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6 KIDS ONLINE DURING COVID: CHILD SAFETY

7 IN AN INCREASINGLY DIGITAL AGE

8 THURSDAY, MARCH 11, 2021

9 House of Representatives,

10 Subcommittee on Consumer Protection

11 and Commerce,

12 Committee on Energy & Commerce,

13 Washington, D.C.

14

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16

17 The subcommittee met, pursuant to notice, at 10:30 a.m.,  
18 via remote link, Hon. Jan Schakowsky, [chairman of the  
19 subcommittee] presiding.

20

21 Present: Representatives Schakowsky, Rush, Castor, Trahan,  
22 McNerney, Clarke, Cardenas, Dingell, Soto, Rice, Craig,  
23 Fletcher, Pallone; Bilirakis, Latta, Guthrie, Bucshon, Dunn,  
24 Pence, Lesko, Armstrong, and McMorris Rodgers.

25

26 Also Present: Representatives Walberg and Blunt Rochester.

27

28 Staff Present: Jeff Carroll, Staff Director; Lisa Goldman,  
29 Senior Counsel; Waverly Gordon, General Counsel; Daniel  
30 Greene, Professional Staff Member; Tiffany Guarascio, Deputy  
31 Staff Director; Perry Hamilton, Deputy Chief Clerk; Alex  
32 Hoehn-Saric, Chief Counsel, Communications and Consumer  
33 Protection; Ed Kaczmariski, Policy Analyst; Zach Kahan, Deputy  
34 Director, Outreach and Member Service; Mackenzie Kuhl, Press  
35 Assistant; David Miller, Counsel; Elysa Montfort, Press  
36 Secretary; Kaitlyn Peel, Digital Director; Caroline Rinker,  
37 Press Assistant; Tim Robinson, Chief Counsel; Chloe  
38 Rodriguez, Deputy Chief Clerk; Andrew Souvall, Director of  
39 Communications, Outreach and Member Service; Sydney Terry,  
40 Policy Coordinator; C.J. Young, Deputy Communications  
41 Director; Anna Yu, Professional Staff Member; Sarah Burke,  
42 Deputy Staff Director; Michael Cameron, Policy Analyst, CPC,  
43 Energy, Environment; Nate Hodson, Staff Director; Bijan  
44 Koohmaraie, Chief Counsel; Tim Kurth, Chief Counsel, CPC; and  
45 Brannon Rains, Professional Staff Member, CPC.

46

47           \*Ms. Schakowsky. The Subcommittee on Consumer  
48 Protection and Commerce will now come to order. That is the  
49 gavel.

50           Today we will be holding a hearing entitled "Kids Online  
51 During COVID: Child Safety in an Increasingly Digital Age."

52           Due to the COVID-19 public health emergency, today's  
53 hearing is being held remotely. All members and witnesses  
54 will be participating via video conference.

55           As part of our hearing, microphones will be set on mute  
56 for the purpose of eliminating inadvertent background noise.  
57 Members and witnesses, you will need to unmute yourselves  
58 each time that you wish to speak.

59           Additionally, members will need to visibly be on screen  
60 in order to be recognized.

61           Documents for the record can be sent to Ed Kaczmariski,  
62 the staffer -- sorry, Ed, for messing up your name -- at the  
63 email address that we have provided to all staff.

64           All documents will be entered into the record at the end  
65 of the hearing.

66           I also wanted to mention that we do have votes that are  
67 being called right now, and people will have to go in and  
68 out. I will call on Tony Cardenas, the vice chair of this  
69 committee, when I have to leave, but we can do it in  
70 segments. We are not going to recess for votes.

71           The chair will now recognize herself for 5 minutes.

72

73 STATEMENT OF THE HON. JAN SCHAKOWSKY, A REPRESENTATION IN  
74 CONGRESS FROM THE STATE OF ILLINOIS

75

76 \*Ms. Schakowsky. So, again, good morning, and welcome  
77 to our hearing on child safety online during the COVID-19  
78 pandemic.

79 Children are spending twice as much time online as  
80 compared to before the pandemic. This time is increasingly  
81 spent on digital platforms not designed with children in  
82 mind.

83 Although we all hope -- and in some cases, it is already  
84 happening -- the kids will be able to safely return to  
85 schools, we should not be naive, however, and believe that  
86 in-person schooling will mean that companies stop targeting  
87 our children online.

88 Techniques honed by companies during the pandemic, and  
89 online habits developed by kids, will continue long after  
90 they are back in school. Many online platforms are addictive  
91 by design, grabbing attention, and, of course, maximizing  
92 profits.

93 Children are especially vulnerable to addictive or  
94 manipulative techniques and technologies. They are more  
95 susceptible to coercive advertising and have trouble  
96 resisting attention-grabbing features.

97 The more time children spend online, the more likely

98 they are to be subjected to harmful or age-inappropriate  
99 content.

100       There are few effective barriers that protect our  
101 children and teens, as well, from the harmful content and  
102 hate speech that plague our online discourse right now.

103       Nor are they shielded from the loss of privacy that has  
104 become a feature of online platforms. Platforms that are  
105 intended for general audiences are not required to protect  
106 the privacy of children, and many of the most popular  
107 platforms say they do not allow children that are under the  
108 age of 13 but do almost nothing to enforce their minimum age  
109 requirement.

110       The harms that children and teens experience online have  
111 very real and lasting side effects offline. More screen time  
112 has been associated with higher levels of anxiety,  
113 depression, sleep deprivation, obesity and even suicide.

114       Children need tailored protections from privacy  
115 infringements and manipulative marketing practices.  
116 Children's privacy must be protected by updating COPPA, the  
117 current law, for our increasingly complex and connected  
118 digital world. And thank you.

119       [The prepared statement of Ms. Schakowsky follows:]

120

121 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

122

123           \*Ms. Schakowsky. And at this time I want to yield to  
124 the author of this bill that we are going to be discussing  
125 today, Congresswoman Kathy Castor.

126           \*Ms. Castor. Well, thank you, Chair Schakowsky.

127           You are right. When Congress wrote the Children's  
128 Online Privacy Protection Act, COPPA, back in 1998, 23 years  
129 ago, the Internet was in its infancy. The majority of  
130 households did not have a computer and even less had the  
131 Internet. There were no Internet-connected cell phones or  
132 devices, and if a child wanted to get on the Internet, they  
133 would have to go to the family desktop, usually in a shared  
134 space, and type in the Web address and wait for a dial-up  
135 Internet.

136           So despite how antiquated this may seem to us in 2021,  
137 it was revolutionary in 1998, and at that time Congress acted  
138 to meet the moment, and they put in place safeguards to  
139 protect our children in this new online environment.

140           But, boy, have things changed since then. We are at  
141 another critical moment where technological innovations in  
142 our children are at the forefront. Their every move is being  
143 tracked and monetized by their phone, tablets, apps, and  
144 more.

145           Platforms are manipulating children to stay online  
146 longer and pushing them towards extreme content, infinite  
147 scrolling, and awards of badges for repeated interactions.

148           Big business is profiting, and our children are paying  
149 the price. And as our witnesses point out, that price is the  
150 real-world harmful impact on our kids' safety, their  
151 development, and their mental health.

152           It has gotten worse during the pandemic. Children's  
153 screen time has gone up while parents' ability and time to  
154 monitor screen time has gone down. So parents are looking to  
155 Congress to make sure their kids are safe and that  
156 educational experiences work.

157           So we need to meet this moment. I intend to reintroduce  
158 my Kids PRIVCY Act and the KIDS Act to safeguard our kids,  
159 and I would like to invite members from both sides of the  
160 aisle to work with me to update COPPA.

161           Thanks, and I yield back.

162           \*Ms. Schakowsky. The chair now recognizes Mr.  
163 Bilirakis, the ranking member of the subcommittee, for his 5  
164 minutes.

165           You are recognized, Mr. Bilirakis.

166

167

168 STATEMENT OF THE HON. GUS BILIRAKIS, A REPRESENTATIVE IN  
169 CONGRESS FROM THE STATE OF FLORIDA

170

171 \*Mr. Bilirakis. Thank you, Madam Chair, and I want to  
172 thank you for holding this very important hearing.

173 I know we share a similar view that while technology can  
174 be amazing in keeping us all connected, when it comes to  
175 substitution for interpersonal communications, we are all at  
176 a loss.

177 My father served on this committee, and back when he did  
178 serve, we could talk amongst the dais, write each other  
179 notes, communicate more directly on what is happening in our  
180 lives, both personally and professionally. Unfortunately,  
181 here we are all in a virtual hearing.

182 While we have gotten a bit better from the early days of  
183 virtual hearings, we are all human. I expect there will  
184 still be miscues today, like when someone is ready to talk or  
185 providing the kind of attention our witnesses deserve for  
186 their statements. And I appreciate them being here.

187 Now, think about what it is like for our kids. This is  
188 the new reality, and it is a sad one, in my opinion. The  
189 COVID-19 pandemic has caused so many Americans to become  
190 isolated in their homes, especially our kids.

191 Without the opportunity for children to interact in  
192 person with their friends directly, many turn to social media

193 to fill the void. Sadly, this has led to a cascade of  
194 negative effects for me.

195 I believe this hearing can serve as an important alarm  
196 bell for safely reopening our schools and getting students  
197 and teachers back in the classroom and reverse this trend.

198 To be fair, at the beginning of the pandemic, there was  
199 much unknown about the virus and virtual school was seemingly  
200 viable. It is a viable bridge to educating students, and it  
201 is better than not having anything.

202 Distance learning can certainly be a positive tool for  
203 some students. But the facts now make clear that as a  
204 primary means of instruction, it just does not work for  
205 advancing our kids' education, especially those children with  
206 disabilities.

207 There is good news, however. A number of schools have  
208 shown they can safely open up, including my great State of  
209 Florida, and so I hope we can find avenues for all students  
210 to have the same accessibility to educational opportunities.

211 The alternative is catastrophic, unfortunately. This  
212 was on full display in Clark County, Nevada last year. In  
213 that case more than 3,000 alerts about students with suicidal  
214 thoughts flooded the inbox of district officials.

215 The school district since reopened to in-person  
216 schooling, but tragically too late. By December of last  
217 year, 18 students took their own lives. Eighteen families

218 lost their children.

219 We all believe, like Clark County, history can repeat  
220 itself. That is why I was pleased that earlier this year,  
221 President Biden pledged to reopen the schools by his 100th  
222 day in office, and the CDC Director Walinsky relayed that  
223 data indicated schools can begin to safely reopen, and more  
224 than one day a week, I'll add.

225 Still we are all alarmed by recent contradictory  
226 statements to the science behind these commitments. So it  
227 will be interesting to find out what changed. Hopefully, the  
228 panel will have some insight there.

229 I also want to know as privacy protection is on the  
230 agenda today that I want to be part of the real solution.  
231 Committee Republicans have been and remain committed to this.

232 And to speak more on this topic, I would like to yield  
233 to my good friend, Congressman Tim Walberg for his efforts to  
234 reach a bipartisan deal on a bill to improve upon the Child  
235 Online Privacy Protection Act.

236 I yield the rest of my time to Representative Walberg.

237 Thank you.

238 [The prepared statement of Mr. Bilirakis follows:]

239

240 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

241

242           \*Mr. Walberg. I thank my good friend.

243           When I first introduced the PROTECT Kids Act, there was  
244 a pressing need to modernize the Children's Online Privacy  
245 Protection Act to reflect the digital era.

246           In the midst of this global pandemic, with children and  
247 the parents challenged, there is an even more pressing need  
248 than ever. While the FTC made improvement to COPPA in 2013,  
249 they did not go far enough to protect children against new  
250 threats in the evolving digital ecosystem.

251           The Internet has drastically changed since 2013, and  
252 while increased Internet usage presents many complicated  
253 risks, children's online privacy is one area Congress  
254 established clear law.

255           But the law is outdated. It needs to be updated to  
256 ensure children are protected from troubling conduct of Big  
257 Tech. The PROTECT Kids Act represents a common sense,  
258 bipartisan solution, and I appreciate my good friend,  
259 Congressman Rush for joining me in this effort to put  
260 children's wellbeing at the top of Congress' priority list.

261           Together we are continuing to work with stakeholders to  
262 strengthen this bill. We welcome input from members of this  
263 subcommittee and look forward to working together to pass  
264 these much needed reforms.

265           I thank you, and I yield back.

266           \*Ms. Schakowsky. The gentleman yields back.

267           And the chair now recognizes Mr. Pallone, chair of the  
268 full committee, for 5 minutes for his opening statement.  
269

270 STATEMENT OF THE HON. FRANK PALLONE, A REPRESENTATIVE IN  
271 CONGRESS FROM THE STATE OF NEW JERSEY

272

273 \*The Chairman. Thank you, Chairwoman Schakowsky.

274 The COVID-19 pandemic is an unprecedented public health  
275 and economic crisis which has greatly disrupted our lives.  
276 The children, in particular, have had their world turned  
277 upside down. Visits with friends and extended family have  
278 been replaced by video conferencing and in-person activities  
279 replaced with video games, social media, video services, and  
280 other digital activities.

281 And as a result, kids' screen time has doubled during  
282 the pandemic, and you just told me that, Madam Chair, on the  
283 elevator and I did not realize it was that much, twice.

284 As this subcommittee has heard time and time again,  
285 consumers online face manipulative advertising,  
286 disinformation, harassment, dark pattern manipulation, and  
287 privacy intrusions. For adults, these dangers are extremely  
288 hard to manage, but for children, such practices are  
289 downright predatory.

290 Children do not possess the same levels of cognitive  
291 development to defend themselves and are often uniquely  
292 vulnerable to any negative effects. The online world can  
293 affect children's mental and physical health.

294 Growing bodies of research confirm the link between

295 increased digital media use and depression and higher  
296 instances of addiction, anxiety, sleep deprivation, and  
297 obesity. And we also have seen harmful behaviors such as  
298 cyber bullying increase during the pandemic.

299       Unfortunately, many companies are well aware that  
300 children are spending more time online, and they are taking  
301 advantage of that by proactively targeting, manipulating, and  
302 monetizing our children. For example, some Internet  
303 platforms, app developers, and content creators propagate  
304 "addiction by design" through sophisticated, thoroughly  
305 tested means to keep kids on their sites and extract money.

306       Common elements include pressuring in-app purchases  
307 without parental consent, so-called "freemium apps" that  
308 tease paid versions, and "gamification" marketing where  
309 gameplay elements themselves are used to promote purchases or  
310 products.

311       And then there is influencer advertising, Madam Chair.  
312 People on social media with lots of followers post photos and  
313 videos of themselves using a product, but kids, and sometimes  
314 adults, do not understand that those people are often paid  
315 for those posts.

316       And young children frequently have no idea that the  
317 video they are watching of someone opening a new toy is  
318 actually meant to sell the toy.

319       So online advertising spending is now the largest of any

320 medium, and spending on digital ads specifically targeting  
321 children is expected to reach \$1.7 billion this year.

322 Most apps directed to or used by children contain ads,  
323 including 95 percent of the apps aimed at kids under five.  
324 Ads for toys or junk food are commonplace, but far too often  
325 kids are exposed to ads for tobacco products, alcohol,  
326 violent movies or video games, or other age-inappropriate  
327 content.

328 And it is deeply concerning that business models online  
329 continually seek to maximize engagement to increase revenue  
330 at the expense of children's health. Many parents try to  
331 balance the benefits of Internet use, such as social  
332 connections and educational apps, while trying to limit the  
333 possible negative effects.

334 But many parents are overwhelmed and even their best  
335 efforts are not enough to protect their kids against  
336 sophisticated predatory practices.

337 And the pandemic has made it painfully clear this  
338 problem is not going to fix itself, nor will the harmful  
339 activities targeting our kids stop when the pandemic is  
340 behind us.

341 Despite laws to protect children's privacy, data  
342 collection and tracking of children is disturbingly  
343 prevalent. Many apps for kids on mobile devices are  
344 notorious for collecting personal information, and their

345 personal information is then bought and sold, resulting in  
346 targeted advertising designed to influence and manipulate  
347 children even more.

348         So Congress granted the FTC rulemaking authority under  
349 the Children's Online Privacy Protection Act, or COPPA,  
350 precisely so it could update the safeguards for children  
351 online as technology advanced, and the Internet has  
352 experienced a sea-change since the last updates to the COPPA  
353 rule.

354         I know that Ms. Castor mentioned this with her  
355 legislation, and it is clear those rules are out of date and  
356 no longer provide the intended protections for our kids.

357         So while the FTC has started the process of updating its  
358 rules under COPPA, we also must examine whether the statute  
359 should be updated and whether other practices targeting  
360 children should be regulated. We cannot leave it all to  
361 parents.

362         The challenges children face online existed before the  
363 pandemic, but they have only gotten worse. And it is going  
364 to continue to increase after the pandemic is behind us,  
365 unless we do something about it.

366         So I just wanted to thank you, Madam Chair, and also  
367 Kathy Castor because of the fact that you are having this  
368 hearing drawing attention to this with the legislation.

369         I look forward to this expert panel on what is a very

370 important topic.

371 Thank you.

372 [The prepared statement of the Chairman follows:]

373

374 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

375

376           \*Ms. Schakowsky. The gentleman yields back.

377           And the chair now recognizes Mrs. Rodgers, ranking

378 member of the full committee, for 5 minutes for her opening

379 statement.

380

381 STATEMENT OF THE HON. CATHY McMORRIS RODGERS, A  
382 REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON  
383

384 \*Mrs. Rodgers. Good morning, Madam Chair. And,  
385 everyone, welcome.

386 Our discussion today is especially important to me not  
387 just as a member of Congress, but as a mom. We absolutely  
388 need to have a serious discussion about what is happening to  
389 our kids online, their mental health and safety, and what  
390 needs to happen to reopen schools immediately.

391 Yesterday we heard from four doctors who wrote in USA  
392 Today, quote, "Keeping schools closed, even partially closed,  
393 based on what we know now, is harming our children.'" They  
394 said, "The Biden administration misinterpreted their research  
395 and science when creating the CDC guidance, and it ultimately  
396 led to harmful policies that hamstrung States to reopen  
397 schools quickly.'"

398 The science is clear. Viral transmission is minimal in  
399 schools. Children are not at significant risk of poor  
400 outcomes from COVID-19. It is time to reopen immediately and  
401 listen to the experts who are saying loud and clear follow  
402 the science.

403 School closures are harming children. It is more than  
404 just a homework gap. There are serious health and mental  
405 health risks associated with children spending more time

406 online. And as we have heard today, it has doubled.

407         These are stories I am hearing from parents who are  
408 pleading for schools to reopen. I hear it every day. Our  
409 kids are not active. They are not engaged. They are falling  
410 asleep during remote school. They are isolated.

411         Suicide and overdose risks are going up. As our  
412 children spend more time online, they are more at risk to  
413 online predators.

414         This has all happened in my community, and I know we are  
415 not alone. The science tells us all these risks of despair  
416 far outweigh COVID-19 in schools.

417         In addition to the USA Today, I encourage everyone also  
418 to read a piece from the New York Times. It documents  
419 scientific insights from health professionals.

420         Here is what one pediatrician from San Francisco said,  
421 quote, "We are witnessing a significant public health crisis  
422 in our children who are experiencing unprecedented mental and  
423 physical illness during this time. This would be mitigated,  
424 if not completely alleviated, by in-person schooling," end  
425 quote.

426         I understand that our focus today is on child safety in  
427 an increasingly digital age. For the safety of our children,  
428 surely, we can all agree science, not fear, should dictate  
429 how we protect them and build a better future, a future with  
430 hope.

431           We can mitigate a lot of the harms and risks we are  
432 talking about today by not letting another day go by of  
433 school closures. That is what is going to give our children  
434 the best chance to succeed and thrive in life.

435           Now, specifically regarding the protection online, I am  
436 committed and convinced as to the importance of updating and  
437 modernizing our laws. I look forward to joining bipartisan  
438 work for data and privacy protections, especially children's  
439 privacy.

440           I sincerely hope these efforts resume soon and that this  
441 committee plows the hard ground necessary to legislate in a  
442 bipartisan way again.

443           As we look to the future of building a better world for  
444 the next generation, I want to be clear. America can lead a  
445 new era of technological innovation. We must lead with our  
446 values for freedom, human rights, and human dignity.

447           But we are failing with closed schools, and this  
448 yearlong experiment of remote learning, more screen time, and  
449 more isolation is failing our kids. Our kids are in crisis.

450           Technology should add to education. It is not a  
451 substitute for everyday learning. It is not a substitute,  
452 period. Reopening for in-person learning does not mean two  
453 days a week. It means 5 days, both with the teacher and the  
454 children in the classroom together.

455           Before the President's address tonight, we should all be

456 asking why more is not being done to reopen. Just as the  
457 doctors wrote in USA Today, this is a human rights issue.  
458 Let's open the doors of our schools and let our kids learn  
459 and thrive again.

460 Thank you.

461 And, Mr. Chairman, I ask unanimous consent to include  
462 both articles I mentioned in the record.

463 [The prepared statement of Mrs. Rodgers follows:]

464

465 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

466

467           \*Ms. Schakowsky. All of those will be added at the end  
468 of the hearing and she yields back.

469           [The information follows:]

470

471           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

472

473           \*Mrs. Rodgers. I yield back. Sorry, Madam Chair.

474           \*Ms. Schakowsky. Thank you.

475           And the chair would like to remind members that,  
476 pursuant to committee rules, all members' written opening  
477 statements shall be made part of the record.

478           And now I will introduce the witnesses that we have and  
479 thank them so much for their participation today.

480           Dr. Nusheen Ameenuddin. Did I get that? Ameenuddin,  
481 chair of the Council on Communications and Media at the  
482 American Academy of Pediatrics.

483           We have Corey A. DeAngelis, Ph.D., Director of School  
484 Choice at the Reason Foundation, adjunct scholar at the Cato  
485 Institute, and Executive Director of the Educational  
486 Foundation Institute.

487           And Ariel Fox Johnson, who is the Senior Counsel of  
488 Global Policy at Common Sense Media.

489           And we want to thank all of you for joining us for this  
490 very important hearing today, which I am getting the feeling  
491 has a good deal of bipartisan support, and we look forward to  
492 your testimony.

493           So, Dr. Ameenuddin, you are recognized.

494

495 STATEMENT OF NUSHEEN AMEENUDDIN, M.D., M.P.H., M.P.A.,  
496 F.A.A.P, CHAIR, COUNCIL ON COMMUNICATIONS AND MEDIA, AMERICAN  
497 ACADEMY OF PEDIATRICS; COREY A. DeANGELIS, Ph.D., DIRECTOR OF  
498 SCHOOL CHOICE, REASON FOUNDATION, ADJUNCT SCHOLAR, CATO  
499 INSTITUTE, AND EXECUTIVE DIRECTOR, EDUCATIONAL FREEDOM  
500 INSTITUTE; AND ARIEL FOX JOHNSON, SENIOR COUNSEL, GLOBAL  
501 POLICY, COMMON SENSE MEDIA

502

503 STATEMENT OF NUSHEEN AMEENUDDIN

504

505 \*Dr. Ameenuddin. Okay. Thank you.

506 Good morning, Chair Schakowsky, Ranking Member  
507 Bilirakis, Chair Pallone, and Ranking Member Rodgers, along  
508 with members of the subcommittee. Thank you so much for  
509 inviting me to discuss young people's digital media use  
510 during the pandemic.

511 I am Dr. Nusheen Ameenuddin, and I am a pediatrician at  
512 the Mayo Clinic in Rochester, Minnesota. I am here today  
513 representing the American Academy of Pediatrics, a nonprofit,  
514 professional medical organization of more than 67,000  
515 pediatricians, where I serve as chair of the Council on  
516 Communications and Media.

517 Today's youths are growing up immersed in digital media.  
518 In 1970, kids began watching TV around 4 years of age, but  
519 today babies start interacting with digital media within the

520 first few months of their lives.

521         Media's impact on children has been an issue for years,  
522 well before a global pandemic forced us all to move our lives  
523 online. The pandemic has laid bare this longstanding issue,  
524 creating an opportunity to address structural issues within  
525 the digital ecosystem.

526         As a pediatrician who has been caring for patients this  
527 entire pandemic, I have to acknowledge the unprecedented  
528 challenges that families are up against. It is no surprise  
529 that screen time has increased significantly under these  
530 circumstances.

531         As pediatricians, we also have to acknowledge the  
532 reality of the ubiquity of digital devices. We do not simply  
533 preach device abstinence. We encourage moderate, balanced,  
534 pro social use of devices as part of the media diet.

535         Technology can have important benefits for children and  
536 teens, like broadening horizons and as a learning tool. The  
537 Internet provides space for community building among youth  
538 who are marginalized, including children with serious  
539 diseases. Children of color who face racism can build  
540 resilience by sharing those experiences and finding support  
541 online.

542         With these benefits in mind, we also need to focus on  
543 the real threats posed by technology. The bottom line is  
544 that parents need help, and technology companies must be held

545 accountable for the products that they create.

546         Data collection and compromised privacy are among the  
547 most pervasive threats facing young people. Companies can  
548 contact, track, and influence users through digital trails  
549 that they leave behind. Users can unknowingly disclose  
550 location, activities, likes and dislikes, along with in-app  
551 behavior.

552         This intentionally opaque process is then used to make  
553 ads more effective and platforms more successful and  
554 profitable. Children using these products do not fully  
555 understand the ramifications of this data collection, which  
556 can also influence the information that reaches them.

557         Ad content is tailored to their interests and creates  
558 false norms that undermine healthy behaviors. Algorithms can  
559 accurately predict what a child will want to watch next.  
560 These elements make it so hard for young brains to resist.

561         Many products feature manipulative design that nudges  
562 users into specific behaviors. An example is the auto play  
563 feature on platforms like Netflix and YouTube, which places  
564 the onus entirely on young people to opt out of watching the  
565 next video, making increased screen time an almost foregone  
566 conclusion.

567         But that is not all. Gamified ads and in-app purchases  
568 that reward users for watching ads and buying products are  
569 very appealing to children.

570           During the pandemic, users of a supposedly free math  
571 game were shown 16 different ads and only four math problems  
572 over 19 minutes of game play.

573           Social media allows companies to reach young people with  
574 paid influence they are marketing through platforms like  
575 YouTube and TikTok. Young people are led to believe that  
576 posts reflect the genuine preferences of the poster when, in  
577 fact, they are actually being targeted by marketing  
578 campaigns.

579           Algorithms also drive young people to inaccurate,  
580 inappropriate, and even harmful content like misinformation  
581 about COVID-19 and vaccines, another issue that pediatricians  
582 experience firsthand and have for a while.

583           Youth of color face challenges accessing positive  
584 aspects of technology due to a longstanding digital divide,  
585 which includes disproportionate targeting for unhealthy ads  
586 that worsen health disparities and increase screen time  
587 stemming from structural issues.

588           In order to make real progress for children and  
589 families, we must preserve the positive aspects of technology  
590 while removing the pervasive threats it can pose. The AAP  
591 recommends that Congress strengthen the Children's Online  
592 Privacy Protection Act. An enhanced COPPA should protect all  
593 children under the age of 18 and cover the wide array of  
594 devices that collect data from children.

595           If data collection is even allowed for young people, it  
596 should be an opt in.

597           Congress must also ban targeted advertising to those  
598 under age 18.

599           And, finally, Congress should fund efforts to improve  
600 digital literacy, address digital equity, and expand research  
601 on how digital media impacts children.

602           The issues that young people and their families face in  
603 the digital world are not insurmountable. Through effective  
604 public policy, it is possible to build a better digital world  
605 for our children during and after this pandemic.

606           Thank you.

607           [The prepared statement of Dr. Ameenuddin follows:]

608

609           \*\*\*\*\*INSERT 1\*\*\*\*\*

610

611           \*Ms. Schakowsky. Thank you.

612           Now, I will recognize Dr. DeAngelis.

613           You are recognized for 5 minutes.

614

615 STATEMENT OF COREY A. DeANGELIS

616

617 \*Dr. DeAngelis. Thank you, Chair Schakowsky, Ranking  
618 Member Bilirakis, and distinguished members of Congress.  
619 Thank you so much for the opportunity.

620 There have been substantial costs associated with  
621 keeping schools closed in terms of students losing ground  
622 academically, mentally, and physically, and many of these  
623 negative effects have disproportionately impacted less  
624 advantaged groups, leading to inequities.

625 Meanwhile the evidence has generally indicated that  
626 schools can reopen safely for in-person instruction, and that  
627 school reopenings are generally not associated with major  
628 increases in overall COVID-19 transmission or  
629 hospitalizations.

630 In addition to the science, actions by several teachers'  
631 unions and the stark contrast in the response to the pandemic  
632 from the private versus the public sectors suggest that  
633 reopening decisions have had more to do with political  
634 partisanship and power dynamics than safety and the needs of  
635 families.

636 Private schools have been open for the most part of the  
637 past year or have been fighting to reopen in that time. In  
638 fact, private schools in Kentucky took the fight to the  
639 Supreme Court in an attempt to provide in-person services,

640 and private schools in States such as Ohio and Michigan took  
641 similar legal actions.

642         A private school in Sacramento even rebranded itself as  
643 a day care to try to get around the government's arbitrary  
644 school closure rules.

645         But many teachers' unions have been fighting to remain  
646 closed by shifting the reopening goalpost every step of the  
647 way. It is not because of a difference in intentions or  
648 benevolence on the part of the employees between the two  
649 sectors. The difference is one of incentives. One of these  
650 sectors gets children's education dollars regardless of  
651 whether they open their doors for business.

652         Several actions by teachers' unions also raise some  
653 eyebrows. Just as school closures hit in March 2020, union  
654 groups in States such as Oregon and Pennsylvania lobbied the  
655 governments to make it illegal for families to switch to  
656 virtual charter schools that have already been successfully  
657 providing students with remote instruction for years.

658         These actions aimed to protect a system at the expense  
659 of families at the worst time possible.

660         Then came the political demands. In their report on  
661 safely reopening schools, the Los Angeles Teachers' Union  
662 called for things unrelated to school reopening, such as  
663 defunding the police, Medicare for All, a wealth tax, and a  
664 ban on charter schools. At least ten teachers' unions

665 similarly joined the Democratic Socialists of America to hold  
666 a National Day of Resistance to demand safe schools,  
667 including political demands on two occasions in less than a  
668 year.

669         Other things just did not add up. Why was it safe  
670 enough for public school buildings to reopen for in-person  
671 child-care services but not for in-person learning?

672         Why was it safe enough for teachers' union officials to  
673 travel to Puerto Rico to vacation in person and to send their  
674 own children to in-person private schools but not safe enough  
675 for their members to return to work in person?

676         Why have four studies each found that school reopenings  
677 are more strongly related to political partisanship and  
678 teachers' union influence than COVID risk?

679         Why did the Congressional Budget Office estimate that  
680 only five percent of the \$128 billion in relief funding would  
681 be spent this year, while up to 95 percent of the funding  
682 would be paid out after the pandemic if the goal is to reopen  
683 schools now?

684         Why did half of the Senate block an amendment that would  
685 have made a federal funding conditional upon reopening  
686 schools in person if all teachers were vaccinated?

687         Why has Florida, a State that only spends about \$10,700  
688 per student, far below the national average, been able to  
689 essentially fully reopen its schools while California, a

690 State that has much strong teachers' unions and spends about  
691 38 percent more per student, has kept its doors shut?

692 It might be because the school reopening debate has  
693 always been more about politics and power than safety and the  
694 needs of families.

695 The past year has put a spotlight on the main problem  
696 with K to 12 education in the U.S., a long existing, massive  
697 power imbalance between public school teachers' unions and  
698 individual families. And the only way that we are ever going  
699 to fix that messed up set of incentives that is baked into  
700 the public school system is to empower families by funding  
701 students directly.

702 Think about it this way. If a grocery store does not  
703 reopen, families can take their money elsewhere. If a school  
704 does not reopen, families should similarly be able to take  
705 their children's education dollars elsewhere.

706 After all, education funding is supposed to be meant for  
707 educating children, not for protecting a particular  
708 institution. Families have been getting a bad deal, and they  
709 are realizing that there is not any good reason to fund  
710 closed institutions when we can fund students directly  
711 instead.

712 The latest nationwide survey conducted by RealClear  
713 Opinion Research found that support for funding students  
714 directly surged by ten percentage points between April and

715 August of 2020.

716           And we already fund students directly in higher  
717 education with Pell Grants and the GI Bill and in pre-K with  
718 programs such as Head Start. The funding goes to individual  
719 students and families as opposed to buildings.

720           With all of these programs, in addition to food stamps,  
721 Section 8 housing vouchers, and Medicaid, we fund individuals  
722 instead of institutions. We should apply the same logic to K  
723 to 12 education and fund students, not systems.

724           Thank you so much.

725           [The prepared statement of Dr. DeAngelis follows:]

726

727           \*\*\*\*\*INSERT 2\*\*\*\*\*

728

729           \*Ms. Schakowsky. Ms. Johnson, you are recognized for 5  
730 minutes.  
731

732 STATEMENT OF ARIEL FOX JOHNSON

733

734 \*Ms. Fox Johnson. Thank you.

735 \*Ms. Schakowsky. Okay. Go ahead.

736 \*Ms. Fox Johnson. Good morning. Good morning, Chair  
737 Pallone, Chair Schakowsky, Ranking Member McMorris Rodgers,  
738 Ranking Member Bilirakis, and members of the subcommittee.

739 Thank you for the invitation to appear before you and  
740 for recognizing that the digital world, for all of its  
741 opportunities, poses unique risks and harms to children and  
742 teens.

743 The pandemic has certainly exacerbated these risks and  
744 harms, but they existed before, and unless Congress acts,  
745 they will persist after.

746 I am Ariel Fox Johnson, Senior Counsel for Global Policy  
747 at Common Sense Media.

748 Common Sense is the leading organization dedicated to  
749 helping kids and families thrive in a rapidly changing  
750 digital world.

751 My testimony emphasizes three main points. First,  
752 children and teens are on the front lines of our online  
753 world, and they are uniquely vulnerable to digital harm.

754 Second, the status quo is failing young people.

755 And, third, solutions to these challenges are the  
756 responsibility of Congress and tech leaders themselves.

757           We need a healthy Internet, especially now. In my house  
758 with limited to no childcare, our screen time rules have gone  
759 out the window. Just this weekend I told my children to go  
760 watch a movie or play on their tablet so that I could prepare  
761 this testimony.

762           While it was once debatable whether you could choose to  
763 be online, it is now clear that there is no choice. It is  
764 necessary to connect with family, to learn, and to play.

765           Our research shows that device ownership was already the  
766 norm for young children and that screen time had multiplied  
767 in recent years, with children in lower income houses  
768 spending nearly 2 hours more daily with screens.

769           The pandemic has turbocharged this. Distance learning  
770 is a big driver for older kids, yes, but screen time is up  
771 for all kids. As of this fall, children ages two to 15 watch  
772 television, including streaming, a full day each week.  
773 YouTube and gaming consoles have seen spikes in usage, some  
774 with 82 percent more daily users.

775           Social media and mobile use is up, and one study found  
776 that kids were sending and receiving three times more  
777 messages than the year before.

778           Parents are worried. Parents' top child health concerns  
779 in 2020 were overuse of social media, bullying and cyber  
780 bullying, and Internet safety.

781           Young people are impulsive, and they are prone to

782 overshare. They do not understand that data shared on an app  
783 does not remain on their device, let alone grasp complex  
784 online data and advertising ecosystems. They are more  
785 susceptible to ads and other forms of online persuasion.

786 Kids are no match for tech companies who have grown  
787 unchecked and remain unaccountable. Too many are  
788 manipulating children, misusing their personal information,  
789 and exposing kids to harm. And this is not something that  
790 will magically stop when the pandemic ends.

791 Kids are surveilled everywhere. We talk about a digital  
792 footprint, but at this point it is more accurately a full  
793 body scan. Manipulative design pressures teens to click and  
794 scroll constantly and to tie their self-worth to numbers of  
795 likes.

796 Elementary students can drain their parents' credit  
797 cards with in-app purchases and get shamed by beloved  
798 characters to spend more money.

799 More than nine in ten teens report teen violent content  
800 online. Our own forthcoming research details how the number  
801 of teens who have seen racist content online has nearly  
802 doubled in the past 2 years. Meanwhile kids' mental health  
803 is taking a hit.

804 So what should Congress do? Madam Chair, you and others  
805 on this committee have been leaders here, and as we have seen  
806 from the statements in the committee and the witnesses today,

807 there is clear agreement that there is a problem.

808         The challenge is ensuring that when Congress does act,  
809 it makes a real difference. There is a risk that Congress  
810 may act but not do enough.

811         We believe, as do many of you, that COPPA is outdated.  
812 It must be updated in a meaningful way.

813         Congress should pass a strong, comprehensive privacy law  
814 with special protections for vulnerable children and teens.  
815 The privacy act, introduced by Representative Castor along  
816 with Representative Dingell and other members, would address  
817 many of COPPA's shortcomings, would force States to  
818 acknowledge kids, protect and empower teens, and prohibit  
819 behavioral marketing to kids.

820         Congress should also pass Representatives Castor, Clark,  
821 and Wexton's KIDS Act, which would create rules around online  
822 marketing to kids and encourage kid-healthy content and  
823 design, banning auto play, and amplification of harmful  
824 content.

825         We support other steps to hold tech companies  
826 accountable as well, but we believe that there is much that  
827 industry can do right now. They do not need to wait for  
828 Congress to minimize information collection and design  
829 healthier products for kids. And their reluctance to act is  
830 inexcusable.

831         Technology and media offer enormous benefits, but kids

832 deserve better online. They needed it before, and they will  
833 need it after the pandemic.

834 Thank you, and I look forward to questions.

835 [The prepared statement of Ms. Fox Johnson follows:]

836

837 \*\*\*\*\*INSERT 3\*\*\*\*\*

838

839           \*Ms. Schakowsky. Thank you. And the gentle lady yields  
840 back.

841           We have concluded witnesses' opening statements at this  
842 time. So we are going to move to member questions. Each  
843 member will have 5 minutes to ask questions of our witnesses,  
844 and I will start by recognizing myself for 5 minutes.

845           So the line between people's online and off-line lives  
846 has rapidly disappeared. This is particularly true for kids,  
847 and as one of our witnesses said, even infants. I have seen  
848 babies just holding devices in the airport and other places.

849           The ability to track children for behavioral  
850 advertising, coupled with persuasion design tactics, has been  
851 a real problem and a threat to our kids.

852           And I wanted to ask Dr. Ameenuddin. Can you speak to  
853 how children and even teens struggle to identify and resist  
854 these manipulative techniques in today's complex online  
855 ecosystem?

856           \*Dr. Ameenuddin. Certainly. Thank you, Chair  
857 Schakowsky.

858           I think your question really gets to the heart of the  
859 problem. The fact is that children at different  
860 developmental ages have different levels of ability to  
861 understand and to resist persuasive programming.

862           For young children, I do not think that exists, period.  
863 They just do not have the sophistication and are uniquely

864 vulnerable to persuasive design.

865       Even when you look at older kids, teenagers, who may  
866 even have some training in digital literacy, media literacy,  
867 have a lot of difficulty resisting these very, very  
868 persuasive, well targeted ads.

869       Frankly, it is hard for adults to resist, too, and so  
870 that is why the American Academy of Pediatrics feels that it  
871 is so important to create structural layers that hold tech  
872 responsible.

873       And we think this is a wonderful opportunity for  
874 Congress to help pass laws that protect kids from that kind  
875 of predatory targeting and data collection.

876       \*Ms. Schakowsky. Thank you so much.

877       Let me ask Ms. Fox Johnson. Given that these marketing  
878 and design techniques are so sophisticated, thoroughly tested  
879 and intentionally directed at children and teens, do you  
880 believe that the Federal Trade Commission, FTC, should  
881 regulate such practice, predatory behavior, under the unfair  
882 and deceptive practices authority?

883       \*Ms. Fox Johnson. I certainly believe that the Federal  
884 Trade Commission could regulate these things as unfair and  
885 deceptive, particularly to children under 13 who may not even  
886 know they are interacting with an advertisement in lots of  
887 scenarios.

888       I think that a less litigious and perhaps quicker path

889 forward would be Congress making it clear that these  
890 practices are not allowed.

891 \*Ms. Schakowsky. And let me ask you this about the  
892 platforms' accountability. Dr. Ameenuddin, do you think that  
893 we need to have platforms accountable for exposing children  
894 to harmful and inappropriate content?

895 \*Dr. Ameenuddin. I always think that accountability is  
896 important, especially when you are creating products that are  
897 not necessarily developmentally appropriate, but are still  
898 exposing children to sometimes highly inappropriate content.

899 We absolutely believe at the American Academy of  
900 Pediatrics that tech companies need to take responsibility  
901 for that because we all believe that we have a same general  
902 goal of wanting to protect children.

903 \*Ms. Schakowsky. Thank you.

904 And I wondered if you wanted to comment on that, Ms. Fox  
905 Johnson, the accountability of the platforms.

906 \*Ms. Fox Johnson. Yes. These platforms are incredibly  
907 powerful and have an incredible amount of resources at their  
908 disposal, unlike many parents. They are not just making  
909 content available to kids that is inappropriate, but in many  
910 cases actively pushing it on them and taking them into  
911 outrageous or concerning scenarios. So they can do a better  
912 job at what they pushed and also better job at identifying  
913 healthy, positive, education content.

914           \*Ms. Schakowsky. Thank you.

915           And, Dr. Ameenuddin -- oh, I did it again -- Ameenuddin,  
916 I want to ask you. How might this repeated, regular exposure  
917 to inappropriate content, often viewed together with  
918 appropriate content, harm or affect our children?

919           And if you could tell us long term, as well, how it  
920 could affect our children.

921           \*Dr. Ameenuddin. So that is a very important question.  
922 Thank you so much for addressing that.

923           Repeated exposure to harmful content, whether it is  
924 violent content or, frankly, you know, racist content that  
925 kids are encountering online, really can be harmful.

926           We know from past research that bio space harassment and  
927 being exposed to these negative images can really undermine  
928 the child's self-esteem. It can cause significant mental  
929 distress for them.

930           And being exposed to that repeatedly, unfortunately,  
931 only multiplies that effect, which is all the more reason to  
932 be careful and hold tech companies accountable for what they  
933 are putting out there.

934           \*Ms. Schakowsky. Thank you so much.

935           I realize I have gone over my time, and I yield back.

936           And now I would welcome Congressman Bilirakis to ask his  
937 questions for 5 minutes.

938           \*Mr. Bilirakis. Thank you, Madam Chair. I appreciate

939 very much.

940 Dr. Ameenuddin, thank you not just for your testimony,  
941 but your important work on kids' mental health. That is so  
942 very important. They are our future.

943 I believe your contributions here today really serve  
944 multiple areas we are working on. So, again, I really  
945 appreciate all of the witnesses.

946 I am concerned about how children being, again,  
947 depressed, anxious, and even suicidal this generation has  
948 become. You know, you see it on a regular basis when you are  
949 in our district.

950 Can you speak to the isolation that kids have felt since  
951 the pandemic began?

952 And can you provide perspective on what are the most  
953 common issues you are seeing that might be driving the  
954 sadness of these kids?

955 And then as a follow-up, would you agree that one of the  
956 best ways that we deal with these issues is to curb access to  
957 these negative impacts?

958 \*Dr. Ameenuddin. Thank you, Ranking Member Bilirakis.

959 Such a critical question. There is no doubt that  
960 pediatricians have anecdotally been reporting increased  
961 visits for depression and anxiety. I find that those are two  
962 of the most common mental health issues that I have  
963 personally been seeing during the pandemic.

964 I do want to make it clear we have been seeing  
965 increasing levels of this even before the pandemic hit, but  
966 certainly exacerbated by a combination of factors. The  
967 pandemic has been very stressful for everyone.

968 I have had children whose parents have lost jobs. I  
969 have had patients who have lost family members to the COVID-  
970 19 disease. And so really I think it is multifactorial.  
971 Isolation certainly plays into it.

972 And that is where in some ways we also have to look at  
973 the positive benefits of technology where that has allowed  
974 them to stay connected to grandparents, to elderly neighbors,  
975 to friends, but obviously, you know, we want to maximum the  
976 positive benefits without leaving them vulnerable to the  
977 negative benefits.

978 And I apologize. You had a follow-up question.

979 \*Mr. Bilirakis. Yes. Addressing it, would you agree  
980 that one of the best ways that we deal with these issues is  
981 to curb access to these negative impacts?

982 \*Dr. Ameenuddin. So I would agree that the best way to  
983 help curb negative impacts is to look at the structural  
984 system and to try to minimize those harms through  
985 accountability for tech platforms and also legislation to  
986 help regulate what children are able to access and what data  
987 is collected on them.

988 Thank you.

989           \*Mr. Bilirakis. Thank you.

990           Again, Doctor, for you again, there have been many data  
991 and scientifically backed pediatricians, including those at  
992 the American Academy of Pediatricians, who argue that schools  
993 are safe enough to open. Do you agree with your colleagues  
994 that we need to begin opening schools back up for students  
995 and teachers?

996           \*Dr. Ameenuddin. So I appreciate that question. I know  
997 that that is a related issue, even if it is not the specific  
998 issue of this particular hearing.

999           I think that the American Academy of Pediatrics has put  
1000 together a very thoughtful and evidence-based recommendation  
1001 for school reopening.

1002           We also know that not all schools are equally resourced,  
1003 and in order to make sure that schools are safe to return, we  
1004 need to be able to ensure universal masking, hand washing,  
1005 social distancing. Ideally it would be great to have  
1006 teachers vaccinated as well. That is an additional layer of  
1007 protection.

1008           It is never just one thing when we talk about public  
1009 health or health benefits, but we certainly all can agree  
1010 that we want to move towards the goal of making it safe for  
1011 all kids to return to school and to make sure that schools  
1012 are appropriately funded so that they ensure those safety  
1013 measures for everybody.

1014           \*Mr. Bilirakis. Thank you, Doctor.

1015           Dr. DeAngelis, would you like to comment on any of the  
1016 data from Public Health Masters supporting the reopening of  
1017 schools?

1018           We would appreciate that. Thank you.

1019           \*Dr. DeAngelis. Yes. In fact, there was a systematic  
1020 review of the evidence published just today. So if you want  
1021 to add it to the record, you can find it at The74Million. A  
1022 reporter named Linda Jacobson actually summarized the study  
1023 and said, and I quote, "Mounting evidence shows it is safe  
1024 for reopening schools and that the risk of in-person learning  
1025 contributing to the spread of COVID-19 is low," according to  
1026 a new review of research released Thursday.

1027           That covered 130 different studies. So it is a huge  
1028 amount of evidence, and then also researchers at the CDC  
1029 published in a top journal, JAMA, saying that, quote, "The  
1030 preponderance of available evidence from the fall school  
1031 semester has been reassuring insofar as the type of rapid  
1032 spread that was frequently observed in congregate living  
1033 facilities or high density work sites has not been reported  
1034 in education settings in schools."

1035           And quote, "There has been little evidence that schools  
1036 have contributed meaningfully to increased community  
1037 transmission."

1038           You can also look at places like New York City, where

1039 the school positivity rate is less than a tenth of what the  
1040 positivity rate in the overall community is. You can look at  
1041 quotes from people like Anthony Fauci as well saying to close  
1042 the bars and open the schools and that schools are generally  
1043 not major contributors of community transmission.

1044 I know I am over time, but there is tons of evidence  
1045 suggesting that schools can reopen safely, particularly if  
1046 you have the procedures in place.

1047 And then my latest study in Social Science Research  
1048 Network suggests there is no relationship between funding and  
1049 schools reopening.

1050 \*Ms. Schakowsky. We are going to have to call on the  
1051 next speaker.

1052 I am looking for Frank Pallone. Yes, the chair of the  
1053 full committee is recognized for questions for 5 minutes.

1054 \*The Chairman. Thank you, Madam Chair.

1055 I wanted to start out with Dr. Ameenuddin. My concern  
1056 is that, you know, you have many of our constituents who work  
1057 two jobs and have to take care of their family and, you know,  
1058 just putting food on the table is a challenge.

1059 And there was a recent Common Sense Media survey that  
1060 showed that children from lower income households spend  
1061 nearly two additional hours on screens than those from higher  
1062 income households. You know, so while parents can supervise  
1063 or at least that is the goal, it is really impractical or not

1064 possible for many if they are working two jobs and have all  
1065 of these other things.

1066         So, Dr. Ameenuddin, are children able to self-monitor  
1067 their own digital consumption?

1068         And do they know when to disconnect? I know parental  
1069 controls are viewed as an alternative when direct supervision  
1070 is not possible, but 71 percent of parents say they are not  
1071 satisfied that the tools they have to use to keep kids safe.

1072         That is my question, to what extent the kids can self-  
1073 monitor, know when to disconnect or what to do, if you would.

1074         \*Dr. Ameenuddin. Thank you, Chair Pallone.

1075         So, again, I think that is a critical question, whether  
1076 or not children can self-monitor, and when we look at the  
1077 circumstances that this pandemic has really brought to the  
1078 fore, these are not new.

1079         For a long time, for decades, the American Academy of  
1080 Pediatrics has recognized the unique vulnerability of young  
1081 children, in particular, but even teenagers to be able to  
1082 really self-monitor and resist manipulative designs.

1083         And you know, 20, 30 years ago, as I think one of your  
1084 members mentioned, it was easy to sort of turn off the TV and  
1085 for parents to monitor, but these days with the ubiquity of  
1086 digital devices and the ability to take these devices into  
1087 bedrooms, it really makes it so much harder for kids to self-  
1088 regulate and self-monitor.

1089           Young children are not capable. I want to make that  
1090 very clear. It is just not going to happen without some  
1091 structural supports and parental supervision, which of course  
1092 has become even more difficult when you have got a parent in  
1093 one room working one job, a parent in another room working  
1094 one job.

1095           So really, again, we have to look at this as a  
1096 structural issue, as the American Academy of Pediatrics has  
1097 done for years, to recognize that we need more protections  
1098 for our kids. Even media savvy teens have difficulty self-  
1099 regulating, although it is okay to give them a little bit of  
1100 flexibility to try to do that.

1101           \*The Chairman. Well, thank you.

1102           Then let me ask Ms. Fox Johnson. Can you discuss  
1103 briefly the different parental control options that are  
1104 currently available, including how easy they are to use, how  
1105 much they cost, what that means for low-income families, and  
1106 any privacy concerns?

1107           And then a second question, given the limitations that  
1108 you are probably going to say about these devices, how do you  
1109 explain why baseline default protections from children are  
1110 important, if you could?

1111           \*Ms. Fox Johnson. Sure. Thank you, Chairman Pallone.

1112           So there are a variety of parental controls and just  
1113 researching all of them it takes a lot of time, time that

1114 parents do not have. You can have browserable controls. You  
1115 can have controls at the device level. Some apps and gaming  
1116 systems offer controls within them.

1117 Like I said, it takes time to research these, and it  
1118 takes additional time and effort to try to implement them in  
1119 effective ways.

1120 They also, especially the better ones that do more than  
1121 just allow you to block sites but allow you to, say, filter  
1122 content or see what your kids are doing, cost money, \$10 a  
1123 month, \$100 a year, more money if you have more kids.

1124 This plus the time involved make it very difficult for  
1125 lower-income families, in particular, or families with less  
1126 digital literacy to use these tools effectively.

1127 And then also as you mentioned, concerns about kids  
1128 growing up with surveillance and feeling normalized, and it  
1129 is normal that someone can constantly follow them.  
1130 Traditionally a kid could go into a bedroom, shut their door,  
1131 and have a moment of privacy, but that may not be possible if  
1132 their parent or someone else is constantly monitoring them.

1133 The U.K. has advised that with parental controls,  
1134 companies should make that clear to kids so that they know  
1135 what's going on and have not sort of secret surveillance  
1136 given out.

1137 \*The Chairman. Baseline default protection, is that  
1138 important?

1139 \*Ms. Fox Johnson. Yes.

1140 \*The Chairman. Did you mention that? Go ahead.

1141 \*Ms. Fox Johnson. Baseline protections are super  
1142 important because we know that defaults are super important.  
1143 Lots of people do not take the time to change defaults, and  
1144 companies make it very difficult to change defaults.

1145 If companies had to put kids' best interests at the  
1146 front from designing their products from the get-go, it would  
1147 be less critical for parents to go to the trouble and time  
1148 and money of putting in extra parental controls.

1149 \*The Chairman. All right. Thank you so much.

1150 Thank you, Madam Chair. I yield back, Ms. Schakowsky.

1151 \*Ms. Schakowsky. Thank you.

1152 And I recognize Mrs. Rodgers, the ranking member on the  
1153 full committee, for her 5 minutes.

1154 \*Mrs. Rodgers. Thank you, Madam Chair. Thank you, Mr.  
1155 Chairman, for this hearing today. I think it is very  
1156 important.

1157 I appreciate all of the witnesses being here and sharing  
1158 your insights with us.

1159 You know, during my opening statement I highlighted the  
1160 importance for schools to reopen fully for 5 days a week, for  
1161 students and teachers both to return to the classroom.

1162 Dr. DeAngelis, you raise some startling statistics in  
1163 your testimony, especially regarding the disproportionate

1164 impact on less advantaged children in our country, like those  
1165 with disabilities.

1166 Your testimony states that in 2020, failing grades in  
1167 Arlington Public Schools increased 91 percent since the  
1168 previous year for middle school students with disabilities,  
1169 and 81 percent for high school students with disabilities.

1170 Can you explain what this means for these families and  
1171 these students and what it would mean for them to have school  
1172 in person again?

1173 \*Dr. DeAngelis. Well, thank you so much for the  
1174 question.

1175 It can lead to a ton of long-term negative impacts, in  
1176 addition to the student achievement negative impacts that we  
1177 are seeing.

1178 And I want to say there is a nationwide analysis done by  
1179 McKinsey & Company on two different occasions finding that  
1180 students have already lost months and months of learning, and  
1181 Eric Hanushek, an economist affiliated with Stanford  
1182 University, did a report published by the OECD, estimating  
1183 that this could have a net present value of a negative impact  
1184 around \$17 trillion in the U.S. alone associated with  
1185 reductions in lifetime earnings and other negative impacts to  
1186 GDP.

1187 But then there are other problems that are not  
1188 associated with learning losses, like mental health problems

1189 increasing. I know I think Ranking Member Bilirakis had  
1190 pointed out that suicides had doubled for students in Clark  
1191 County Public Schools, Nevada, since the same time last year.

1192 So there are a ton of costs associated with keeping the  
1193 schools closed. One more district in my area, Fairfax County  
1194 Public Schools, their failure rate increased by 83 percent  
1195 relative to last year for students failing two or more  
1196 classes, and that number was even larger, 111 percent, over a  
1197 doubling in failure for two or more classes for students with  
1198 special needs.

1199 So obviously, reopening the schools would lead to more  
1200 options for individual families to make that choice of  
1201 whether they want to do in-person or remote learning going  
1202 forward and to be able to take the best learning environment  
1203 for their individual children, which would lead to better  
1204 incomes later in life and could lead to lower likelihood of  
1205 criminal activity and better lifetime earnings in the long  
1206 run.

1207 So these are important things that we need to consider.  
1208 There are a lot of costs in keeping schools closed, and at  
1209 first a lot of people were only looking at the cost  
1210 associated with reopening schools. We have got to look at  
1211 both sides of the equation.

1212 \*Mrs. Rodgers. Thank you.

1213 And as a follow-up, the Republican leader on this

1214 subcommittee, Gus Bilirakis, mentioned that some of the  
1215 schools are beginning to open.

1216 Washington State where I come from is still largely  
1217 locked down. Some schools, a small percentage, have opened,  
1218 but I wanted to ask you about the private and parochial  
1219 schools because some of them have opened. More of them have  
1220 opened, and I wanted to ask if you had any data on the trends  
1221 of transmission rates in private and parochial schools.

1222 \*Dr. DeAngelis. Yes. First, I think it is common  
1223 knowledge at this point that private schools have been  
1224 substantially more likely to reopen than traditional public  
1225 schools in the U.S., if you look nationwide or in particular  
1226 counties across the country, as well.

1227 And there are data on COVID case rates in private  
1228 schools collected by Brown University. I think Dr. Emily  
1229 Oster, an economist over at Brown University, has been  
1230 compiling this for months, finding that, one, the case rates  
1231 in the schools are substantially lower than the case rates in  
1232 the community over time.

1233 But then also you can break it down by public versus  
1234 private schools and how many people are in the schools. So  
1235 even with the private schools, with a majority and a vast  
1236 majority of children returning to in-person learning, the  
1237 COVID case positivity rates in those schools had been  
1238 substantially lower than in the overall community, sometimes

1239 as much as a tenth or a twentieth below the overall community  
1240 positivity rate, hovering around .5 percent or less pretty  
1241 consistently over time.

1242 So the private schools have been able to do it and some  
1243 public schools have done a good job at being able to reopen  
1244 in person as well. So it can be done, and you can see that  
1245 with the comparison that I pointed out earlier between  
1246 California and Florida.

1247 Florida spends a lot less, yet they are way more likely  
1248 to be open than California as far as their schools are  
1249 concerned, and Florida tends to have a lot less powerful  
1250 teachers' unions as well.

1251 \*Mrs. Rodgers. You mentioned in your testimony that  
1252 after private and parochial schools open, nearby public  
1253 schools often follow suit. It seems to me that these schools  
1254 were safe enough to reopen from the beginning. Even the  
1255 Director of CDC believes schools could reopen.

1256 So why do you think this is happening?

1257 \*Dr. DeAngelis. It could be another reason why Florida  
1258 is more likely to reopen. They have a lot of school choice  
1259 and competition through even open enrollment with their  
1260 public schools and then private school choice programs. It  
1261 is leading the way on those fronts, which could lead to more  
1262 competition, as that Brown University study found, where  
1263 places with low-cost private schools, the public schools were

1264 more likely to reopen as well.

1265 So I think this has a lot to do with incentives.

1266 \*Mrs. Rodgers. Okay. Thank you, Madam Chair. I yield  
1267 back.

1268 \*Ms. Schakowsky. Thank you.

1269 I am going to go vote. Before I do that, I want to  
1270 yield now for 5 minutes to Bobby Rush, my colleague from  
1271 Illinois, for 5 minutes of questioning, and thank Tony  
1272 Cardenas, the vice chair of this committee, for taking over  
1273 while I am gone.

1274 So thank you to both of you, and you are recognized,  
1275 Bobby.

1276 \*Mr. Rush. Well, thank you, Madam Chair.

1277 And I want to thank all of the witnesses for this superb  
1278 hearing.

1279 Ms. Fox Johnson, in your testimony you discuss how  
1280 children in lower income households and those from racial and  
1281 ethnic minority groups are spending more time in front of a  
1282 screen.

1283 My question to you is given the very positive and  
1284 inspirational request from the Biden administration in that  
1285 the vaccinations will be available to all Americans by the  
1286 end of May, and then it makes us more optimistic about  
1287 schools being able to open no later than the fall.

1288 But in the interim, how do we use online opportunities

1289 to help abrogate or help address the missed condition that a  
1290 lot of our students have fallen so far behind because of the  
1291 closure of schools?

1292 Is there any way that we can pivot from what the current  
1293 situation has been to what the current situation could  
1294 possibly be, given the fact that we will be opening soon?

1295 \*Ms. Fox Johnson. Sure, and thank you, Representative  
1296 Rush.

1297 I mean, the numbers about more students of color and  
1298 more typical and more kids from low-income families spending  
1299 more time on devices comes from before the pandemic, and  
1300 children in lower income households are more likely to also  
1301 use apps that have ad tracking and other sort of COPPA  
1302 violating information collection practices.

1303 I think, as everyone seems to be saying here, it will be  
1304 great when schools reopen. Screen time was a problem before  
1305 the pandemic. It will be a problem after. I think we need  
1306 to create a healthy environment for kids online.

1307 I think Congress can help with this. Companies can help  
1308 with this. They can move away from business models that  
1309 prioritize engagement and sensationalist content, and they  
1310 can move away from behavioral ad targeting that preys on  
1311 kids' particular vulnerabilities.

1312 They can try to promote high quality and educational  
1313 content. I mean, Sesame Street is a media product. That is

1314 a good product for kids. So the Internet companies can  
1315 change their business models and work to push high quality  
1316 content that respects kids and empowers them to grow and  
1317 learn.

1318 \*Mr. Rush. Dr. Ameenuddin, in your testimony you stated  
1319 that youth of color can cause additional challenges for  
1320 digital media and face various assessments of beneficial  
1321 estimates of technology. And this is something that is  
1322 becoming more evident over the past year and something I have  
1323 witnessed here in my own district in Chicago.

1324 Can you please talk about the challenges the youth of  
1325 color face and what, if anything, can Congress do to help  
1326 alleviate these obstacles?

1327 \*Dr. Ameenuddin. Yes. Thank you so much,  
1328 Representative Rush, for that question.

1329 Digital inequity and the digital divide have been a  
1330 concern of ours for a very long time. Those of us who are  
1331 pediatricians were interested in this issue and really are  
1332 seeing why it has become such a problem.

1333 Part of the reason why youth of color are so vulnerable  
1334 to this is that there is targeted advertising towards them  
1335 for unhealthy products, and you know, as we are still  
1336 learning during the pandemic and I anticipate a whole slew of  
1337 research that will come out as a result of this, I can also  
1338 look historically back at how in lower income neighborhoods

1339 or neighborhoods with large minority populations alcohol and  
1340 tobacco billboards were often much more prevalent there.

1341 Like a child walking to school in the neighborhood would  
1342 pass several of these billboards, and again, that is  
1343 historical. But we have also seen that in terms of digital  
1344 marketing, whether it is for unhealthy foods or for tobacco,  
1345 alcohol, or even marijuana advertising, all of which the  
1346 American Academy of Pediatrics opposes being targeted towards  
1347 children, which I am happy to recommend our previous policy  
1348 statements on that.

1349 In addition to that, we have to look at the built  
1350 environment around children and what is safe. It is not safe  
1351 to play outside if there are not green spaces. Children are  
1352 by circumstance, you know, going to spend more time indoors  
1353 on a screen.

1354 Thank you.

1355 \*Mr. Rush. Thank you. I yield back.

1356 \*Mr. Cardenas. [Presiding.] The gentleman yields back.

1357 The chair now recognizes Member Bob Latta for 5 minutes.

1358 \*Mr. Latta. I thank my friend for recognizing me and  
1359 also for the chair for holding today's hearing examining how  
1360 to protect children in the digital age.

1361 That issue has become amplified by the COVID-19  
1362 pandemic. In my home State of Ohio, the Department of  
1363 Education is reporting significant areas of learning lag.

1364 Its reporting shows the decrease in third grade proficiency  
1365 was clear among students learning in districts that used a  
1366 fully remote education model as their primary education model  
1367 in the fall of 2020.

1368 In fully remote districts, third grade proficient rates  
1369 decreased by approximately 12 percentage points compared to  
1370 decreases of approximately eight percentage points in  
1371 districts primarily using a 5-day in-person model, and nine  
1372 percentage points in districts primarily using a hybrid  
1373 model.

1374 Students are clearly suffering across our country  
1375 without in-person learning. Where schools are open, children  
1376 are proving to be very resilient. However, they are much  
1377 less resilient to the impacts of remote or distance learning.

1378 And, Dr. DeAngelis, thank you for your testimony and the  
1379 wealth of data explaining schools are safe to reopen. As you  
1380 also know, many children are struggling with distance  
1381 learning for a variety of reasons, including lack of social  
1382 engagement, difficulty concentrating, and Zoom fatigue.

1383 My colleagues in the majority recently provided over \$7  
1384 billion to fund remote learning, which makes us more reliant  
1385 on these small screens.

1386 Now if we are serious about connecting those without  
1387 broadband, we should have devoted that money toward  
1388 improvement of broadband infrastructure and reform our

1389 permitting laws to deliver connectivity to these unserved  
1390 Americans.

1391 Even before COVID, we knew students without connectivity  
1392 do not have the same chance of success and can be left  
1393 behind.

1394 Dr. DeAngelis, have you seen distinctions on how  
1395 broadband can be an important bridge for learning?

1396 \*Dr. DeAngelis. Yeah, absolutely, and thank you so much  
1397 for the question.

1398 And one thing I might add is that additional funding for  
1399 remote learning could disincentivize schools from reopening  
1400 for in-person instruction if they get more funding with  
1401 remote services.

1402 But one way to access more broadband within communities  
1403 is to reallocate the funding from institutions to individual  
1404 students. There are at least 28 State legislators that have  
1405 introduced legislation to fund students as opposed to systems  
1406 in the form mostly of something called an education savings  
1407 or education scholarship account, which would take a portion  
1408 of the money that would have gone to the traditional public  
1409 school that students are residentially assigned to, and if  
1410 they like the remote learning that is going on in the public  
1411 school, they can still do that and keep that option on the  
1412 table.

1413 But they would be able to take some of that funding to

1414 go to an in-person private school or a pandemic pod or a  
1415 micro school or other types of learning scenarios.

1416           And with education savings accounts, it is possible to  
1417 have State legislatures or even the Federal Government  
1418 approve the funding to be used to access connectivity and  
1419 broadband as well. It could be used for any approved,  
1420 government-approved, education-related expenditure.

1421           I think this could, in theory, fall into that bucket.

1422           \*Mr. Latta. Let me ask. Let me follow up. How can  
1423 schools become responsible stewards of making education more  
1424 accessible via broadband without that becoming a crutch then?

1425           \*Dr. DeAngelis. One way to do it is to incentivize the  
1426 schools to reallocate the existing resources, particularly  
1427 because my latest study at Social Science Research Network  
1428 with MIT's Dr. McCredie finds that resources have not been  
1429 statistically related to reopening in person even after you  
1430 control for things like household income, the age and race  
1431 distributions, and COVID risk in the area.

1432           Meanwhile we did not find significant relationships  
1433 between COVID risk and reopening schools in person.

1434           We also tended to find that political partisanship was a  
1435 strong predictor, along with a few other studies have found  
1436 this as well, of reopening in person.

1437           \*Mr. Latta. If I can just follow up again with another  
1438 questions, you know, in my district the majority of our

1439 schools are open for a 5-day learning week, and I know that  
1440 that is not the norm nationally.

1441 In your paper are school reopening decisions related to  
1442 funding. You examine the impact of per student expenditures  
1443 on if schools are open for in-person learning or not.

1444 Does the level of funding per student have an impact on  
1445 the reopening decisions during the COVID pandemic?

1446 \*Dr. DeAngelis. We do not find any evidence, and this  
1447 is the only existing study on this topic that is done  
1448 nationwide. We do not find any evidence that is  
1449 statistically significant between the funding, whether it is  
1450 measured by revenues per person or expenditures per pupil,  
1451 even after controlling for a ton of different characteristics  
1452 in the area. No relationships between funding and being more  
1453 likely to reopen.

1454 If anything, we find that in some cases the remote  
1455 districts actually were financially better off than their in-  
1456 person counterparts, and a Georgetown University study  
1457 similarly found recently that remote districts were more  
1458 likely to have surpluses.

1459 In Los Angeles, they had about a half a billion-dollar  
1460 surplus estimated for this school year.

1461 \*Mr. Latta. Well, thank you very much.

1462 My time has expired, and I yield back.

1463 \*Mr. Cardenas. The gentleman yields back.

1464           The gentlewoman from Florida, Cathy Castor, is now  
1465 recognized for 5 minutes.

1466           \*Ms. Castor. Well, I thank my friend, the vice chair,  
1467 for recognizing me.

1468           And another big thank you to Chair Schakowsky for  
1469 calling this very important hearing on protecting kids  
1470 online.

1471           Ms. Fox Johnson and Dr. Ameenuddin, your testimony  
1472 really lays out the harmful effect on children caused by  
1473 predatory data collection and exposure to inappropriate  
1474 commercial content.

1475           Last Congress I introduced two bills, the Kids' Privacy  
1476 Act and the KIDS Act. The KIDS Act -- thank you to my  
1477 colleague, Yvette Clarke and to Congresswoman Wexton from  
1478 Virginia for joining me in that effort. They both address  
1479 the harms caused by these kinds of activities online by the  
1480 big tech platforms.

1481           And our bill proposed to update COPPA and put new  
1482 safeguards in place to protect kids when they are online.

1483           So just to go over a few of the things that are  
1484 contained in the bills, expanding protections to young  
1485 consumers age 13 to 17; requiring opt-in consent for all  
1486 individuals under 18; banning companies from providing  
1487 targeted advertising to kids; increasing the FTC penalty  
1488 authority; repealing provisions that allow industry self-

1489 regulation; and changing the knowledge standard from actual  
1490 to constructive, among a variety of other provisions that  
1491 really help empower parents and protect kids.

1492         So, Ms. Fox Johnson, do you agree with those updates to  
1493 COPPA to protect kids online?

1494         And focus in. Are there any that are more important  
1495 than others or are they important as a package?

1496         \*Ms. Fox Johnson. I thank you for the question and  
1497 thank you for your leadership on this issue.

1498         We wholeheartedly agree that these updates are critical  
1499 to COPPA and think that they are critical as a package. For  
1500 us, some of the most important ones are extending protections  
1501 to teenagers who, as you have heard, have their own set of  
1502 risks and vulnerabilities.

1503         Ensuring that sites cannot pretend like they do not have  
1504 kids. TikTok and YouTube pretending like they did not have  
1505 children on their site for years, even though they had  
1506 nursery rhyme videos in the case of YouTube or clearly had  
1507 small tweens and preteens in the case of TikTok.

1508         We also think it is critically important that  
1509 enforcement gets enhanced. COPPA has been around for over 20  
1510 years, and the FTC has brought about 30 cases. So we do not  
1511 think that enforcement is sufficient right now.

1512         We also think it is critical that certain practices just  
1513 be flat out off limits. Behavioral targeting to young kids

1514 is unfair, and it should not be allowed no matter what kind  
1515 of, you know, consent is allegedly given.

1516 Thank you.

1517 \*Ms. Castor. Dr. Ameenuddin, what do you think?

1518 \*Dr. Ameenuddin. Well, thank you, Representative  
1519 Castor, for being a champion for this issue.

1520 Some of the elements that you mentioned are actually  
1521 laid out in our most recent digital advertising policy  
1522 statement, which came out in June of last year from the  
1523 American Academy of Pediatrics.

1524 I would love to look over some more legislation to see  
1525 where else we are on the same page.

1526 So thank you so much for that.

1527 \*Ms. Castor. And then, Ms. Fox Johnson, the KIDS Act  
1528 prohibits companies from using design features like auto play  
1529 and push alerts or any feature that unfairly encourages a  
1530 child to spend more time engaging with the platform.

1531 The bill also prohibits platforms from amplifying  
1532 harmful content to children.

1533 Are we on the right track here?

1534 \*Ms. Fox Johnson. Once again, a wholehearted yes. Kids  
1535 get hooked onto auto play until spending too much time and  
1536 watching inappropriate content that is pushed on them. They  
1537 get addicted to the dings and badges that they receive.

1538 I mean, there is a reason that we give stickers to

1539 children when we want to train them to learn to use the  
1540 bathroom. This is how they respond to awards, and this is  
1541 what tech companies are doing to them now.

1542       \*Ms. Castor. You know, one way I have thought about it  
1543 and shared it with parents is that if there was a person  
1544 outside your child's window at home or following them to  
1545 school, you would call the police. You would not put up with  
1546 this.

1547       So it should not be any different for our online  
1548 platforms that just have enormous amounts of influence, and  
1549 they are profiting off it. So I am really hopeful.

1550       And, again, I want to give a big thank you to Chair  
1551 Schakowsky for directing the committee's attention to this  
1552 very important issue.

1553       And then I just add at the end everyone wants kids back  
1554 in school, and thank goodness President Biden has said all  
1555 teachers, everyone that works in the school, should be  
1556 vaccinated, and we passed the American Rescue Plan yesterday  
1557 to provide the resources for schools and students across the  
1558 country to operate safely and improve student achievement.

1559       So I think we are all on the same page there, too.

1560       Thanks, and I yield back.

1561       \*Mr. Cardenas. The gentlewoman yields back.

1562       It is my understanding that Chair Schakowsky is back.

1563       Okay. The gentlewoman yields back, and the next person

1564 who will be recognized for 5 minutes is Member Guthrie.

1565       \*Mr. Guthrie. Thank you, thank you, Mr. Cardenas. I  
1566 appreciate that very much.

1567       Thanks for having this hearing today. Thanks, Chair  
1568 Schakowsky and Ranking Member Bilirakis.

1569       You know, since the COVID-19 pandemic began nearly a  
1570 year ago or a year ago, kids have been experiencing extended  
1571 periods of virtual schooling away from their teachers and  
1572 their friends.

1573       As a result of this increased time, longstanding  
1574 concerns around digital technology have been brought to the  
1575 forefront. We continually hear about the need for students  
1576 to be physically in the classroom, learning in a positive,  
1577 cognitive, health benefits it brings to a student.

1578       I just want to point out the schools in my hometown.  
1579 There are two school systems in my home county. One country  
1580 school is in Bolling Green. Independent schools have been  
1581 meeting in person to some degree, not everybody at the same  
1582 time, since August 24th, the first day of school that was on  
1583 the books.

1584       Most schools in Kentucky spent the summer preparing to  
1585 allow kids to come safely. When it came time to start  
1586 schools, the governor recommended schools not start, and my  
1587 two superintendents said, "We prepared. We have been working  
1588 at it. We have got things in place.'"

1589           So they went forward, much to a lot of criticism from  
1590 the governor and a lot of people. But I can tell you if  
1591 anybody wants to see an example of schools meeting and kids  
1592 in session, right -- not every kid every day; I am not saying  
1593 that -- but some form of in-person learning since August  
1594 24th, prior to there being a vaccine, without any evidence of  
1595 any student-to-student spread, then they can come to Bolling  
1596 Green and see how it can be done because they have been  
1597 successful with it.

1598           And we still have districts in Kentucky that have not  
1599 met one day in a public setting, when one just a few miles  
1600 down the road has met since August 24.

1601           So it is kind of without incident. It is not like,  
1602 well, we are not going to meet because they have had  
1603 incidents. They are certainly a great example of schools  
1604 being open.

1605           But I would start out with some questions for Dr.  
1606 Ameenuddin. You mentioned in your testimony how digital  
1607 media can negatively impact a child's health and development.  
1608 In your practice, how do you help parents or legal guardians  
1609 find the balance for their children between screen time and  
1610 physical activity, especially since so many kids are learning  
1611 online?

1612           \*Dr. Ameenuddin. Thank you, Representative Guthrie, for  
1613 that question.

1614 I have to admit, you know, it is an ongoing challenge.  
1615 Every family is a little bit different. I advise them. I  
1616 try to be a coach for them about finding balance, finding  
1617 moderation.

1618 You know, I also tell parents to give themselves a  
1619 break. It is just there is unprecedented stress on everyone  
1620 right now. Parents are being pulled in multiple different  
1621 directions, and the last thing that we want to do is create  
1622 more difficulty, more stress and tension in the home.

1623 So what I have been advising families to do is really  
1624 not that different from before the pandemic, but maybe with a  
1625 few caveats, is to really prioritize mental health and  
1626 physical health.

1627 And you know, way back when, when we just had TVs to  
1628 worry about, we would recommend no more than 2 hours of  
1629 entertainment or recreational screen time a day. That is not  
1630 a hard and fast rule, but it does help to have some rules.  
1631 It does help to have some guidelines and guardrails up.

1632 But I also tell parents not to be so hard on themselves  
1633 or their kids because some days might just be very digital  
1634 and screen time heavy days, but that is okay. You can work  
1635 on making the next day a little bit more balanced towards  
1636 physical activity, towards, you know, in person interaction  
1637 with other family members to keep things safe.

1638 So really, I am telling parents to give themselves a

1639 break, but to just practice moderation on a wider scale long  
1640 term.

1641 \*Mr. Guthrie. Well, thanks.

1642 And, Dr. Ameenuddin, have you come across research or  
1643 data that show reopening schools directly correlates to  
1644 substantial increases in overall COVID-19 transmissions or  
1645 hospitalizations from child to child or child to adults  
1646 spread?

1647 \*Dr. Ameenuddin. So that is an important question. It  
1648 is not my area of expertise, but I would recommend reading  
1649 the AAP guidance on school reopening because I think that  
1650 lays it out very nicely.

1651 \*Mr. Guthrie. Okay. So the schools could reopen safely  
1652 if you follow the guidance, correct?

1653 That is what we did in Bolling Green, and we did it  
1654 until last August. So I just want to point that out.

1655 Can I also ask questions to Mr. DeAngelis?

1656 In your testimony, you state that a Gallup poll found 86  
1657 percent of parents said that students being separated from  
1658 classmates and teachers was a challenge for their children.

1659 From your research, have any studies that indicate that  
1660 virtual learning is more suited for kids than in-person  
1661 learning?

1662 And you have about 30 seconds to answer.

1663 \*Dr. DeAngelis. In general, the research suggests that

1664 in-person learning is better, on average, than virtual  
1665 learning. So I don't want to say that virtual learning can  
1666 never work. It can work in certain situations.

1667         And it is most likely to work in the best way possible  
1668 when families voluntarily select into that situation, and  
1669 they can make those cost-benefit decisions themselves.

1670         But on average, we are seeing that there is a lot of  
1671 harm going on as a result of the forced version of remote  
1672 learning that we are seeing across the country.

1673         \*Mr. Guthrie. Thank you.

1674         Thank you for that time, Madam Chair. I yield back.

1675         \*Ms. Schakowsky. [Presiding.] I thank the gentleman  
1676 for yielding back.

1677         And I now want to call on Congresswoman Trajan for her 5  
1678 minutes of questioning.

1679         \*Mrs. Trahan. Thank you, Madam Chair.

1680         So children's time spent with screens has increased  
1681 dramatically during the pandemic. I know this because I have  
1682 five kids. My two young girls are six and ten years old, and  
1683 they have essentially grown up with electronic devices, but  
1684 nothing like we have been this past year.

1685         Can I be clear? It is not because they are home from  
1686 school as much as it is the go-to during the down time, in  
1687 the absence of play dates and indoor extracurricular  
1688 activities.

1689           And we do know that the more time children spend on  
1690 screens, the more they are pulled away from engagement with  
1691 me, parents, siblings, and critical activity.

1692           Ms. Fox Johnson, big techs employ mental health experts  
1693 to use persuasive design techniques aimed to increase  
1694 engagement. We know this, particularly in apps funded by  
1695 advertising revenue.

1696           Can you explain the way companies leverage their  
1697 understanding of our children's cognitive developments to  
1698 keep children on their platform or in their app or network of  
1699 apps and why that is so harmful?

1700           \*Ms. Fox Johnson. Sure, and thank you. I would be  
1701 happy to answer that question.

1702           So as you said, companies employ all kinds of experts  
1703 who know how to get to kids and to keep them hooked. They  
1704 use a variety of different features. One of them is the sort  
1705 of never-ending scroll feature.

1706           Instagram found that when they short of put in a natural  
1707 pause or an end spot, people were spending less time on their  
1708 product, and so they then decided to move that decision back  
1709 and put in more content so kids just get a constant stream of  
1710 new information.

1711           Another feature that is really problematic for kids is  
1712 seeing how many likes their own photos get or how much  
1713 engagement from their friends. Teenagers particularly are

1714 social creatures. They are looking for validation, and this  
1715 is a way to have how many people like them and how many  
1716 people like their friends numerically listed, publicly for  
1717 everyone.

1718 Another way that social media companies keep the kids  
1719 engaged is through auto play. They cannot step away because  
1720 the next video is already starting, and as has been mentioned  
1721 here, that video is tailor made often to appeal to them.

1722 So there are a variety of ways that social media  
1723 companies right now are using their design tactics to keep  
1724 kids hooked.

1725 \*Mrs. Trahan. Thank you.

1726 And I have seen it up close in my own home. I have seen  
1727 my assistants.

1728 Dr. Ameenuddin, in your testimony, you highlight that  
1729 increasingly exposure, especially ad-based, is correlated  
1730 with poor eating habits and loss of sleep, and the American  
1731 Academy of Pediatrics recommends that parents of children  
1732 ages six and older place consistent limits on the time spent  
1733 using media, specifically lower quality media.

1734 I have that right; is that correct?

1735 \*Dr. Ameenuddin. Yes. Yes, absolutely. Of course --  
1736 sorry. Go ahead.

1737 \*Mrs. Trahan. Just what I am hearing today is that even  
1738 parents who are trying to do the right thing, trying to keep

1739 their children healthy by limiting certain types of digital  
1740 media using every tactic they have to deploy, they are coming  
1741 face to face with products that have been designed to keep  
1742 our children on their apps longer, an end goal that is  
1743 counter to the recommendations of our pediatricians.

1744         Ms. Fox Johnson, if products can be engineered to keep  
1745 users endlessly engaged, I imagine that these same products  
1746 could be designed to encourage healthy behaviors as well.  
1747 What policy changes would incentivize, would lead to that  
1748 shift?

1749         \*Ms. Fox Johnson. Definitely products can be engaged  
1750 right now to be healthier, but since we do not see companies  
1751 doing that on their own, we would really like Congress to act  
1752 and help them along.

1753         In the United Kingdom, the age-appropriate design code  
1754 requires that companies build the best interest of children  
1755 into their products from the ground up with their design.  
1756 You are not supposed to use nudges in ways that harm  
1757 children. You are not supposed to use their information in  
1758 targeted ads or in other detrimental ways.

1759         Help kids give ways so they can set their own limits.  
1760 Give them visual cues to stop. Do not use their information  
1761 to keep them hooked.

1762         These are things companies can do.

1763         \*Mrs. Trahan. Well, I appreciate that. You know, I am

1764 not going to have time for my next set of questions which is  
1765 not introduce them to Facebook Messenger Kids, which is going  
1766 to get them hooked and using Facebook at an age earlier than  
1767 they need to be.

1768           So look. Parenting is hard. Parenting during a  
1769 pandemic is immensely hard. I can only hope that this last  
1770 year and this hearing today highlights the need for Congress  
1771 to address urgently the ad-based business incentives that are  
1772 pervasive in our economy.

1773           I thank you all for your testimony and your deep  
1774 knowledge.

1775           And I yield back.

1776           \*Ms. Schakowsky. I thank the gentlewoman.

1777           I had no idea when you talk about parenting that you  
1778 have five children. So I learned something, something new  
1779 today.

1780           Congressman Bucshon, you have 5 minutes for your  
1781 questions.

1782           \*Mr. Bucshon. Thank you, Madam Chairwoman.

1783           And I am a parent of four children. Three of them are  
1784 grown, but I still have a high school junior, and so I can  
1785 tell you that even with strong parenting, which I think my  
1786 wife and I have done over the years to help our children deal  
1787 with the online onslaught of information, that even with that  
1788 it is a challenge, and I do think Congress needs to address

1789 some of these issues as have been outlined today.

1790       You know, but after a year's shutdown and remote  
1791 learning and the hardships that have arisen from COVID  
1792 pandemic, we have learned that there are some real costs to  
1793 being in distance learning all year, physical and mental,  
1794 health costs.

1795       And as I mentioned, I am the father of a high school  
1796 junior. She is a great student. It is not affecting her  
1797 much. We do not have to prod her to make her classes, but I  
1798 can tell you that across my district when I talk to  
1799 educators, some students, you know, when they do enroll,  
1800 never get online or only sporadically do and are not really  
1801 technologically present during the instruction.

1802       In addition, there is access to broadband issues,  
1803 particularly I can tell you in my area, affecting rural  
1804 America in the same way that it affects urban America.

1805       If you look at a map of the United States and look at  
1806 the percentage of students that do not have access to  
1807 consistent Internet, it is shocking, honestly.

1808       So we need to open our schools in person with the best  
1809 available data, protecting our students and our teachers and  
1810 employees. But we need to do this, again, based on the  
1811 science that is out there and the guidance that is there  
1812 rather than relying on politics.

1813       So, Mr. DeAngelis, in-school learning afforded children

1814 access to physical fitness activities that are often not  
1815 available for millions of students at home. This is  
1816 something we forget about because my daughter is on a crew  
1817 team, and they have not been on the water now in almost a  
1818 year. They are at home on rowing machines, if they have one.

1819 So that could be gym class, extracurricular clubs,  
1820 activities in sports. What are some of the barriers that you  
1821 expect in getting these programs and activities back up and  
1822 running once in-person learning resumes?

1823 And what can Congress do to make sure those efforts go  
1824 as smoothly as possible?

1825 \*Dr. DeAngelis. Yes, this is just another unintended  
1826 consequence of keeping schools closed. We all kind of  
1827 anticipated the learning loss, but then we started to see job  
1828 market impacts, disproportionately impacting women. We have  
1829 seen mental health issues on the rise, and then now we are  
1830 seeing also physical problems and increases in obesity  
1831 probably related to the decrease in sports activity.

1832 So one way to incentivize the schools reopen in person  
1833 is to not pass stimulus bills that are not contingent upon  
1834 reopening schools in person and given that all teachers are  
1835 vaccinated, which I think that water is already under the  
1836 bridge.

1837 But another way to incentivize the reopening of schools,  
1838 and there are a couple of bills in Congress floating around

1839 right now. I think one was introduced yesterday that would  
1840 reallocate nearly all Federal education dollars from  
1841 institutions to individuals which would provide strong  
1842 incentives for the public schools to reopen their doors in  
1843 person, as has been found in the Brown University study  
1844 finding that competition was generally related to a higher  
1845 likelihood of reopening the schools in person.

1846 I just want to point out something that you pointed out,  
1847 which was a great point, that there are a lot of inequities  
1848 that are a result of this because a lot of the families that  
1849 are the most advantaged do have choices at the moment. They  
1850 can afford to pay for private school tuition and fees out of  
1851 pocket. They can afford to move to a school district that is  
1852 offering in-person instruction. They can afford to pay for a  
1853 tutor at home. They can afford to pay for the best remote  
1854 learning services.

1855 So we are really having a conversation about what kind  
1856 of access will the least advantaged have when it comes to  
1857 educational services because this whole debate has really not  
1858 affected the most advantaged in society. So it is leading to  
1859 inequities, and I am glad you pointed that out.

1860 \*Mr. Bucshon. Yes. I mean, you know, as we are having  
1861 a hearing on the dangers of and the online activities our  
1862 children are exposed to, you know, we are still having a  
1863 tremendous number of students who had no choice. They have

1864 to be online.

1865           And I can tell you even with my daughter, like I said,  
1866 who is a good student, we still have to set 10 minutes an  
1867 hour no social media because while she is on her computer,  
1868 she also has her phone.

1869           And so we need to get kinds back into a better  
1870 environment, and you know, I think that can be done. The  
1871 American Academy of Pediatrics has put out some guidelines,  
1872 as has been mentioned.

1873           In my district in Southwest Indiana and West Central  
1874 Indiana, schools have mostly been open since last fall with  
1875 proper guidelines in place.

1876           And have there been some COVID cases? A few, but  
1877 overall consistent with what is happening around the country  
1878 and not that many.

1879           So, Madam Chairwoman, I cannot see the time clock. So  
1880 please remind me if my time is up because I am on my phone.

1881           \*Ms. Schakowsky. Your time is up.

1882           \*Mr. Bucshon. Okay. Then I yield back.

1883           \*Ms. Schakowsky. Okay.

1884           \*Mr. Bucshon. Thank you very much.

1885           \*Ms. Schakowsky. Thank you.

1886           Mr. McNerney, you are next. You are recognized now for  
1887 5 minutes for your questions.

1888           \*Mr. McNerney. Well, I thank the chairwoman for holding

1889 this hearing.

1890 It is an important issue that tech companies have this  
1891 hold on our children, and we need to explore that, whether  
1892 there is pandemic or not. I am very concerned about the  
1893 techniques being used by some tech companies that result in  
1894 addictive behaviors in children.

1895 Some of this seems like the addictive techniques used in  
1896 gambling. For example, many video games and apps have  
1897 children use real money to purchase in-game rewards on so-  
1898 called "loot boxes," and the tech companies often do this in  
1899 manipulative ways.

1900 So according to a recent survey in the U.K., one in six  
1901 children in Britain have stolen money from their parents to  
1902 play for video game loot boxes. I would not be surprised to  
1903 see similar statistics like that in the United States.

1904 This is a worrisome sign of what effects these features  
1905 are having on children.

1906 Dr. Ameenuddin, can you explain how gambling-like games  
1907 are harmful for children?

1908 \*Dr. Ameenuddin. Sure. Thank you very much,  
1909 Representative McNerney.

1910 Anything that would encourage kids to stay engaged and,  
1911 you know, could lead to addictive tendencies is a concern for  
1912 children's health and mental health.

1913 These in-app purchases are another thing that we as

1914 pediatricians believe should be banned, particularly since it  
1915 is something that is really outside a child's level of  
1916 ability to resist, and it is very concerning that children in  
1917 the U.K. were actually stealing their parents' money or using  
1918 things without permission.

1919           That sort of persuasive design is really dangerous. It  
1920 is bad for mental health. It is bad for physical health, and  
1921 we strongly stand against that, but because that really is  
1922 targeting a very vulnerable section of our society.

1923           \*Mr. McNerney. Well, do you believe that these loot  
1924 boxes will set up children for addiction to gambling later in  
1925 life?

1926           \*Dr. Ameenuddin. So addiction is a very complex issue.  
1927 It is multifactorial, and it is difficult to say with  
1928 certainty and with a good evidence base that this would set  
1929 them up for an addiction.

1930           But it is certainly not good for them. I think we would  
1931 prefer to call it problematic Internet use, and you know, as  
1932 we look at the DSM-5 manual, the manual of psychiatric  
1933 issues, they have mentioned, you know, the concern of  
1934 Internet gaming disorder, but have not officially laid a  
1935 diagnosis to it.

1936           So just to be clear and precise, I would hesitate to use  
1937 the actual word "addiction."

1938           \*Mr. McNerney. Well, thank you.

1939           Moving on, the industry's response to concerns about  
1940 these loot boxes require disclosure in app stores around  
1941 video games, that a particular game contains an in-app  
1942 purchase.

1943           Ms. Fox Johnson, how effective is disclosure in these  
1944 cases, especially with regard to apps and games intended for  
1945 children?

1946           \*Ms. Fox Johnson. Thank you for that question,  
1947 Representative McNerney.

1948           In general, we think disclosures are not that effective.  
1949 I mean, it is important to put them at the point of purchase,  
1950 but often these kids cannot read. So they do not know what  
1951 in-app purchase means, and then within the game, there can  
1952 often not be disclosures.

1953           The purchases themselves, sometimes it is not clear to  
1954 kids that they are even using real money because things are  
1955 referred to as, you know, buy gems or sparkle wands. So we  
1956 do not think that kids and their parents know that they are  
1957 spending money.

1958           And I think that is clear from the fact that, you know,  
1959 millions of dollars of money have had to be refunded to  
1960 consumers when the Federal Trade Commission brought cases  
1961 against some of these platforms like Apple and Google and  
1962 Amazon for sort of bilking kids and their parents out of  
1963 money.

1964           \*Mr. McNerney. Well, I am going to talk a little about  
1965 artificial intelligence at this point. AI and machine  
1966 learning are used in targeting behavioral advertising and  
1967 persuasive design tactics that we are seeing today and  
1968 discussing today.

1969           This practice is everywhere. Compared to adults,  
1970 children and teens are more trusting of privacy invasive  
1971 technology like GPS tracking, and I think that poses a major  
1972 risk for children divulging sensitive information.

1973           Ms. Fox Johnson, how do platform developers use AI and  
1974 machine learning in their user interfaces to better target  
1975 children and monetize their data?

1976           \*Ms. Fox Johnson. As you said, Representative McNerney,  
1977 they are tracking them everywhere. The kids do not realize  
1978 that their location is being shared because they think they  
1979 have not actively put it in. They do not realize that the  
1980 conversation they had with their smart toy is not staying in  
1981 their toy, but it is going into a data ecosystem.

1982           And companies use all of this information to figure out  
1983 precisely what that kid might want to buy or might want to do  
1984 next and use it to create commercial profiles of kids at very  
1985 young ages.

1986           \*Mr. McNerney. Yes. Well, I agree. Thank you.

1987           I am going to run out of time. So I yield back, Madam  
1988 Chair.

1989           \*Ms. Schakowsky. Thank you.

1990           And now, Mr. Pence, it is your turn for 5 minutes.

1991           \*Mr. Pence. Thank you, Chair Schakowsky and Ranking  
1992 Member Bilirakis, for holding this hearing.

1993           And thank you to the witnesses for appearing before us  
1994 today.

1995           This pandemic has impacted us all. It has been  
1996 particularly troublesome for our youth, as the witnesses  
1997 talked about today.

1998           Students learning remotely are missing out on higher  
1999 quality instruction from the in-person attention during  
2000 formative years of their development. I am concerned that  
2001 those lost opportunities will lead to damaging learning gaps  
2002 setting back an entire generation.

2003           Instead of having exposure to social connections with  
2004 their peers at school, students in virtual settings across  
2005 the country are often isolated, spending more time on the  
2006 Internet and away from their friends.

2007           Comparatively, in my State, Indiana, Hoosiers underwent  
2008 local community-led efforts last summer to keep our kids in  
2009 school. Together with parents, administrators, and local  
2010 health officials, schools in my district developed  
2011 comprehensive strategies to ensure students and teachers  
2012 could safely return to the classroom, which they did. And  
2013 that is exactly what they did.

2014           Every one of the counties in my district have schools  
2015 that have returned to the classroom with notable success.  
2016 Having students in person provides structure and stability  
2017 that is so important for the mental and emotional wellbeing  
2018 of children.

2019           Beyond the attention received in the classroom, clubs,  
2020 sports, teams and other student organizations provide an  
2021 invaluable collected learning environment that cannot be  
2022 replicated from a Zoom connection, like leadership skills and  
2023 social skills.

2024           Recently I had the opportunity to meet with bright,  
2025 young students at St. Nicholas Catholic School and Batesville  
2026 High School, a public school. Both schools are prime  
2027 examples of how local stakeholders are best positioned to  
2028 develop school safety strategies that fit the unique  
2029 educational needs of their community.

2030           From my discussions with these students, their teachers,  
2031 and administrators, one thing remained clear. Students feel  
2032 more purpose when they are in school and involved in person.

2033           I share the concerns of my colleagues that the increased  
2034 online presence of children can be detrimental to their  
2035 health and safety. Shifting children away from in-person  
2036 learning and towards a digital life has surely sentenced them  
2037 to more time for predators to prowl, which is another  
2038 argument for in-school learning.

2039           Dr. DeAngelis, I am afraid of a scenario of dueling  
2040 outcomes for students that participate virtually versus  
2041 students that participate in person. In your testimony you  
2042 mention substantial achievement gaps between these two  
2043 groups, specifically leading to increased dropout rates and  
2044 impacts on their future earnings.

2045           Can you please expand on what this will mean for our  
2046 future generation of, in particular, community leaders that  
2047 are losing this sports and social interaction?

2048           \*Dr. DeAngelis. Yes. I would first like to point out  
2049 that, look, this is leading to inequities. So this is  
2050 hitting the least advantaged in the community the hardest,  
2051 particularly because the most advantaged have access to in-  
2052 person alternatives or good versions of remote virtual  
2053 learning at home or even have more ability to cover the cost  
2054 associated with home-based education.

2055           But to your point, McKenzie & Company in a nationwide  
2056 analysis in 2020 on two separate occasions found that they  
2057 estimated that achievement gaps would increase, and  
2058 achievement gaps are already a horrible thing in the United  
2059 States that we need to remedy.

2060           But the gaps by race they estimate to increase by 15 to  
2061 20 percent, and they estimate dropout rates to increase by  
2062 two to nine percentage points, translating to about 232,000  
2063 to 1.1 million additional ninth to eleventh graders dropping

2064 out of high school, which could translate to about 60 to  
2065 \$80,000 reduction in lifetime earnings, which is a huge  
2066 problem, obviously.

2067           And there is a lot of evidence this is just one source  
2068 from McKenzie & Company finding these exacerbated inequities  
2069 from keeping the schools closed.

2070           So the best option is to give families options, allow  
2071 them to choose the in-person or hybrid learning setting of  
2072 their choice or, even better, allocate the money to the  
2073 families so that more families can access other in-person  
2074 alternatives.

2075           \*Mr. Pence. Which in Indiana we have school choice.  
2076 Thank you. Madam Chair, I yield back.

2077           \*Ms. Schakowsky. The gentleman yields back.

2078           And now I call on Mr. Cardenas for 5 minutes for  
2079 questions.

2080           \*Mr. Cardenas. Thank you very much, Madam Chairwoman.  
2081 I appreciate the honor of being the sit-in chair for just a  
2082 little bit. It is a bit addicting, but I relinquished it.

2083           Okay. Thank you so much. Appreciate your bringing this  
2084 committee together on this issue, Madam Chairwoman Schakowsky  
2085 and also Ranking Member Bilirakis.

2086           I appreciate this opportunity for us to hear from many  
2087 different perspectives about what our families and children  
2088 are going through, but more importantly, being able to

2089 dialogue and discuss maybe what some of the solutions are so  
2090 we can have a better environment, better world so that our  
2091 children are less negatively affected by all of this.

2092 I am a father and, more importantly, a proud  
2093 grandfather, two grandchildren, ages two and four, and, yes,  
2094 they are on devices already, and we need to protect every  
2095 child as much as possible.

2096 And, of course, the responsibility of the individual  
2097 family raising those children is paramount, but at the same  
2098 time, I think it is important that government understands  
2099 that we do have a responsibility of making sure that the  
2100 guidelines and the lanes in which these incredibly prolific  
2101 and lucrative businesses are in our homes and in the eyeballs  
2102 and the minds and hearts of our families and our children.

2103 And also, I would say that it is unfortunate that we  
2104 speak of who is negatively affected the most or who in  
2105 America might not be as prepared as others to protect  
2106 themselves and protect their children from the potential  
2107 negative effects and harmful effects of what could be going  
2108 on, but let me tell you this. I think it is important that  
2109 everybody understand that these negative effects, they do not  
2110 see color. They do not see race. They do not see gender. A  
2111 child is a child is a child.

2112 And I believe that because about 60 percent of all  
2113 children in America are White, it is disproportionately

2114 affecting White children, and I just want to point that out  
2115 because I think that some people get the misinterpretation  
2116 that all we care about is Black and Brown children.

2117         We care about all children, and I do not want anybody to  
2118 think that because we mentioned minority children or poor  
2119 children in general that we are leaving out the 60 percent of  
2120 the children in America who are White. We are looking to  
2121 protect every child, regardless of their background.

2122         Let me just go to my first question because time is  
2123 fleeting.

2124         Dr. Ameenuddin, in your testimony, you mentioned that  
2125 for infants and toddlers still developing cognitive language,  
2126 sensory motor, and social-emotional skills, screen time of  
2127 any kind is typically discouraged. What do you know about  
2128 the long-term effects early exposure to technology like  
2129 tablets and smart phones can have on a child's development in  
2130 this area?

2131         \*Dr. Ameenuddin. Well, thank you for that question,  
2132 Vice Chair Cardenas.

2133         I will share what we know and what we do not know.  
2134 Frankly, there are still a lot of unknowns and research is  
2135 evolving.

2136         But what we do know from early studies on tablets and  
2137 devices and apps is that there is very little benefit, and  
2138 there is a strong potential for harm for children under 18

2139 months of age.

2140           For children between the ages of 18 months and two  
2141 years, if it is a high quality, educational app that involves  
2142 parental engagement with the app and the child and then the  
2143 parent teaches back after they have finished using the app,  
2144 there can potentially be some benefit there.

2145           But we do know, again, from decades of research that  
2146 early introduction to screen time, even if it is purported to  
2147 be educational, can actually have the opposite effect.

2148           For example, we had the Baby Einstein videos from  
2149 several years ago. One of my colleagues in pediatrics  
2150 actually did a study on that and found that children whose  
2151 families used the Baby Einstein videos versus those who did  
2152 not use any kind of screen time were actually having  
2153 developmental delays in terms of expressive language skills.

2154           So we do know that there can be harms, but that we  
2155 really recommend, again, mindful, mindful use for older kids  
2156 because there can certainly be benefits with certain good,  
2157 educational programming.

2158           \*Mr. Cardenas. Thank you, Ms. Ameenuddin, for that  
2159 important information and those facts.

2160           I hope that after today's hearing we will keep these  
2161 issues in focus, and that is why today, along with my  
2162 colleague, Representative Trahan, I introduced the Youth  
2163 Mental Health-Suicide Prevention Act, a bill authorizing the

2164 Substance Abuse and Mental Health Services Administration,  
2165 SAMHSA, to provide funding to school districts for a variety  
2166 of positive mental health promotion and suicide prevention  
2167 purposes.

2168 Like I said, we all have the interest of every child at  
2169 heart, and I think that it is important that Congress play  
2170 its current -- excuse me -- its appropriate role, and right-  
2171 sized role in making sure that we create and make sure that  
2172 the lanes are being followed and the lanes are created so  
2173 that our children can remain protected.

2174 Thank you. I yield back.

2175 \*Ms. Schakowsky. The gentleman yields back.

2176 And now Congresswoman Lesko, it is yours for 5 minutes  
2177 for questions.

2178 \*Mrs. Lesko. Thank you, Madam Chairman, and thank you,  
2179 colleagues. It is good to see you.

2180 You know, this subject is very important, protecting our  
2181 children. I have four grandchildren. Two of them are  
2182 elementary school age, and so protecting them, they are hours  
2183 on their phones, they are hours on their tablets; this is a  
2184 very important issue.

2185 I totally agree with the subject, and I have asked my  
2186 staff during this hearing -- actually I left -- asked them to  
2187 write me up decision memos on some of these bills that both  
2188 the Democrats and Republicans in this subcommittee have said

2189 that they have introduced, and so I will do that and get back  
2190 with you on my decision on those.

2191 I also totally agree with Mr. DeAngelis. I am from  
2192 Arizona. We have lots of school choice in Arizona. It  
2193 started in 1994, I think, when we opened up. Not only  
2194 parents could go to different school districts that were not  
2195 in their neighborhood with their kids, but also charter  
2196 schools were legalized in Arizona. And so we have many,  
2197 many, many charter schools.

2198 I also introduced legislation when I was in the State  
2199 legislature on empowerment scholarship accounts, which are a  
2200 way for now special needs children to go to private schools  
2201 using public funds.

2202 And so, Mr. DeAngelis, I worked with Reason Foundation  
2203 before on pension reform, bipartisan pension reform, when I  
2204 was in Arizona, and you guys do great work. I totally agree  
2205 with the concept of more competition, more choices for  
2206 parents and students.

2207 I do want to show everybody an article from a Tucson,  
2208 Arizona newspaper, but it is titled "No Way to Check on  
2209 Hundreds of Kids Missing from Schools Across Tucson."'

2210 And I would like to submit, unanimous consent, to  
2211 include it in the record, Madam Chairman, but I am going to  
2212 read some --

2213 \*Ms. Schakowsky. All of these will be added at the end

2214 of the hearing.

2215 \*Mrs. Lesko. Thank you. Thank you, Madam Chairman.

2216 [The information follows:]

2217

2218 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

2219

2220            \*Mrs. Lesko. Some of the things in the article were  
2221 very disturbing. It says it is unclear what is happening in  
2222 the lives of over 1,100 young people who never show up for  
2223 online school or only attend sporadically. The combined  
2224 total of students unaccounted for in Tucson and seven other  
2225 major school districts is at least 1,160, with some students  
2226 missing since last spring.

2227            On average, calls to an abuse hot line run by Arizona's  
2228 Department of Child Services are down 25 to 30 percent. The  
2229 agency's director attributes the decrease largely to schools  
2230 not being held in person.

2231            This lack of oversight by teachers and administrators is  
2232 happening at a time when families and parents are under  
2233 tremendous stress due to layoffs, social isolation, and  
2234 sometimes illness.

2235            The largest school district, Tucson Unified School  
2236 District, is still working to identify how many kids have  
2237 fallen off the radar. That means the number of unaccounted  
2238 for children is likely much higher than the 1,160 number  
2239 coming out of the other school districts across the county.

2240            Tucson Unified School Districts have had an enrollment  
2241 decline of 2,600 students since this time last year.

2242            And the reason I bring this up is because what we have  
2243 talked about, and others, is we need to get kids back in  
2244 school, and in Arizona, my grandkids go to a charter school,

2245 and guess what. Their charter school has been open almost  
2246 the entire time, and they have not had a COVID outbreak.

2247 Also, because some of the district schools would not  
2248 reopen, parents have been very creative and they are doing  
2249 these micro schools. So even though they are paying all of  
2250 the taxes, the property taxes, everything to the schools,  
2251 they are hiring their own teacher. Like groups of parents  
2252 get together and hire their own teacher.

2253 And that is why what Mr. DeAngelis says is so important.  
2254 You know, I guess I want to give my last 15 seconds to you,  
2255 Mr. DeAngelis. I took up most of the time, but tell me why  
2256 that is important.

2257 \*Dr. DeAngelis. Yes. I mean the Wall Street Journal  
2258 wrote an article about the teachers' union's tiny little  
2259 enemy, which was tons of micro schools over there in Arizona,  
2260 and they have been very successful. You can socially  
2261 distance better with small settings in a micro school.

2262 And the reality is that most advantaged families without  
2263 school choice already have those opportunities and they are  
2264 able to get that one-on-one attention with the kids and also  
2265 have more social interaction. So we might as well fund the  
2266 students directly like Arizona does through the education  
2267 savings account and allow more families to have access to  
2268 those alternatives.

2269 \*Mrs. Lesko. Thank you so much.

2270 And I yield back.

2271 \*Ms. Schakowsky. All right. And now I am happy to call  
2272 on Congresswoman Clarke. Welcome back, and it is your turn  
2273 for 5 minutes.

2274 \*Ms. Clarke. Thank you so much, Madam Chair, and I  
2275 thank our Ranking Member Bilirakis for convening today's  
2276 hearing.

2277 I thank our witnesses for your expert testimony here  
2278 today.

2279 As we all know, the COVID-19 pandemic has exacerbated  
2280 many issues that are plaguing our Nation. We have seen a  
2281 dramatic increase in the adoption of digital devices due to  
2282 individuals and families working and learning from home.

2283 However, along with the uptick in digital device usage,  
2284 there has been an increase in screen time across our Nation  
2285 during the transition to life online. This transition has  
2286 had a tremendous impact on one of our Nation's most  
2287 vulnerable and impressionable populations, children.

2288 With this increase, I am concerned about the exposure of  
2289 advertisements that children are now bombarded with. These  
2290 ads are concerningly harmful to a demographic that is unable  
2291 to comprehend their persuasive impact.

2292 Ms. Fox Johnson, in your testimony, you mention a Pew  
2293 Research Center report that stated 53 percent of children  
2294 younger than 11 view YouTube daily, with 35 percent viewing

2295 multiple times per day.

2296       Additionally, you go on to support that we have  
2297 discussed time and time again. Children from low-income  
2298 communities and communities of color are more likely to  
2299 utilize mobile devices and have limited connectivity, which  
2300 limits the productivity of this uptick in screen time. This  
2301 is all very concerning.

2302       However, as I stated, screen time is up for young kids,  
2303 and they are being targeted with ads from companies,  
2304 influencers, kid influencers on social media now more than  
2305 ever before the pandemic even struck.

2306       So my question is to Ms. Fox Johnson, and I think our  
2307 chairwoman may have posed something similar to you earlier.  
2308 In your testimony you mention that children are uniquely  
2309 vulnerable to digital harms for a variety of reasons,  
2310 including increased screen time and the fact that their  
2311 brains are still in development.

2312       What strategies can we use to protect our children from  
2313 digital manipulation and ad targeting?

2314       And how do we hold big tech companies and advertisers  
2315 accountable?

2316       \*Ms. Fox Johnson. Sure, and thank you, Representative  
2317 Clarke, for your question and for your leadership in this  
2318 area.

2319       There are lots of things that companies and advertisers

2320 could do to be more accountable to children. First, we need  
2321 to make any disclosures of ads more meaningful. A surprising  
2322 number of teenagers cannot even tell that an ad is an ad when  
2323 it has an orange box that says "Ad" around it.

2324 We also should ban advertising techniques that take  
2325 advantage of kids' feelings of special relationships with  
2326 hosts and with cartoon characters and not allow for product  
2327 endorsement.

2328 We should ban advertisements and endorsement ads for  
2329 unhealthy food and drink, which primarily targets or  
2330 disproportionately targets communities of color.

2331 We should stop companies from allowing kids to get more  
2332 content or more rewards from viewing more advertisements.

2333 And we should stop companies from turning teenagers and  
2334 kids into unwitting product promoters themselves by  
2335 conscripting them into paid posts that feature their liking  
2336 of a product to their friends.

2337 These are things that Congress can do, and they are also  
2338 things that the Federal Trade Commission should be able to  
2339 work on by updating its endorsement guidelines.

2340 And in the meantime, again, we think companies can take  
2341 some steps themselves and do not need to wait.

2342 \*Ms. Clarke. Thank you very much, Ms. Fox Jackson.

2343 Dr. Ameenuddin, kids are not just learning in front of  
2344 screens. They are spending their leisure time there, too.

2345 Utilizing platforms like YouTube and TikTok with deceptive or  
2346 hidden ads may be harder for children to detect.

2347 Due to the rise of social media influencer and kid  
2348 influencer, should this influencer marketing be allowed to  
2349 target kids?

2350 And what unintended consequences might this have on  
2351 their development?

2352 \*Dr. Ameenuddin. Well, thank you so much for the  
2353 question, Representative Clarke.

2354 And I wanted to say that I agree with everything that  
2355 Ms. Fox Johnson said. I think those are excellent  
2356 suggestions.

2357 In addition to that, specifically with regard to the  
2358 question about kid influencers and unboxing videos, that  
2359 really is a form of deceptive advertising. As Ms. Fox  
2360 Johnson mentioned, kids feel like they are just watching a  
2361 friend, yet it is really a targeted marketing technique.

2362 So the AAP supports banning that kind of advertising  
2363 towards children, paid advertising, and I apologize. It  
2364 looks like we ran out of time. Sorry.

2365 \*Ms. Clarke. Well, very well. If you would just submit  
2366 your response to our committee, that would be great. We want  
2367 to be aggressive in this space.

2368 And I thank all of our witnesses for testifying today.

2369 Madam Chair, I yield back.

2370 \*Ms. Schakowsky. Thank you.

2371 And now, Mr. Armstrong, it is yours for 5 minutes.

2372 \*Mr. Armstrong. Thank you, Madam Chair.

2373 And I have a 13-year-old daughter. I have an 11-year-  
2374 old son. I was a high school baseball coach a long time ago,  
2375 still the best job I ever had.

2376 And so I appreciate the conversation particularly about  
2377 the -- and my kids went to private school. They went for in-  
2378 person -- but I really do appreciate the fact that we are  
2379 talking about -- I mean just in every single school across  
2380 the country, there is a kid who that is the grade equalizer  
2381 in his or her life, and without it we are leaving them  
2382 behind.

2383 And sometimes it is poverty issues. Sometimes it is  
2384 family life issues. Sometimes it is all kinds of different  
2385 things, but one of the greatest things about COVID and maybe  
2386 one of the only good things is that it happened now and we  
2387 are capable of doing these things. The technology has  
2388 allowed us to do these things.

2389 But there is no doubt in my mind that we have to get  
2390 them back into sports, into clubs, into school as quickly as  
2391 possible or these gaps are going to continue to grow.

2392 But I want to talk a little bit about something that is  
2393 going to continue to plague us as members of Congress outside  
2394 of schools reopening, and that is how we deal with digital

2395 information and particularly with more screen time going  
2396 online.

2397 COPPA covers the collection, use, and disclosure of  
2398 children's personal information, but FTC regulations pursuant  
2399 to COPPA define personal information to include, in part,  
2400 geolocation information sufficient to identify street name  
2401 and name of city or town.

2402 This definition means that coarse geolocation data on a  
2403 child, which may be a zip code, county, region, et cetera,  
2404 can be collected without direct notice, verifiable parent  
2405 [audio malfunction].

2406 I am not convinced we should be collecting any of this  
2407 data on kids without parental consent, and I understand that  
2408 zip codes are widely used, geographic boundaries, but some  
2409 zip codes in densely populated areas narrow it down to a very  
2410 specific location.

2411 And there might be a few legitimate reasons to collect  
2412 this information on minors, but I just fear that potential  
2413 harm may outweigh those reasons, and we cannot view  
2414 nonconsensual coarse geolocation data collection as stand-  
2415 alone data points that only show child specific [audio  
2416 malfunction] because a lot is covered in COPPA's definition  
2417 of personal information.

2418 There are so many other data points when viewed in  
2419 combination with coarse geolocation data -- can further

2420 specify a child's location, their habits, and identity.

2421 This question is probably for Ms. Fox.

2422 Why are we collecting this from minors?

2423 \*Ms. Fox Johnson. Thank you, Representative Armstrong.

2424 I mean, that is an excellent question.

2425 Why are companies collecting this information if not to  
2426 use it to target or profile a kid? There is no reason that  
2427 they need to know one zip code over the other to, say,  
2428 determine language or country or things like that.

2429 One of the things that we really like in the Kids  
2430 Privacy Act from Representative Castor is that it would  
2431 update what forms of information are covered in COPPA and  
2432 ensure that in statute, and not just in the FTC rule. They  
2433 are taking a full look at the modern ways that companies  
2434 track minor kids and monetize kids these days.

2435 \*Mr. Armstrong. And then this is another question  
2436 because I think we have to start having this conversation as  
2437 well. Does this conversation change, particularly as you are  
2438 involving minors, if we look at data through a property lens  
2439 instead of a privacy lens?

2440 \*Ms. Fox Johnson. There are lots of discussions in the  
2441 broader privacy landscape right now about if my privacy is my  
2442 property or, in Europe, if my privacy is more of a  
2443 fundamental right.

2444 However you look at it, I think for kids it is not

2445 something that we think that they should be giving up or be  
2446 forced to give up. It is not really a choice. It is sort of  
2447 a false way of looking at consent.

2448 And children should have the right to do what they wish  
2449 and to learn and to grow without being surveilled and  
2450 monitored at every step of the way.

2451 \*Mr. Armstrong. And then just lastly, there is a reason  
2452 we have juvenile courts. There is a reason we treat  
2453 juveniles in the court system significantly different than we  
2454 do adults. There is a reason we seal records when they are  
2455 18.

2456 But we are continuing down this path of holding people  
2457 accountable when their brains are still developing. We have  
2458 professional athletes getting in trouble for tweets they have  
2459 done when they were 13.

2460 \*Ms. Schakowsky. Mr. Armstrong, Mr. Armstrong, we are  
2461 going to have to ask for a response in writing to this. You  
2462 are well over time.

2463 \*Mr. Armstrong. Well, I am on.

2464 \*Ms. Schakowsky. I am sorry. I am looking now at 25,  
2465 24. I am sorry. Go ahead. I am sorry.

2466 \*Mr. Armstrong. In GDPR there are technical challenges  
2467 with Right to Be Forgotten. California has got a law, and we  
2468 really have to start having conversations about allowing  
2469 minors and allowing parents and allowing guardians to be able

2470 to block information that children are putting online.

2471 I mean, they have to function. My daughter is 13. I  
2472 wish she did not have a phone, but if she did not have a  
2473 phone, she would not be able to communicate [audio  
2474 malfunction].

2475 So now I am over time, and I yield back.

2476 \*Ms. Schakowsky. No, no, no. Give her a couple of  
2477 seconds to respond. A good time.

2478 Go ahead.

2479 \*Ms. Fox Johnson. Sure. Thank you.

2480 I would say that we fully agree what you do at ten  
2481 should not come back and haunt you when you are 40. So we  
2482 support the rights for kids to be able to erase their  
2483 information and take control of what they have inadvertently  
2484 or intentionally shared at a young age.

2485 \*Mr. Armstrong. And I would just end with this. I  
2486 think there are probably members of Congress on both sides of  
2487 the aisle that may not be here if we all had social media  
2488 when we were 13 years old.

2489 \*Ms. Schakowsky. Okay. And now Debbie Dingell. I know  
2490 you have been waiting patiently, and thanks for sitting with  
2491 us the whole time, and it is yours for 5 minutes.

2492 \*Mrs. Dingell. Thank you, Chairwoman Schakowsky.

2493 And thank you to all of the witnesses for being here  
2494 today.

2495 I am not the only member sitting here patiently because  
2496 this subject is so important.

2497 Many modern digital media platforms are designed to keep  
2498 youth users engaged and incentivize the reengagement, leading  
2499 to compulsive habits or what some refer to as addiction to  
2500 their devices. A lot of adults, too, I might add.

2501 But we have seen an increasing number of reports  
2502 correlating time on digital media, social media, and  
2503 electronics to mental health issues in children and  
2504 adolescents, among a variety of other serious impacts,  
2505 including obesity, anxiety, and what really deeply disturbs  
2506 me, electronic bullying.

2507 In an increasingly digital age, we need to be vigilant  
2508 in reevaluating how online content is consumed by children  
2509 and ensure that they receive meaningful protection to their  
2510 privacy and their mental and physical wellbeing.

2511 So I want to ask some questions focused on these  
2512 protections.

2513 Influencers' marketing is now a billion-dollar industry  
2514 and the fastest growing method for acquiring customers  
2515 online. Many of today's top influencers are children  
2516 themselves, so-called "kid influencers," with massive  
2517 followings on social media.

2518 Ms. Fox Johnson, has the FTC brought any enforcement  
2519 actions against influencers or their sponsors that have a

2520 significant child audience?

2521 \*Ms. Fox Johnson. Thank you, Representative Dingell.

2522 That is a great question.

2523 The FTC has not, and in fact, their current endorsement  
2524 guidelines do not even talk about kids or teens or special  
2525 issues that might pertain to them.

2526 \*Mrs. Dingell. Some influencers, including those  
2527 targeting children, are just as well-known or even more well-  
2528 known than the brands that they promote. Yet the FTC had  
2529 tended to focus its enforcement actions against the brands  
2530 and not the individual influencers, limiting action against  
2531 individual influencers to just warning letters.

2532 Ms. Fox Johnson, have the FTC actions been effective?

2533 What more should FTC be doing?

2534 \*Ms. Fox Johnson. I would say the FTC actions have not  
2535 been effective. There have been multiple complaints filed  
2536 against the kids' influencers. Sometimes the folks are  
2537 making, you know, \$20 million a year hawking products to  
2538 children in ways that appear to not look like advertisements  
2539 and what appear to be just sort of sharing a game with a  
2540 friend.

2541 And so I think the FTC, as I mentioned, should update  
2542 their endorsement guidelines. They should look at banning  
2543 this endorsement for young kids certainly and ideally for  
2544 teens, and for all endorsements in general because sometimes

2545 teens are watching particularly things that adults might be  
2546 watching.

2547           They need to make sure that disclosures are effective  
2548 because right now the hashtag ad that comes at the end of  
2549 some long piece of information is not sufficient.

2550           \*Mrs. Dingell. I agree.

2551           Social media platforms facilitate and make a lot of  
2552 money from influencer marketing. Ms. Fox Johnson, what  
2553 responsibility do social media companies have to protect kids  
2554 from manipulative marketing?

2555           And what can the FTC do to hold them accountable?

2556           \*Ms. Fox Johnson. Social media companies can take more  
2557 responsibility, particularly when they are dealing with  
2558 individual influencers or other people. They can do a better  
2559 job of being more transparent in ways that are proven to be  
2560 understood by kids and teens about what is an ad and what is  
2561 native content.

2562           The FTC, who has not done as much as we wish they could  
2563 have done in all of these areas, in social media, in privacy.  
2564 They need more resources so they can do more enforcements and  
2565 they can update and codify the regulations and guidelines.

2566           \*Mrs. Dingell. Dr. Ameenuddin, I want to ask you at  
2567 least one question before my time is up.

2568           Is there concern that the media consumption habits  
2569 developed by children and adolescents during the pandemic

2570 will continue post-pandemic?

2571 And should we be concerned by the potential impacts in  
2572 terms of their health and privacy?

2573 \*Dr. Ameenuddin. Well, thank you, Representative  
2574 Dingell.

2575 I think it is a huge concern, and I suspect that this  
2576 will continue to be an issue long after the pandemic. As we  
2577 have mentioned earlier, increased social media use, increased  
2578 screen time was an issue well before the pandemic ever  
2579 started. It obviously increased.

2580 But making little changes will not mean that everything  
2581 goes back to normal. I think it will continue to be an  
2582 issue.

2583 We have somewhat mixed data. I am grateful to you for  
2584 bringing up the concerns about mental health and the  
2585 connection to social media. We have conflicting information.  
2586 For some kids, you know, it has led to sadness or I guess it  
2587 is correlated with sadness, possibly depression, but for  
2588 other kids, it has actually been a lifeline. You know, for  
2589 marginalized kids sometimes finding community online can be a  
2590 huge source of support.

2591 \*Mrs. Dingell. Thank you.

2592 Thank you, Madam Chair. I have to yield back, but I  
2593 will say our children are 100 percent of our future, and it  
2594 is our responsibility to ensure their safety and security

2595 online.

2596 \*Ms. Schakowsky. Thank you.

2597 And now I call on Mr. Dunn for 5 minutes for his  
2598 questioning.

2599 \*Mr. Dunn. Thank you very much, Chairwoman Schakowsky.

2600 I am glad the committee has convened this important  
2601 hearing. The long-term impacts on our children are one of  
2602 the greatest travesties of the COVID-19 pandemic and  
2603 lockdowns.

2604 As some of our witnesses have noted, the amount of time  
2605 that kids spend in front of a screen has been a health  
2606 concern for quite some time. The problem has been vastly  
2607 exacerbated by the pandemic.

2608 And the science is clear; the evidence is abundant. The  
2609 schools across the country have the ability to reopen safely  
2610 today.

2611 I also appreciate Dr. DeAngelis rightly pointing out  
2612 that the schools in America are largely closed purely due to  
2613 politics.

2614 I am grateful to Florida Governor Ron DeSantis who led  
2615 the way in reopening, and due to that fact all schools in my  
2616 district, Florida's 2nd District, are safely opened for in-  
2617 person learning at this time.

2618 Parents across the country know the best thing for their  
2619 kids is to be in school. This even includes the heads of

2620 powerful teachers' unions who drop their own children off at  
2621 a private school at the same time they are fighting to keep  
2622 public school kids out of school behind a computer screen at  
2623 home.

2624 I have been an advocate for school choice for a long  
2625 time. I think the best thing we can do for school age  
2626 children is to empower the parents to seek out the best  
2627 educational opportunities available. So let me start with a  
2628 question for Dr. DeAngelis.

2629 Families are especially vulnerable to the economic and  
2630 educational impacts of COVID-19 and the lockdowns. Many  
2631 parents have been forced to work longer hours, provide  
2632 essential services, and work from remote locations. This  
2633 obviously impacts their ability to provide adult supervision  
2634 for their own children.

2635 So briefly, would you say school choice allows  
2636 households of all socioeconomic groups the best chance for  
2637 parents to place their students in an educational setting  
2638 that fits the needs of their individual family?

2639 \*Dr. DeAngelis. Absolutely, and as I have noted before,  
2640 the most advantaged families already have school choice.  
2641 They can already afford to live in the neighborhoods that are  
2642 residentially assigned to the best public schools in America.

2643 They are more likely to be able to afford to pay out of  
2644 pocket for private school in-person learning. They are more

2645 likely to be able to afford the cost of home-based learning  
2646 and micro schools and pandemic pods.

2647 Funding students directly through programs like the ones  
2648 in Florida allow more families to access alternatives so that  
2649 at least the more equity and more freedom at the same time,  
2650 and I think that is a lot of the reason why Florida has done  
2651 such a good job when it comes to reopening public schools.

2652 \*Mr. Dunn. You are very articulate on that. You shared  
2653 a statistic, I believe, that is worth repeating. Florida, a  
2654 State that spends about \$10,700 per student per year, has  
2655 been able to essentially fully reopen its schools, while  
2656 California, which spends about 38 percent more per student,  
2657 has kept their doors closed.

2658 With your research on this issue, what role should the  
2659 Federal Government play to incentivize the State governments  
2660 to minimize screen time and return to the classroom?

2661 \*Dr. DeAngelis. Well, it is not a good idea to pass  
2662 stimulus bills that do not make the money contingent upon  
2663 actually reopening the schools because then the schools can  
2664 just get more money and then fail to reopen the schools,  
2665 especially in context of my new study with Christos Makridis  
2666 from MIT finding no relationship whatsoever in any of our  
2667 models or analytic techniques between resources and reopening  
2668 the schools in person.

2669 And as you pointed out, just looking at places like

2670 Florida and California, California spends 38 percent more per  
2671 pupil per year according to the U.S. Census Bureau, and yet  
2672 Florida is mostly --

2673 \*Mr. Dunn. I am going to cut you off, Dr. DeAngelis,  
2674 because I want to get to a couple more questions, but you  
2675 have been very articulate and I appreciate your presence here  
2676 today.

2677 Dr. Ameenuddin, thank you for your testimony. You  
2678 worked as pediatrician. As a doctor myself, I know the  
2679 challenges you face. I appreciate the work you do for our  
2680 children.

2681 COVID-19 and the lockdowns have drastically changed the  
2682 lives of all Americans, especially our students who find  
2683 themselves sitting in front of a computer more and playing  
2684 outside less, along with a complete absence of formal  
2685 physical education.

2686 I noticed that Kelly Armstrong had been a high school  
2687 coach at one time. He knows this.

2688 In your testimony, you recommend specifying times where  
2689 families turn off the screens and play. Can you speak to the  
2690 long-term impacts of less outside play and physical education  
2691 that students have experienced over the last year?

2692 \*Dr. Ameenuddin. Sure. Thank you, Representative Dunn.

2693 Well, I have an opportunity to refer you to another AAP  
2694 policy on the importance of play and the importance of making

2695 sure that children have a safe environment to play in  
2696 outside.

2697 You specifically asked about the long-term impacts of  
2698 essentially sedentary activity and lack of physical activity.  
2699 You know, we have known for years, as we have seen screen  
2700 time increase, device use increase, that non-active time is  
2701 not a good thing for kids.

2702 I have been working with --

2703 \*Mr. Dunn. I am going to ask you to put that in the  
2704 written responses because my time is elapsed.

2705 \*Dr. Ameenuddin. Okay.

2706 \*Mr. Dunn. I am also going to ask you to conjecture in  
2707 response to that question. You know, we know that a lot of  
2708 screen time is bad for kids. Is it also bad for members of  
2709 Congress?

2710 So I would like to, you know, consider that option  
2711 because I think it is. [Laughter.]

2712 I yield back, Madam Chair.

2713 \*Ms. Schakowsky. Okay. Congresswoman Rice, it is your  
2714 5 minutes for questions right now.

2715 \*Miss Rice. Thank you, Chairwoman Schakowsky.

2716 Ms. Johnson, I would like to ask you a question.

2717 In 2019, the New York State Attorney General and the FTC  
2718 secured a settlement from Google and YouTube for \$170 million  
2719 for violating the COPPA. The settlement required Google and

2720 YouTube to pay \$136 million to the FTC and \$34 million to New  
2721 York for violating COPPA.

2722 The \$136 million penalty is still, I believe, the  
2723 largest amount the FTC has ever obtained in a COPPA case  
2724 since Congress enacted the law in 1998.

2725 Despite that enormous amount of money, two Commissioners  
2726 voted against it citing that the penalty did not go far  
2727 enough, and one of the reasons was because of the cost of  
2728 doing business. A hundred and seventy million dollars is  
2729 nothing compared to the billions of dollars that these  
2730 companies make from ad revenue.

2731 So in your opinion, Ms. Johnson, have these penalties  
2732 been an effective deterrent for companies who violate the  
2733 laws that are meant to protect children's privacy?

2734 And if not, what steps can the FTC take to deter  
2735 violations?

2736 I hope we really are going to be able to consider  
2737 Congresswoman Castor's bill because I think it moves to fix  
2738 just one aspect, but just in your opinion, you know, is it  
2739 effective?

2740 And if not, how can we make it effective?

2741 \*Ms. Fox Johnson. Thank you, Representative Rice.

2742 We agree with the dissenting Commissioners that, in my  
2743 opinion, it is not effective. Google is still able to profit  
2744 off of its activity, and for them \$170 million was so small

2745 that they did not even have to report that to investors.

2746 They also got the sort of first mover advantage of  
2747 taking a bunch of children's personal information, collecting  
2748 that in violation of law, and being able to design better  
2749 targeting and more addictive and attractive products for  
2750 kids, and that is not something that they are going to give  
2751 up, you know, even if they delete, which sometimes companies  
2752 do not always delete as they are supposed to, the data later  
2753 on.

2754 I think that we have seen with this settlement and with  
2755 other settlements in the privacy space -- you know, we  
2756 objected to the Facebook settlement -- these are not  
2757 meaningful deterrents for companies.

2758 And so things that the FTC could do, luckily with COPPA  
2759 it has several penalty authorities, but those fines could be  
2760 increased. It could get civil penalty authority from  
2761 Congress in other privacy situations. It could get  
2762 rulemaking authority.

2763 Right now in general privacy cases, it does not even  
2764 have the ability to fine for the first time of a violation.

2765 In addition, we think the FTC needs more resources  
2766 itself so it can bring cases. Attorneys General get more  
2767 civil penalty authority and the ability to obtain penalties  
2768 under COPPA.

2769 And then also if you let parents sue on behalf of their

2770 kids, that is another way to increase enforcement and to  
2771 improve the landscape.

2772 \*Miss Rice. So I am glad you brought up the States'  
2773 Attorneys General. You know, New York has a very big office  
2774 with enormous resources, but that is not true of every State  
2775 in the country. And we want, I believe, State Attorneys  
2776 General to play their crucial role in working with the FTC on  
2777 these types of cases.

2778 So what tools do State Attorneys General need to  
2779 continue to bring these cases like New York was able to do?

2780 \*Ms. Fox Johnson. Yes, thank you.

2781 And New York is one of the sort of more technologically  
2782 savvy Attorney General's Office, and that is something that  
2783 the Attorney General's Office and the FTC, again, need more  
2784 of, too. They need more technologists to understand what is  
2785 going on sort of beneath the very opaque veneer of these tech  
2786 companies, and we hear from Attorney General's Offices all  
2787 the time because we work in a variety of different States  
2788 that they do not have resources.

2789 You might get a great new privacy law, but they will  
2790 only be able to bring, you know, one case a year maybe  
2791 because they are up against tech companies and they are  
2792 understaffed and under resourced.

2793 \*Miss Rice. Well, that is always a big issue not just  
2794 in this field but in others when you are dealing with

2795 cybersecurity issues or the issues that we are talking about  
2796 today, that these private companies are able to attract all  
2797 of the talent because of the enormous salaries that they can  
2798 pay the government agencies like State AGs just simply  
2799 cannot.

2800 Dr. Ameenuddin, just very quickly, expanding this  
2801 protection to children between the ages of 13 and 17, what is  
2802 the impact going to be?

2803 I mean, I have a 15-year-old niece, and I worry about,  
2804 you know, the impact that these, you know, living their lives  
2805 on social media, especially with all of this information  
2806 coming up, and the impact, how this is going to help 13 to  
2807 17-year-old vulnerable kids.

2808 \*Dr. Ameenuddin. Yes, thank you, Representative Rice.

2809 I think the effect will be huge. I mean, so many teens  
2810 are online. As you mentioned, they are living their lives  
2811 online, even before the pandemic, but including children  
2812 under 18 under these protections I think will have a huge  
2813 impact on mental health, on multiple other issues, too. So  
2814 thank you for asking that.

2815 \*Miss Rice. Thank you all for being here.

2816 And I yield back, Madam Chairwoman.

2817 \*Ms. Schakowsky. The gentlewoman yields back.

2818 And now I call on Representative Soto for 5 minutes of  
2819 questions.

2820           \*Mr. Soto. Thank you so much, Madam Chair.

2821           This hearing is about our children being increasingly  
2822 brainwashed by sophisticated targeting pop-up ads, auto  
2823 plays, and algorithms, among other techniques, and the result  
2824 is they are spending more and more time online.

2825           Add in video game addiction, and we see a generation of  
2826 kids becoming couch potatoes, racking up hours of screen  
2827 time, and barely going outside.

2828           This puts our Nation's children, our Nation's future at  
2829 risk. Parents are outreached and increasingly asking for  
2830 Congress to act.

2831           Considering the critical subject, I was a little  
2832 surprised to see an attempt to shoehorn fake GOP talking  
2833 points about school reopenings into this very important  
2834 hearing. So it is important to at least go over the facts  
2835 briefly.

2836           Forty-one States, both Democrats and Republicans, do not  
2837 have school opening or closing orders in place. They leave  
2838 it to school districts.

2839           Five States have orders to reopen. Four States have  
2840 orders to be partially open.

2841           So saying it is a Democratic or Republican trend is an  
2842 absolute and total lie. The vast majority of States leave  
2843 this to local school districts to make a decision, as they  
2844 should because urban districts have different challenges than

2845 suburban and rural districts, all in my district.

2846         Affluent families have more resources for their children  
2847 to learn from home. Many American families have to go to  
2848 work and need their children to attend in-person schools.

2849         Add in health complexities of students and other  
2850 difficulties, and local school districts and families need  
2851 this flexibility.

2852         In Central Florida, I supported schools reopening like  
2853 many Democrats in our State. So what are you really talking  
2854 about? My wife taught in the public schools at the peak of  
2855 the pandemic in July and August of last year in Central  
2856 Florida in the classroom with a mask on, socially distanced,  
2857 with kids having plastic barriers.

2858         She is a member of the teachers' union. She cares about  
2859 her students and taught them in school without a vaccine  
2860 risking her life for the students.

2861         So I find it shocking that no one here today has even  
2862 mentioned the hundreds of teachers who have died of COVID-19.  
2863 The students have died. In Florida, we have already had  
2864 45,000-plus cases of students, nearly 5,000 teacher cases of  
2865 COVID-19, 3,000 COVID staff cases, and 7,000 other COVID-  
2866 related public and private K through 12 school cases.

2867         Bashing teachers' unions is so predictable for some of  
2868 you. Actually fixing the problem takes work. When we passed  
2869 the bipartisan Coronavirus Stimulus Relief Act in December,

2870 some of our colleagues across the aisle joined us. Thank  
2871 you.

2872 Fifty-three of you, including some on this committee,  
2873 voted against school coronavirus relief funds. Then just  
2874 yesterday all of you voted against the American Rescue Act.

2875 So what are you talking about? You are complaining  
2876 about opening schools, then voting against funding for them  
2877 to do so safely. That is absolutely absurd, and the American  
2878 people know it.

2879 Turning back to the subject at hand, many parties have  
2880 opted for distance learning, and this has exacerbated these  
2881 online addictions. So I want to go to the KIDS Act briefly  
2882 that Cathy Castor had put together, and I want to talk to Ms.  
2883 Johnson first.

2884 What are, you think, the most important parts of the  
2885 KIDS Act that we need to pass right away, like auto banning  
2886 and banning push alerts and banning badges?

2887 \*Ms. Fox Johnson. Thank you, Representative Soto.

2888 I think that we need to pass all aspects of the KIDS  
2889 Act, but the manipulative design that keeps kids hooked and  
2890 the protections that would prevent against the  
2891 commercialization of our children and marketing are really  
2892 important.

2893 I also think it is important to note I would be remiss  
2894 in not mentioning that schools use a lot of technology, too,

2895 and we need to update our student privacy laws and other  
2896 privacy laws because wherever kids are learning, whether they  
2897 are in the classroom or not, a lot of these schools have  
2898 bought computers and new technology, and they are going to  
2899 keep using it no matter where kids are, and we need to keep  
2900 kids protected and safe.

2901 \*Mr. Soto. Thanks so much, Ms. Johnson.

2902 Dr. Ameenuddin, what do you think are the most critical  
2903 parts of the KIDS Act that we need to pass right away?

2904 \*Dr. Ameenuddin. Well, thank you for that question,  
2905 Representative Soto.

2906 Again, I am going to go back to our AAP recommendations,  
2907 which are nicely outlined in our digital ad policy.

2908 I think number one thing is to expand COPPA to ban  
2909 targeted advertising to children under 18 and also to make  
2910 sure that they have the highest privacy levels possible and  
2911 to really stop online tracking and data collection of kids.  
2912 Those are the two most important things.

2913 \*Mr. Soto. Thanks so much.

2914 This is a really important subject. I am glad we are  
2915 handling it today, Madam Chair. We know with kids being at  
2916 home, distance learning, some of them by parents' own choice,  
2917 that we have to step up our ways to protect our kids online.

2918 And I yield back.

2919 \*Ms. Schakowsky. Thank you. I really want to thank you

2920 for your testimony and your remarks, Mr. Soto.

2921 And now Angie Craig, Congresswoman Craig, it is your 5  
2922 minutes. Take it away.

2923 \*Ms. Craig. Thank you so much, Madam Chairwoman, and  
2924 thank you for holding this incredibly important hearing  
2925 today.

2926 Dr. Ameenuddin, I also want to thank you for  
2927 representing the Mayo Clinic so well in the great State of  
2928 Minnesota and for helping to keep our kids and our families  
2929 safe and healthy. I am just thrilled that you are on our  
2930 panel and I get to ask you a few questions.

2931 So I would like to start with kids online during COVID  
2932 and just share that as the mother of four boys, I know it can  
2933 be a challenge to consistently and diligently enforce limits  
2934 on screen time for our kids and particularly during a public  
2935 health crisis when so many of our children, our students have  
2936 been learning remotely or partially hybrid.

2937 This, in fact, was the case for our youngest son, who is  
2938 a senior in high school this year, and I guess our own  
2939 experience in our family is that it becomes harder as kids  
2940 get older and they become more independent, which is why I  
2941 think that trying to instill good habits and stricter limits  
2942 on younger kids is so important.

2943 But parents trying to do the best thing and start these  
2944 habits early really do face an uneven playing field as they

2945 try to compete in a digital ecosystem that, as you know, is  
2946 replete with features intended to influence user behavior  
2947 while maximizing product use and engagement.

2948         So, Doctor, in terms of the policy recommendations to  
2949 Congress that you have made in your testimony today, would  
2950 you consider any of them being particularly critical as you  
2951 sort of segment it to younger children, those age two to ten,  
2952 for example?

2953         \*Dr. Ameenuddin. Well, hello, Representative Craig. I  
2954 am thrilled to be reaching you from Southeast Minnesota.  
2955 Thank you for that question.

2956         Number one, I just want to say, you know, I hear you.  
2957 The concerns you expressed about children and parents having  
2958 a hard time is absolutely what I have been hearing from  
2959 pretty much all of my patients here today.

2960         And so in looking at, you know, how to protect kids, you  
2961 know, around ages two to ten, what are the most important  
2962 things? Again, I think that we should make sure that there  
2963 are not any loopholes in COPPA. Even though technically they  
2964 are not supposed to target advertising or gather information  
2965 on children under 13, there are just huge loopholes.

2966         So I think the more we can do to tighten up those  
2967 loopholes, to ensure that there is appropriate enforcement,  
2968 if there is any sort of breaking of those rules, would be  
2969 absolutely critical.

2970           \*Ms. Craig. Well, thank you so much.

2971           You also mentioned in your testimony the need for more  
2972 research on the effects of advertising and digital media in  
2973 children, and I certainly could not agree more with that  
2974 recommendation as well.

2975           I have a follow-up question, and I want to direct this  
2976 to Ms. Fox Johnson. I appreciate that you have provided us  
2977 with a number of policy recommendations as well from your  
2978 perspective at Common Sense.

2979           Are there any of these recommendations, again, that you  
2980 feel would be particularly helpful for parents with younger  
2981 children who could be thinking about limiting their screen  
2982 time and what they are exposed to online?

2983           \*Ms. Fox Johnson. Thank you, Representative Craig.  
2984 That is a great question.

2985           I think the KIDS Act would be particularly beneficial  
2986 for young children, and another thing that would be  
2987 particularly beneficial for young children would be the  
2988 CAMERA Act, the Children and Media Research Advancement Act.  
2989 In passing that, it would give funding so we could better  
2990 study the long-term longitudinal effects of all kinds of  
2991 technology on kids, including really young kids.

2992           As you have heard today, there is discussion about how  
2993 social media affects teens, which way, and that would be  
2994 really incredible to have studies funded, you know, not by

2995 the industry.

2996 \*Ms. Craig. Well, I appreciate so much the two of you  
2997 being here.

2998 And with that, Madam Chair, I will yield back a minute  
2999 of everyone's life.

3000 \*Ms. Schakowsky. Next let me call on Mrs. Fletcher.  
3001 Are you still here?

3002 \*Mrs. Fletcher. Yes. Thank you so much, Ms.  
3003 Schakowsky.

3004 \*Ms. Schakowsky. Thank you for waiting. Five minutes  
3005 for questioning.

3006 \*Mrs. Fletcher. Thank you.

3007 I am here and I really appreciate you organizing today's  
3008 hearing. I have appreciated the testimony of our witnesses,  
3009 both the written testimony that has been submitted, and  
3010 hearing from you all today has been really very helpful in  
3011 working through these issues that communities across the  
3012 country, including mine, are facing throughout this pandemic,  
3013 and more broadly, these concerns about keeping kids online  
3014 safely, increasing use of digital media, and how we move  
3015 forward is really important.

3016 So I have a few questions and I want to follow up on  
3017 some of the things some of my colleagues have asked. Ms. Fox  
3018 Johnson, I want to start with you.

3019 In your testimony you shared that 75 percent of children

3020 between the ages of eight and 11 cannot distinguish ads from  
3021 other content, and I think this is really important to kind  
3022 of throw down on this.

3023         You also mentioned that students or children who see  
3024 only apps are significantly more likely to use those  
3025 products, and you touched on this briefly in response to  
3026 Representative Dingell's questions.

3027         One of the things you mention is that kind of the  
3028 hashtag ad sponsored media post just is not sufficient.

3029         So can you talk a little bit more about what research  
3030 has been done to indicated change in consumer habits,  
3031 especially in children, about when an ad is properly  
3032 identified or when it is not, and maybe even more broadly  
3033 kind of research efforts that you would recommend to be able  
3034 to determine what we can do that will be sufficient.

3035         \*Ms. Fox Johnson. Thank you, Representative Fletcher.

3036         So research shows that really young kids, four, five,  
3037 you know, they do not even know that an ad is an ad, and as  
3038 kids get older, they do not know that an ad's purpose is to  
3039 sell them something.

3040         A lot of these studies were done with traditional media.  
3041 So now it is even more confusing with native content on the  
3042 Internet you might think you are reading a Teen Vogue article  
3043 and then not realize that Facebook has, in fact, sponsored  
3044 it.

3045           You might be playing a game and not realize that Coca-  
3046 Cola has paid for the game.

3047           You may be watching a boxing video and not realize that  
3048 that is product placement.

3049           So the research shows that kids do not understand this  
3050 stuff, and the Internet has made it much more confusing, and  
3051 also these ads can be more problematic for kids because they  
3052 are personally targeted to them, designed specifically to  
3053 appeal to that individual based on what they have done in the  
3054 past.

3055           We need more research. As I mentioned, we need things  
3056 like the CAMERA Act. We need research that is funded by NIH  
3057 and by independent entities so that it is not all the  
3058 companies knowing what is most effective based on their own  
3059 research.

3060           \*Mrs. Fletcher. Thank you.

3061           And kind of on a related note, I agree. I think a lot  
3062 of this legislation is really important for us to be looking  
3063 at and moving, and especially when it comes to the research  
3064 and making sure that we're looking at research at NIH.

3065           But, you know, one of the challenges we face in Congress  
3066 is that it does take a while to respond, and so, yes,  
3067 technology continues to adapt and change. You know, how do  
3068 we make sure that the tools that are in place stay up to  
3069 date?

3070           How do we make sure that [audio malfunction], for  
3071 example, is inclusive of new developments and can respond to  
3072 the quickness of technology that moves a whole lot faster  
3073 than Congress, and that is for the [audio malfunction]?

3074           You mentioned better resources for the FTC earlier.  
3075 What do you think we can and should do?

3076           \*Ms. Fox Johnson. If you give the FTC more funding,  
3077 they will be able to hire more technologists. They will be  
3078 able to hire more attorneys and other experts. We and others  
3079 have proposed having a division specifically focused on kids  
3080 or specifically focused on privacy and technology at the FTC.

3081           Another really important tool for the FTC that we have  
3082 seen with COPPA is the rulemaking authority. You know, COPPA  
3083 was passed over 20 years ago, but happily it was at least  
3084 updated in 2013 by the FTC. So any future laws should give  
3085 them the ability to be a little more nimble even though they  
3086 are, you know, not as nimble as tech companies.

3087           \*Mrs. Fletcher. Thank you very much.

3088           And I just have a few more seconds, but I would like to  
3089 direct my last question to Dr. Ameenuddin.

3090           What do you wish had been in place, both in terms of  
3091 digital infrastructure and safeguards, prior to the pandemic  
3092 in order to help families manage this difficult time?

3093           \*Dr. Ameenuddin. So thank you, Representative Fletcher.  
3094 Essentially what I wish for is what we have outlined and

3095 recommended from the American Academy of Pediatrics for  
3096 years, which would be stronger protections, no targeting for  
3097 kids under 18, and really kind of closing those loopholes  
3098 that unfortunately tech companies can exploit.

3099 So, yes, ideally, everything that has been on our wish  
3100 list for years, but thank you.

3101 \*Mrs. Fletcher. Well, thank you for that, and it  
3102 coincides with the end of my 5 minutes.

3103 So, Madam Chairwoman, thank you so much. I yield back.

3104 \*Ms. Schakowsky. Thank you.

3105 The gentlelady yields back.

3106 So welcome people who are not on the subcommittee to  
3107 come and ask questions, and in this case, we have two people,  
3108 and I am going to call first on Congressman Walberg.

3109 Five minutes of questioning for you.

3110 \*Mr. Walberg. I thank the gentlelady, and I appreciate  
3111 the opportunity to join this subcommittee today on a very,  
3112 very important hearing that I think that we hear a lot of  
3113 bipartisanship about as well. So I appreciate that.

3114 Families in my district tell me day after day that their  
3115 children are frustrated. They are lonely and sad. Kids who  
3116 once were good students and athletes are now struggling with  
3117 depression and anxiety.

3118 One parent who wrote me recently described the feeling  
3119 as simply being trapped, totally trapped, and I have been

3120 advocating to safely open schools since last summer. I think  
3121 it is time, frankly, to do it. It is unacceptable for  
3122 leaders in charge to be dragging their feet for political  
3123 purposes at the expense of our children. Again, my opinion.

3124 I would though like to give Dr. DeAngelis a moment to  
3125 respond to some of my colleagues' statements regarding his  
3126 testimony. Dr. DeAngelis is an expert witness on how our  
3127 kids are being impacted by constantly being online. He has  
3128 important evidence from medical and academia professionals  
3129 about this having the impact it is having on them. He  
3130 deserves to be heard.

3131 So, Dr. DeAngelis, would you like to speak briefly, and  
3132 please briefly, about the political dynamics regarding school  
3133 reopening decisions.

3134 \*Dr. DeAngelis. Yes, absolutely. We cannot just sit  
3135 here and cover our ears acting like the teachers' unions have  
3136 had nothing to do with fighting against the reopening of  
3137 schools for in-person instruction every step of the way in so  
3138 many places.

3139 In every single study that has been done on the topic,  
3140 and there have been about a handful and I have done one or  
3141 two of them, have found that the strongest indicators of  
3142 reopening in person, all else equal after throwing in a ton  
3143 of controls into the models, is political partisanship and  
3144 strength of the teachers' unions in the local area.

3145           There has been a Brown University paper on this. There  
3146 is a full upcoming publication in Social Science Quarterly  
3147 that has looked at this.

3148           Brookings University Scholar has also. Jon Valant has  
3149 also found, using the national data, that COVID risk did not  
3150 predict the reopening of schools, but that the political  
3151 partisanship in the air [audio malfunction].

3152           \*Mr. Walberg. Did we lose him? Am I still on?

3153           \*Ms. Schakowsky. Yes, Mr. Walberg, you are still on.

3154           \*Mr. Walberg. But we lost Corey.

3155           But I think he made some strong points there, and I am  
3156 not going to suggest that there was any untoward action to  
3157 cut him off at all.

3158           \*Ms. Schakowsky. Thank you for that.

3159           \*Mr. Walberg. That is the challenge we face with this,  
3160 you know. So I get it. I get it.

3161           Madam Chair, as I mentioned at the beginning of this  
3162 hearing, I am proud to introduce, re-introduce the Protect  
3163 Kids Act with my good friend and colleague, Congressman Rush.  
3164 The bill represents, I believe, a reasonable, common sense,  
3165 and bipartisan agreement that better reflects the realities  
3166 of today's online world and strengthens children's digital  
3167 safety.

3168           Currently the Children's Online Privacy Protection Act,  
3169 or COPPA, imposes requirements on Website operators that

3170 specifically deal with information, personal information, of  
3171 children 13 years of age and younger.

3172 I would like to turn to Ms. Fox Johnson, and thank you  
3173 for being here. I understand that my time is limited. So if  
3174 you could answer me just yes or no, and I hate that request,  
3175 but I have to ask you this time.

3176 Do you agree that the COPPA law has by and large  
3177 succeeded in Congress' intent to protect children's digital  
3178 footprint and remains to a great degree relevant today? Yes  
3179 or no.

3180 \*Ms. Fox Johnson. No.

3181 \*Mr. Walberg. Thank you.

3182 I understand you have also authored a piece called  
3183 "Thirteen Going on 30.'" One of your conclusions is to  
3184 extend COPPA beyond 13 years of age, to include adults as  
3185 well.

3186 Is it fair to say that you would support a strong  
3187 national standard without a private right of action, as COPPA  
3188 has succeeded in doing?

3189 Again, be brief if you can.

3190 \*Ms. Fox Johnson. I can't speak to whether the private  
3191 right of action without knowing what is in the bill, but one  
3192 of COPPA's shortcomings is that it does not cover anyone over  
3193 13 and sites can pretend like it does not apply to them, and  
3194 so if it applied to everyone, they could no longer pretend

3195 that.

3196 \*Mr. Walberg. Well, thank you.

3197 Madam Chair, I would just like to point out that while  
3198 there are much needed reforms, COPPA has been a fairly  
3199 effective law for 23 years without any private right of  
3200 action.

3201 It needs to be amended. It needs to be updated. I  
3202 agree, but I certainly would ask my Democratic colleagues to  
3203 work in a bipartisan manner as Congressman Rush and I have  
3204 done to modernize this law.

3205 Reforming the law with a provision aimed at helping  
3206 trial lawyers certainly does not help kids.

3207 And with that I appreciate being involved, and I yield  
3208 back.

3209 \*Ms. Schakowsky. The gentleman yields back.

3210 And now I call on last, but certainly not least,  
3211 Congresswoman Blunt Rochester.

3212 \*Ms. Blunt Rochester. Thank you so much, Madam  
3213 Chairwoman. Thank you for this important hearing.

3214 To Ms. Castor for your leadership on updating COPPA, and  
3215 to the witnesses for attending this hearing, and also for  
3216 your patience waiting for me to go last.

3217 When I chose to lead the House version of Senator  
3218 Warren's DETOUR Act, it was because I was worried that  
3219 everyone, especially children, would increasingly be

3220 exploited by manipulative digital practices known as "dark  
3221 patterns."

3222         Sadly, the testimony today confirms these concerns and  
3223 these fears, and as a few of our witnesses testified, these  
3224 trends are worse for lower wealth households, as children in  
3225 them may spend significantly more time with screens than  
3226 those of households with greater wealth.

3227         Worse still, this gap grows when considering race and  
3228 ethnicity.

3229         And as many have noted, we all should have serious  
3230 concerns for ethical and public health reasons. We may soon  
3231 have a tech pessimistic generation that only sees the  
3232 exploitive potential for the innovative technologies of the  
3233 future.

3234         And so my question, and I will start with you, Ms. Fox  
3235 Johnson, and it really follows up on the previous question  
3236 that we just heard, some of the line of questioning.

3237         I believe Congress needs to act and address "dark  
3238 patterns," such as design choices that are intended to  
3239 manipulate individuals into using products or services  
3240 without their consent or for a little personal gain,  
3241 especially when applied to children.

3242         And we often see tech designs subverting parental  
3243 choice, but you mentioned a troubling though natural parent-  
3244 child relationship. As children grow older, their parents

3245 naturally supervise their behaviors less.

3246           So my first question is: for older kids and teens, do  
3247 you believe that the subversion of their choice is a unique  
3248 problem and why?

3249           \*Ms. Fox Johnson. Thank you for that question,  
3250 Representative Rochester.

3251           So we think that children and teens need to be  
3252 recognized for their evolving capacities. So you should not  
3253 treat a teenager exactly the same way that you would treat a  
3254 young child.

3255           Teens still need special protections and safeguards, and  
3256 we can think of them like training wheels or like your  
3257 temporary driver's permit, right? They still need help, but  
3258 they should be empowered and learning how to make more  
3259 choices for themselves.

3260           The U.K. age-appropriate design code is an excellent  
3261 example of this. It breaks kids into five different age  
3262 groups and talks about meeting kids and teens where they are  
3263 and doing things appropriate to their mental capacity.

3264           \*Ms. Blunt Rochester. Excellent. And do we need more  
3265 research to better understand how dark patterns affect teens?

3266           \*Ms. Fox Johnson. One hundred percent. We need more  
3267 research to understand how dark patterns affect teens, affect  
3268 kids, affect adults, and that is one thing, especially with  
3269 kids and teens, that the CAMERA Act would support.

3270           \*Ms. Blunt Rochester. Do we know anything about how  
3271 tech companies today are designing their products in relation  
3272 to teens, such as making specific design choices or products  
3273 that are targeted to this age group?

3274           \*Ms. Fox Johnson. Yes. I mean, teens are like the  
3275 canary in the coal mine, and they are also a very attractive  
3276 commercial target for these tech companies, and they are  
3277 designing their products to hook kids early and to keep them  
3278 for life.

3279           \*Ms. Blunt Rochester. I think my last question kind of  
3280 goes to the issue of transparency with many of these tech  
3281 companies. As you and my colleagues have identified, often  
3282 personal information of minors is mined by these apps for  
3283 commercial purposes, but it seems to go deeper than this in  
3284 ways that we do not know.

3285           A few years ago Facebook gained infamy for conducting  
3286 psychological experiments and behavioral studies on its users  
3287 without their consent.

3288           Do these experiments and studies pull in children?

3289           And do we know if these studies have stopped or has the  
3290 lack of transparency continued to be a significant problem?

3291           \*Ms. Fox Johnson. These studies have definitely  
3292 involved teenagers, and they have probably involved, for all  
3293 we know, everyone on Facebook and social media company sites.

3294           One of the biggest problems with these studies is we are

3295 just finding out about them because there will be a leaked  
3296 new report or a rogue employee. There is so much data that  
3297 these companies have.

3298         You know, a researcher would have to get consent and go  
3299 through processes. These companies can largely do whatever  
3300 they want with all of the massive stores of data they have  
3301 and conduct behavioral research on all of us without our  
3302 knowledge.

3303         \*Ms. Blunt Rochester. Thank you so much for answering  
3304 that question.

3305         I will just say that I think one of my colleagues  
3306 mentioned that there are opportunities for bipartisanship  
3307 here. This is a vital area. I am so glad that Ms. Castor  
3308 is, again, taking up the mantle on this.

3309         Thank you so much, Madam Chairwoman, for your leadership  
3310 as we look at these issues that affect everyone, but  
3311 particularly affect our children.

3312         Thank you, and I yield back the balance of my time.

3313         \*Ms. Schakowsky. I thank you.

3314         And now I would like to give a hearty thank you to our  
3315 witnesses for their participation in today's hearing.

3316         Before we conclude, I request unanimous consent to enter  
3317 the following documents into the record, and there is quite a  
3318 list:

3319         A written statement from the National Center for Missing

3320 and Exploited Children;

3321 A letter from Prevent Blindness;

3322 An article from Vox;

3323 An article from the Chicago Sun Times;

3324 An article from the Globe and Mail, Inc.;

3325 An article from NPR;

3326 An article from All about Ann Arbor;

3327 An article from the World Health Organization;

3328 An article from the New York Times;

3329 An op-ed in the Chicago Tribune;

3330 An op-ed in the Los Angeles Times;

3331 An article from the Wall Street Journal;

3332 An article from USA Today;

3333 An article from the Arizona Daily Star.

3334 If there are no objections, and I hear none, so ordered.

3335 [The information follows:]

3336

3337 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

3338

3339           \*Ms. Schakowsky. I remind members that pursuant to  
3340 committee rules, they have 10 days to submit additional  
3341 questions for the record to be answered by the witnesses, who  
3342 have appeared.

3343           I ask each witness to respond promptly to any questions,  
3344 and I know there were some because people were running out of  
3345 time, that you may receive.

3346           And at this time, with a lot of gratitude for the  
3347 participation by the members and by the witnesses, the  
3348 subcommittee is adjourned.

3349           [Whereupon, at 1:25 p.m., the subcommittee was  
3350 adjourned.]