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September 9, 2024

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The Honorable Mitch McConnell
Senate Minority Leader
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IMMEDIATE PAST
PRESIDENT

Dave Yost
Ohio
Attorney General

Re: Requiring a Surgeon General's Warning Label on Social Media
Platforms

Dear Congressman Johnson and Senators Schumer and McConnell,

We, the attorneys general of the 42 undersigned states, write in support of the United States Surgeon General's recent call for Congress to require a surgeon general's warning on social media platforms. Young people are facing a mental health crisis, which is fueled in large part by social media. As Surgeon General Murthy recognized, this generational harm demands immediate action. By mandating a surgeon general's warning on algorithm-driven social media platforms, Congress can help abate this growing crisis and protect future generations of Americans.

As State Attorneys General, we sometimes disagree about important issues, but all of us share an abiding concern for the safety of the kids in our jurisdictions—and algorithm-driven social media platforms threaten that safety. A growing body of research links young people's use of those social media platforms to a variety of serious psychological harms, including depression, anxiety, and suicidal ideation.¹ Algorithm-driven social media use also interferes with

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¹ See, e.g., Davis & Goldfield (2024), Limiting social media use decreases depression, anxiety, and fear of missing out in youth with emotional distress: A randomized controlled trial, *Psychology of Popular Media*; Tormoen, Myhre, Kildahl, Walby & Rossow (2023), A nationwide study on time spent on social media and self-harm among adolescents, *Scientific Reports*; Napp & Breda (2022), Daily Use of Social Media Is Associated with More Body Dissatisfaction of Teenage Girls in a Large Cross-Cultural Survey, *IZA Institute*

adolescents' daily life by chronically disrupting their sleep with irresistible algorithmic recommendations, infinite scrolling, and a constant stream of notifications designed to keep kids relentlessly engaged on the platform.²

State Attorneys General have taken action to hold the largest social media platforms accountable. Last year, the attorneys general of forty-five states and the District of Columbia filed a series of lawsuits against Meta, alleging that the company deployed harmful and manipulative product features designed to push young users' engagement with the Instagram platform to dangerous levels, all while representing to the public that its products are safe.

Many of us are also investigating TikTok for similar misconduct. And some states—including Arkansas, Indiana, Iowa, Kansas, Nebraska, New Hampshire, and Utah—have already commenced litigation against TikTok for violating their state's consumer protection laws. These enforcement efforts are a pivotal step to protect the well-being of our nation's youth and demonstrate the bipartisan concern for this critical issue.

States have also introduced local legislation to combat the crisis.³ But unfortunately, industry has fiercely resisted these protections by suing to enjoin many of these laws.

In addition to the states' historic efforts, this ubiquitous problem requires federal action—and a surgeon general's warning on social media platforms, though not sufficient to address the full scope of the problem, would be one consequential step toward mitigating the risk of harm to youth. A warning would not only highlight the inherent risks that social media platforms presently pose for young people, but also complement other efforts to spur attention, research, and investment into the oversight of social media platforms. We urge Congress to consider such measures and continue the search for innovative solutions to protect our children in the face of emerging technologies.⁴ The Senate's recent passage

of Labor Economics; Hunt, Marx, Lipson & Young (2018), No more FOMO: Limiting social media decreases loneliness and depression, *Journal of Social and Clinical Psychology*.

² See, e.g., Alonzo, Hussain, Stranges & Anderson (2021), Interplay between social media use, sleep quality, and mental health in youth: A systematic review, *Sleep Medicine Reviews*; Scott, Biello & Woods (2019), Social media use and adolescent sleep patterns: cross-sectional findings from the UK millennium cohort study, *Pediatrics Research*; Levenson, Shensa, Sidani, Colditz & Primack (2017), Social media use before bed and sleep disturbance among young adults in the United States: A nationally representative study, *Sleep*; Woods & Scott (2016), #Sleepyteens: Social media use in adolescence is associated with poor sleep quality, anxiety, depression and low self-esteem, *Journal of Adolescence*.

³ For example: New York recently enacted the Stop Addictive Feeds Exploitation (SAFE) For Kids Act, which will require social media companies to restrict addictive feeds on their platforms for users under the age of 18, Tennessee recently enacted the Protecting Children from Social Media Act, which will require parental consent for social media users under the age of 18 to create accounts, and California passed the California Age-Appropriate Design Code Act (CAADCA), which required online services, including social media platforms, to assess whether the service could cause children harm and create a plan to mitigate or eliminate those harms.

⁴ The State Attorneys General urge Congress to consider other legislative solutions focused on the challenges posed by Internet platforms.

of the Kids Online Safety Act and the Children and Teens' Online Privacy Protection Act demonstrated significant bipartisan commitment to tackling these critical issues.

This problem will not solve itself and the social media platforms have demonstrated an unwillingness to fix the problem on their own. Therefore, we urge Congress to act by requiring warnings on algorithm-driven social media platforms, as recommended by the Surgeon General.

The State Attorneys General stand as your partners in this important work. Together, we can create a safer digital environment for generations of Americans.

We appreciate your attention to this critical issue.

Sincerely,



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California Attorney General



Phil Weiser
Colorado Attorney General



Russell Coleman
Kentucky Attorney General



Lynn Fitch
Mississippi Attorney General



Matthew J. Platkin
New Jersey Attorney General



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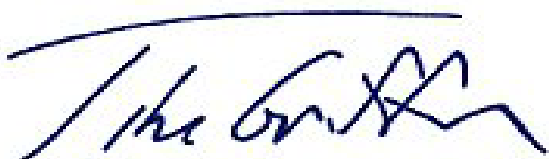
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