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May 10, 2021

Mark Zuckerberg  
Chief Executive Officer  
Facebook, Inc.  
1 Hacker Way  
Menlo Park, CA 94025

Re: Facebook's Plans to Develop Instagram for Children Under the  
Age of 13

Dear Mr. Zuckerberg:

The undersigned attorneys general of Massachusetts, Nebraska, Vermont, Tennessee, Alaska, California, Connecticut, Delaware, District of Columbia, Guam, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Northern Mariana Islands, Ohio, Oklahoma, Oregon, Puerto Rico, Rhode Island, South Carolina, South Dakota, Texas, Utah, Virginia, Washington, Wisconsin, and Wyoming (collectively attorneys general) write regarding Facebook's recently announced plans to launch a version of Instagram for children under the age of 13. The attorneys general urge Facebook to abandon these plans. Use of social media can be detrimental to the health and well-being of children, who are not equipped to navigate the challenges of having a social media account. Further, Facebook has historically failed to protect the welfare of children on its platforms. The attorneys general have an interest in protecting our youngest citizens, and Facebook's plans to create a platform where kids under the age of 13 are encouraged to share content online is contrary to that interest.

First, research increasingly demonstrates that social media can be harmful to the physical, emotional, and mental well-being of children. "In the last decade, increasing mental distress and treatment for mental health conditions among youth in North America has paralleled a steep rise in the use of smartphones and social media by

children and adolescents.”<sup>1</sup> Research shows a link between young people’s use of social media and the “increase in mental distress, self-injurious behavior and suicidality among youth.”<sup>2</sup> In fact, an online-monitoring company tracking the activity of 5.4 million children found that “Instagram was frequently flagged for suicidal ideation, depression and body image concerns.”<sup>3</sup>

As recently articulated by dozens of organizations and experts, “Instagram...exploits young people’s fear of missing out and desire for peer approval to encourage children and teens to constantly check their devices and share photos with their followers[,]” and “[t]he platform’s relentless focus on appearance, self-presentation, and branding presents challenges to adolescents’ privacy and wellbeing.”<sup>4</sup> One study found that frequently viewing selfies led to “decreased self-esteem” and “decreased life satisfaction,”<sup>5</sup> while another study found that “the amount of [Facebook] time allocated to photo activity...is associated with greater” body-image dissatisfaction (i.e. “thin-ideal internalization, self-objectification, weight dissatisfaction, and drive for thinness[.]”) among girls.<sup>6</sup> This data and research directly contradict your statements made at the March 2021 Congressional hearing dismissing the idea that social media is harmful to children and claiming that “[t]he research we’ve seen is that using social apps to connect to other people can have health benefits.”<sup>7</sup> This overly simplified statement conflates the benefits of social connection (of which there are many) with purported benefits of using social media to enable that connection, which as outlined above, carry distinct harms to young children. Fortunately, there are myriad other—and safer—ways for young children to connect with family and friends.

Second, young children are not equipped to handle the range of challenges that come with having an Instagram account. Children do not have a developed understanding of privacy. Specifically, they may not fully appreciate what content is appropriate for them to share with others, the permanency of content they post on an online platform, and who has access to what they share online. They are also simply too young to navigate the complexities of what they encounter online, including inappropriate content and online

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<sup>1</sup> Elia Abi-Jaoude et al., *Smartphones, Social Media Use and Youth Mental Health*, 192(6) CMAJ, 136–141 (2020); <https://www.cmaj.ca/content/cmaj/192/6/E136.full.pdf>.

<sup>2</sup> *Id.*

<sup>3</sup> Heather Kelly, “Instagram is making a kids’ app. Here’s what parents need to know about social media Jr.,” *Washington Post*, March 24, 2021; <https://www.washingtonpost.com/technology/2021/03/24/instagram-kids-faq/>.

<sup>4</sup> [https://commercialfreechildhood.org/wp-content/uploads/2021/04/LetterToZuckerberg\\_ScrapInstagramForKids.pdf](https://commercialfreechildhood.org/wp-content/uploads/2021/04/LetterToZuckerberg_ScrapInstagramForKids.pdf).

<sup>5</sup> Wang, R., et al. *Let me take a selfie: Exploring the psychological effects of posting and viewing selfies and groupies on social media*. Telemat. Informat. (2016).

<sup>6</sup> Meier, Evelyn P. et al., *Facebook Photo Activity Associated with Body Image Disturbance in Adolescent Girls*, *Cyberpsychology, behavior and social networking*; <https://www.cs.vu.nl/~eliens/sg/local/cyber/paper-bodyimage.pdf>.

<sup>7</sup> Ryan Tracy & John D. McKinnon, “Lawmakers Hammer Tech CEOs for Online Disinformation; Lack of Accountability,” *Wall Street Journal*, March 25, 2021; [https://www.wsj.com/articles/tech-ceos-to-face-questions-on-online-disinformation-trump-ban-11616664602?mod=article\\_inline](https://www.wsj.com/articles/tech-ceos-to-face-questions-on-online-disinformation-trump-ban-11616664602?mod=article_inline).

relationships where other users, including predators, can cloak their identities using the anonymity of the internet. One report found an increase of 200% in recorded instances in the use of Instagram to target and abuse children over a six-month period in 2018,<sup>8</sup> and UK police reports documented more cases of sexual grooming on Instagram than any other platform.<sup>9</sup> In 2020 alone, Facebook and Instagram reported 20 million child sexual abuse images.<sup>10</sup>

The alarming rates of cyberbullying among children also present a dire problem that a new Instagram platform could very well exacerbate. One 2017 survey found that 42% of young Instagram users had experienced cyberbullying on the platform, the highest percentage of any platform measured.<sup>11</sup> Technology platforms have “paved the way for greater blurring of boundaries for the engagement of bullying across settings such as school, home, and cyberspaces[,]”<sup>12</sup> where the internet often leads cyberbullies to “say and do crueler things” than a schoolyard bully.<sup>13</sup> These problems have likely been exacerbated by the COVID-19 pandemic, as children spend more time using online platforms.<sup>14</sup>

Third, Facebook has a record of failing to protect the safety and privacy of children on its platform, despite claims that its products have strict privacy controls. Reports from 2019 showed that Facebook’s Messenger Kids app, intended for kids between the ages of six and 12, contained a significant design flaw that allowed children to circumvent restrictions on online interactions and join group chats with strangers that were not previously approved by the children’s parents.<sup>15</sup> Just recently, a “mistake” with Instagram’s algorithm promoted diet content to users with eating disorders, where the app’s search function recommended terms including “appetite suppressants” and “fasting” to vulnerable

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<sup>8</sup> National Society for the Prevention of Cruelty to Children; “Over 5,000 grooming offenses recorded in over 19 months,” 2019; <https://www.nspcc.org.uk/about-us/news-opinion/2019/over-5000-grooming-offences-recorded-18-months/>.

<sup>9</sup> “Instagram Biggest for Child Grooming Online - NSPCC Finds,” BBC News, March 1, 2019, sec. UK, <https://www.bbc.com/news/uk-47410520>.

<sup>10</sup> Tom Porter, “Facebook Reported More than 20 Million Child Sexual Abuse Images in 2020, More than Any Other Company,” Business Insider, February 26, 2021, <https://www.businessinsider.com/facebook-instagramreport-20-million-child-sexual-abuse-images-2021-2>.

<sup>11</sup> 5 The Annual Bullying Survey 2017, Ditch the Label (Jul. 2017), <https://www.ditchthelabel.org/wpcontent/uploads/2017/07/The-Annual-Bullying-Survey-2017-1.pdf>.

<sup>12</sup> Rachel E. Maunder & Sarah Crafter, School Bullying From a Sociocultural Perspective, 38 *Aggression & Violent Behav.* 13, 15 (2018).

<sup>13</sup> Richard Donegan, Bullying and Cyberbullying: History, Statistics, Law, Prevention and Analysis, 3 *Elon J. Undergraduate Res. Commc’ns.* 33, 34 (2012).

<sup>14</sup> Sarah Darmanjian, “Organizations Say Rise in Cyberbullying Likely During COVID-19 Isolation,” News10 (Apr. 8, 2020), <https://www.news10.com/news/organizations-say-rise-in-cyberbullying-likely-during-covid-19-isolation/>.

<sup>15</sup> Russell Brandom, “Facebook design flaw let thousands of kids join chats with unauthorized users,” *The Verge* (Jul. 22, 2019), <https://www.theverge.com/2019/7/22/20706250/facebook-messenger-kids-bug-chat-app-unauthorizedadults>.

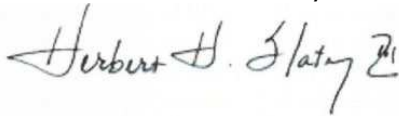
people who were at risk of relapsing.<sup>16</sup> These alarming failures cast doubt on Facebook's ability to protect children on their proposed Instagram platform and comply with relevant privacy laws such as the Children's Online Privacy Protection Act.

It appears that Facebook is not responding to a need, but instead creating one, as this platform appeals primarily to children who otherwise do not or would not have an Instagram account. In short, an Instagram platform for young children is harmful for myriad reasons. The attorneys general urge Facebook to abandon its plans to launch this new platform.

Sincerely,



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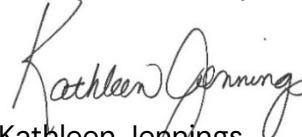
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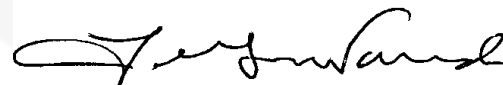
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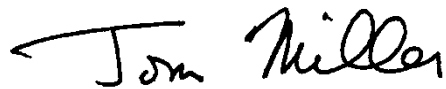
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<sup>16</sup> "Instagram fixes mistake promoting harmful diet content," BBC News, April 14, 2021; <https://www.bbc.com/news/technology-56750088>.



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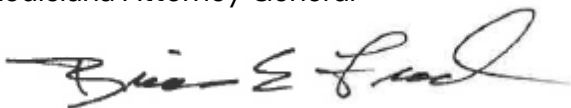
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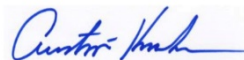
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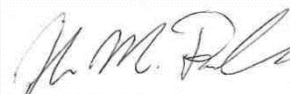
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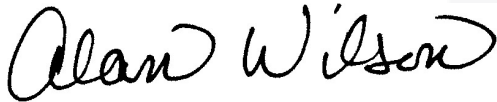
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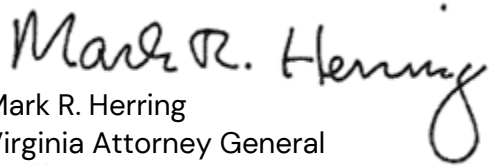
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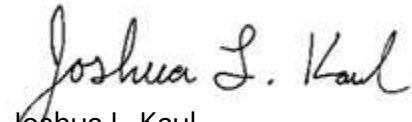
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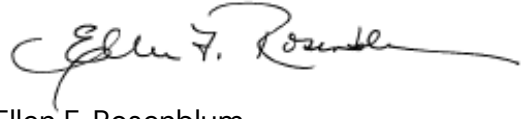
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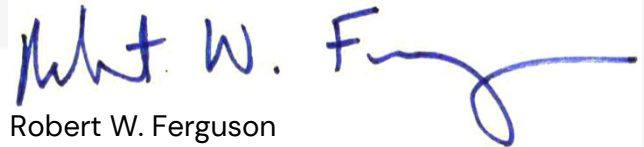
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