provide the user with the content that they engage with the most, as this is normally the content they wish to see. Improving the algorithmic recommendations improves the competitiveness of the service, and users can find the apps that deliver the most appropriate content for them. While undoubtedly some content that drives engagement can be harmful to the user, it will be important, as the administration thinks through potential strategies to mitigate the harm, that regulators do not diminish the quality of the service entirely.

C. Negative Online Interactions With Malicious Individuals

Finally, while platforms provide the highly valuable tools necessary to connect people across the globe, this service comes with obvious risks: Social media apps can be used by sexual predators to groom children, by bullies to harass and intimidate, and for innumerable other unsavory or downright dangerous behaviors.¹⁸ Many platforms have developed tools for users to minimize these risks, but children may not know of these tools, or even think to use them.¹⁹ To mitigate potential harms, the NTIA should focus on ensuring children have the knowledge and experience to deal with negative interactions.

II. Developing Tools To Raise Awareness

While the NTIA will certainly explore many options for minimizing these risks, these comments will focus on one: digital literacy. Digital literacy programs, when done effectively, raise awareness about potential bad habits that users begin to engage in. Digital literacy skills can also help users navigate bad content and interactions online.

¹⁸ Dara Kerr, "Meta failed to address harms to teens, whistleblower testifies as senators vow action," *NPR* (Nov. 7, 2023), <https://www.npr.org/2023/11/07/1211339737/meta-failed-to-address-harm-to-teens-whistleblower-testifies-as-senators-vow-act>.

¹⁹ See, e.g. "Bullying Prevention," *Tik Tok* (last visited Nov. 9, 2023), <https://www.tiktok.com/safety/en/bullying-prevention/>.

While there is no silver bullet, digital literacy lowers risks that children face online without detracting from the significant benefits outlined above. For example, empirical studies have shown that digital literacy positively affects online experience and student self-control.²⁰ The World Health Organization likewise found that educational programs increase both the health and safety of children, especially in preventing cyberbullying (both victimization and perpetration).²¹ These digital literacy programs work best with multiple and varied modalities for engaging children, as well as repeated exposure over time. Successful programs also emphasize problem-solving, self-efficacy, self-regulation, conflict resolution, and help-seeking.²² At the same time, across nearly all of the issues described above, digital literacy programs showed positive outcomes with practically no negative outcomes.

To the extent that the administration's goal is truly to minimize the harms that children face online while not negatively limiting the benefits, the administration should continue to focus on digital literacy efforts rather than more drastic reforms. While there may be other collaborative processes between industry and regulators to reduce harm, they should come secondarily, as requiring additional features or limiting the types of content available to children may have benefits but may also negatively impact the child.²³ Further, drastic regulatory changes imposing liability on platforms are misplaced, and should not be implemented without a more robust analysis on the effects of speech and child safety more generally.²⁴

III. Conclusion

²⁰ Sigit Purnama et al, "Does digital literacy influence students' online risk? Evidence from Covid-19," *Heliyon* 7 p. 5 (2021).

²¹ "What works to prevent online violence against children?" *World Health Organization* p. viii. (2022).

²² *Id.* p. ix.

²³ Jennifer Huddleston, "Would New Legislation Actually Make Kids Safer Online?" *Cato Institute Briefing Paper No. 150* (Apr. 6, 2023), <https://www.cato.org/briefing-paper/would-new-legislation-actually-make-kids-safer-online-analyzing-consequences-recent>.

²⁴ Ben Sperry, "A Coasean Analysis of Online Age Verification and Parental-Consent Regimes," International Center for Law and Economics (Nov.9, 2023), <https://laweconcenter.org/resources/a-coasean-analysis-of-online-age-verification-and-parental-consent-regimes/>.

As the administration continues its work to protect children online, regulators should focus on maximizing the benefits while minimizing the harms. Some proponents of reforms have taken data out of context to argue for drastic regulatory changes, but the actual evidence suggests that digital literacy programs will have a large impact with relatively limited drawbacks.