

Testimony before Subcommittee on Commerce, Manufacturing, and Trade

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Good afternoon. Chairman Bilirakis, Ranking Member Schakowsky, Chairman Guthrie, Ranking Member Pallone, and the distinguished members of the Committee, thank you for the opportunity to testify on this critical issue.

My name is Marc Berkman, and I am the CEO of the Organization for Social Media Safety (OFSMS), the first national, nonprofit consumer protection organization focused exclusively on social media. Through education, advocacy, technology, and research, we seek to make social media safer for families. We conduct cutting-edge research on social media safety. We advocate on a nonpartisan basis to improve public policy regarding social media safety. We collaborate with K-12 schools nationwide to educate students, caregivers, and educators on essential social media safety skills. OFSMS works with hundreds of thousands of families and

educators each year, giving us a uniquely comprehensive view into the emerging and ongoing threats related to social media use.

OFSMS expresses its sincere appreciation to the leadership and membership of this Committee for your strong bipartisan efforts to protect families from the dangers associated with social media use.

Social Media-Related Harms Are a Public Health Crisis

Today, this Committee examines legislation seeking to protect America's children from online harm. A reasoned analysis of these proposals requires a review of the threats posed to children that are caused or exacerbated by social media. While time and space constraints preclude an exhaustive analysis, even a cursory review demonstrates, with clarity, the severity and pervasiveness of social media-related injury amongst our children.

Since 2007, social media use has surged across the world with the number of social media users reaching about 4.76 billion in 2024. Up to 95% of youth ages 13–17 report using a social media platform, with more than a third saying they use social media “almost constantly.”¹ Nearly 40% of children ages 8–12 use social media.² In our own research in partnership with UCLA's School

¹ Vogels, E., Gelles-Watnick, R. & Massarat, N. (2022). Teens, Social Media and Technology 2022. Pew Research Center: Internet, Science & Tech. United States of America.

<https://www.pewresearch.org/internet/2022/08/10/teenssocial-media-and-technology-2022/>

² Rideout, V., Peebles, A., Mann, S., & Robb, M. B. (2022). Common Sense Census: Media use by tweens and teens, 2021. San Francisco, CA: Common Sense.

https://www.common sense media.org/sites/default/files/research/report/818-census-integrated-report-final-web_0.pdf

of Education and Information Studies, including over 16,000 teens, we have found that about 50% self-report using social media for more than 5 hours daily.³

With this mass adoption of social media, numerous, serious social media-related dangers have emerged. Here is a sample of the available research showing that social media is harming millions of American children:

- **Cyberbullying:** About 58% of youth have experienced cyberbullying in their lifetimes.⁴ Cyberbullying victims are about **2.5 times more likely to attempt suicide**.⁵ Longer time spent on social media increases the likelihood of encountering cyberbullying.⁶
- **Self-Harm:** According to one study, about 43% of young adults had seen self-harm content on Instagram. About 32.5% indicated that they had performed the same or similar self-harming behavior consequently.⁷ In a 2021 internal Meta survey, more than 8% of respondents aged 13 to 15 reported having seen someone harm themselves, or threaten to do so, on Instagram during the past week.⁸
- **Disordered Eating:** According to one study, new TikTok accounts set up by a 13-year-old were recommended self-harm and eating disorder content within minutes of

³ Ding, Z., Hansen, M. & Ong, C. (2025, April 23-27). Adolescents' exposure to cyberaggression and desensitization to cyberhate on social media [Poster session]. American Educational Research Association 2025 Conference, Denver, CO, United States. <https://doi.org/10.3102/IP.25.2197337>

⁴ Patchin, J. W., & Hinduja, S. (2025). *2025 Cyberbullying data*. Cyberbullying Research Center. <https://cyberbullying.org/2025-cyberbullying-data>

⁵ John, A., Glendenning, A.C., Marchant, A., Montgomery, P., Stewart, A., Wood, S., Lloyd, K. and Hawton, K., (2018). Self-harm, suicidal behaviours, and cyberbullying in children and young people: Systematic review. *Journal of medical internet research*, 20(4), e9044.

⁶ Ding, Z., Hansen, M. & Ong, C. (2025, April 23-27). Adolescents' exposure to cyberaggression and desensitization to cyberhate on social media [Poster session]. American Educational Research Association 2025 Conference, Denver, CO, United States. <https://doi.org/10.3102/IP.25.2197337>

⁷ Arendt, F., Scherr, S., & Romer, D. (2019). Effects of exposure to self-harm on social media: Evidence from a two-wave panel study among young adults. *New Media & Society*, 21(11-12), 2422-2442. <https://doi.org/10.1177/14614448198501>

⁸ Spinks, R. (2025, November 22). *Court filings allege Meta downplayed risks to children and misled the public*. TIME. <https://time.com/7336204/meta-lawsuit-files-child-safety/>

scrolling the app's For You feed. Eating disorder content was recommended within 8 minutes.⁹ An internal research document from Meta reporting that teens who expressed body dissatisfaction were sent 3 times more body-image related / eating disorder adjacent content.¹⁰

- **Sexting:** About 20% of teens have sent or posted a nude or semi-nude photo or video of themselves with high rates of reported pressure and coercion.¹¹ Amongst adolescents, the prevalences of forwarding a sext without consent and having a sext forwarded without consent were 12.0% and 8.4%, respectively.¹² (Receiving unwanted sexts or coerced sexting is linked to mental health challenges like depressive symptoms and suicidality, as well as lower self-esteem.)¹³
- **Drug Trafficking:** One in four young people see illicit drugs advertised for sale on social media.¹⁴
- **Sextortion and Sexual Exploitation:** Approximately 5% of middle and high school students reported that they had been the victim of sextortion.¹⁵ In 2024, NCMEC received more than 546,000 reports concerning online enticement, a 192% increase compared to reports in 2023. NCMEC received nearly 100 reports of financial sextortion

⁹ Center for Countering Digital Hate. (2022). *Deadly by design*. Center for Countering Digital Hate Inc. https://counterhate.com/wp-content/uploads/2022/12/CCDH-Deadly-by-Design_120922.pdf

¹⁰ Reuters. (2021). *Viewing content on IG: Internal research document* (Redacted). Reuters Investigates.

https://www.reuters.com/investigates/special-report/assets/usa-tech-meta-teens/Viewing-Content-on-IG_Redacted.pdf

¹¹ S., P. J. (n.d.). *The nature and extent of sexting among a national sample of Middle and high school students in the U.S.* Archives of sexual behavior. <https://pubmed.ncbi.nlm.nih.gov/31309428/>

¹² Madigan S, Ly A, Rash CL, Van Ouytsel J, Temple JR. Prevalence of Multiple Forms of Sexting Behavior Among Youth: A Systematic Review and Meta-analysis. *JAMA Pediatr*. 2018 Apr 1;172(4):327-335. doi: 10.1001/jamapediatrics.2017.5314. PMID: 29482215; PMCID: PMC5875316.

¹³ Wachs, S., Wright, M. F., Gámez-Guadix, M., & Döring, N. (2021). How are consensual, non-consensual, and pressured sexting linked to depression and self-harm? The moderating effects of demographic variables. *International journal of environmental research and public health*, 18(5), 2597.

¹⁴ McCulloch, L., & Furlong, S. (2019). *DM for details: Selling drugs in the age of social media*. Volteface. <https://volteface.me/dm-details-selling-drugs-age-social-media/>

¹⁵ Patchin, J. W., & Hinduja, S. (2020). Sextortion among adolescents: Results from a national survey of US youth. *Sexual Abuse*, 32(1), 30-54. <https://doi.org/10.1177/1079063218800469>

each day in 2024. Since 2021, NCMEC has identified 36 boys who have died by suicide because of being victimized by this financial sextortion. Further, NCMEC shared a 200% increase in reports involving sadistic online exploitation by violent online groups that encourage youth to cause harm to themselves and others; these groups manipulate children into behaviors such as self-harm; creating CSAM and sexually exploiting other children (including siblings); harming animals; committing murder; and suicide.¹⁶

About 25% of nine-to-twelve year olds have experienced an online sexual interaction with someone that they believe to be an adult; applications where the most minors reported having had an online sexual experience were Facebook (14%), Instagram (13%), Messenger (13%), Snapchat (12%), and TikTok (11%).¹⁷

- **Human Trafficking:** Many child trafficking and sex crimes now originate from social media sites where predators gain knowledge of their victims' likes and habits.¹⁸

These findings, among many others, indicate acute, verifiable harm related to adolescent social media use. The extent of social media-related harm is not mere theory; it is proven and ongoing, and it is distinct from similar threats that impact children in the non-digital world.

Reviewing just a few of the millions of cases of harm, while horrifying, is necessary to understand the scope of the human toll. Here are some of the recent tragedies:

¹⁶ National Center for Missing & Exploited Children. (2025). *CyberTipline report 2025*.
<https://www.missingkids.org/gethelpnow/cybertipline/cybertiplinedata>

¹⁷ Thorn. (2024). *Youth experiences with online image-based abuse and digital risks: 2024 youth monitoring report*.
https://info.thorn.org/hubfs/Research/Thorn_24_YouthMonitoring_Report.pdf

¹⁸ United Nations Office on Drugs and Crime. (2020). *Global Report on Trafficking in Persons 2020*. United Nations publication, Sales No. E.20.IV.3. https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_Chapter5.pdf

- After suffering severe cyberbullying over social media, Nate Bronstein, forever 15, died by suicide.¹⁹
- Sammy Chapman, forever 16, died after ingesting Fentanyl- poisoned drugs that he easily acquired from a drug dealer operating on social media.²⁰
- Mason Bogard, forever 15, died after imitating a dangerous challenge he saw on social media.²¹
- Gavin Guffey, forever 17, died by suicide after being sextorted over social media.²²
- Becca Schmill, forever 15, was raped by a man she met on social media. Cyberbullying followed. To cope, Becca started self-medicating with drugs purchased over social media which tragically were Fentanyl poisoned.²³
- In April of this year, a 10-year-old girl was abducted by a 27-year-old-man she met on social media.²⁴

In addition, to the quantitative and qualitative evidence of acute social media-related harms, many studies suggest a strong link between social media use and negative mental health outcomes, especially among adolescents. The former Surgeon General issued a public health on social media and youth mental health on May 23, 2023.²⁵ The advisory, in our opinion,

¹⁹ *About Nate Bronstein*. Buckets Over Bullying. (2023, June 23). <https://bucketsoverbullying.org/nates-story/>

²⁰ TodayShow. (2021, March 21). *Dad of teen who overdosed with drugs from Snapchat recalls moment he discovered son*. TODAY.com. <https://www.today.com/health/dr-laura-berman-s-husband-recalls-finding-teenage-son-after-t212415>

²¹ Bogard, J. (2024, August 4). *After her 15-year-old son died trying a viral choking challenge, this mom is fighting for a safer internet*. People. <https://people.com/mom-wants-safer-internet-after-son-died-in-a-viral-choking-challenge-8689773>

²² U.S. Attorney's Office for the District of South Carolina. (2025, January 27). *Nigerian man extradited to the U.S. after being indicted for sextortion scheme that caused death of S.C. teen*. U.S. Department of Justice. <https://www.justice.gov/usao-sc/pr/nigerian-man-extradited-us-after-being-indicted-sexortion-scheme-caused-death-sc-teen>

²³ Becca Schmill Foundation. (n.d.). <https://beccaschmillfdn.org/>

²⁴ Rose, A. (2025, April 17). *10-year-old girl kidnapped by man she met on Roblox, police say*. CNN. <https://www.cnn.com/2025/04/17/us/california-kidnapping-roblox-girl-hnk>

²⁵ Office of the Surgeon General (OSG). (2023). *Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory*. U.S. Department of Health and Human Services. <https://www.ncbi.nlm.nih.gov/books/NBK594759/>

accurately provides a compelling overview of the available research, including the following highlights:

- A longitudinal cohort study of U.S. adolescents aged 12–15 that adjusted for baseline mental health status found that adolescents who spent more than 3 hours per day on social media faced double the risk of experiencing poor mental health outcomes including symptoms of depression and anxiety.²⁶
- A study conducted among 14-year-olds found that greater social media use predicted poor sleep, online harassment, poor body image, low self-esteem, and higher depressive symptom scores with a larger association for girls than boys.²⁷
- A synthesis of 20 studies demonstrated a significant relationship between social media use and body image concerns and eating disorders, with social comparison as a potential contributing factor.²⁸
- A longitudinal prospective study of adolescents without ADHD symptoms at the beginning of the study found that, over a 2-year follow-up, high-frequency use of digital media, with social media as one of the most common activities, was associated with a modest yet statistically significant increased odds of developing ADHD symptoms.²⁹

²⁶ Riehm, K. E., Feder, K. A., Tormohlen, K. N., Crum, R. M., Young, A. S., Green, K. M., Pacek, L. R., La Flair, L. N., & Mojtabai, R. (2019). Associations between time spent using social media and internalizing and externalizing problems among US youth. *JAMA psychiatry*, 76(12), 1266–1273. <https://doi.org/10.1001/jamapsychiatry.2019.2325>

²⁷ Kelly, Y., Zilanawala, A., Booker, C., & Sacker, A. (2019). Social media use and adolescent mental health: Findings from the UK Millennium Cohort Study. *EClinicalMedicine*, 6, 59–68. <https://doi.org/10.1016/j.eclinm.2018.12.005>

²⁸ Holland, G., & Tiggemann, M. (2016). A systematic review of the impact of the use of social networking sites on body image and disordered eating outcomes. *Body image*, 17, 100–110. <https://doi.org/10.1016/j.bodyim.2016.02.008>

²⁹ Ra, C. K., Cho, J., Stone, M. D., De La Cerda, J., Goldenson, N. I., Moroney, E., Tung, I., Lee, S. S., & Leventhal, A. M. (2018). Association of digital media use with subsequent symptoms of attention-deficit/hyperactivity disorder among adolescents. *JAMA*, 320(3), 255–263. <https://doi.org/10.1001/jama.2018.8931>

More recent research continues to validate the proposition that social media is causing strong adverse mental health outcomes amongst adolescents:

- Longitudinal research shows that both low and high increases in social media use during early adolescents were significantly associated with lower (worse) cognitive functioning, including memory and reading.³⁰
- A 2024 meta-analysis found that social media use was a significant risk factor for self-harm and suicidal ideation.³¹
- In our research, in partnership with UCLA's School of Education, we have found a significant, negative correlation between average daily hours spent on social media and ratings of life satisfaction amongst 5th through 12th grade students.³²

The Social Media Industry Concedes the Significant Harms Caused by Their Platforms

Even social media executives themselves have readily acknowledged the vast safety concerns here in Congress:

³⁰ Nagata, J.M., Wong, J.H., Kim, K.E., Richardson, R.A., Nayak, S., Potes, C., Rauschecker, A.M., Scheffler, A., Sugrue, L.P., Baker, F.C. and Testa, A. (2025). Social media uses trajectories and cognitive performance in adolescents. *JAMA*. doi: 10.1001/jama.2025.16613

³¹ Chen, Z., Liao, X., Yang, J., Tian, Y., Peng, K., Liu, X., & Li, Y. (2024). Association of screen-based activities and risk of self-harm and suicidal behaviors among young people: A systematic review and meta-analysis of longitudinal studies. *Psychiatry research*, 338, 115991. doi: 10.1016/j.psychres.2024.115991

³² Ding, Z., Hansen, M. & Ong, C. (2025, April 23-27). Adolescents' exposure to cyberaggression and desensitization to cyberhate on social media [Poster session]. American Educational Research Association 2025 Conference, Denver, CO, United States. <https://doi.org/10.3102/IP.25.2197337>

- Mark Zuckerberg of Meta, conceded among other lapses that Meta, then Facebook, “*didn’t do enough to prevent these tools from being used for harm.*”³³
- Shou Zi Chew of TikTok, stated that the “security, privacy, and content manipulation concerns raised about TikTok are really not unique to us. The same issues apply to the other companies.”³⁴
- And under questioning from Senator Durbin about ongoing issues with grooming, child sexual abuse material, and sextortion, Discord CEO Jason Citron said, “This is an ongoing challenge for all of us.”³⁵

Given the evidence, including statements by the social media platforms’ own leadership, no ambiguity should remain concerning the extent of the harms caused or exacerbated by social media use.

Compelling Evidence of a Durable Conflict of Interest Between Profits and Safety

The social media industry’s ethical responsibility to protect children from these harms is unmistakable. Yet, thanks to courageous whistleblowers and the diligent work of state attorneys general across the country, we now have overwhelming evidence that the industry has repeatedly chosen to prioritize profits over children’s safety.

³³ Zuckerberg, M. (2018, April 11). *Testimony of Mark Zuckerberg, Chairman and Chief Executive Officer, Facebook*. Hearing before the United States House of Representatives Committee on Energy and Commerce.

³⁴ Chew, S. (2023, March 23). *Testimony of Shou Chew, Chief Executive Officer, TikTok Inc.* Testimony before the U.S. House Committee on Energy and Commerce.

³⁵ Citron, J. (2024, January 31). *Testimony before the United States Senate Committee on the Judiciary: Big Tech and the Online Child Sexual Exploitation Crisis*. U.S. Senate Committee on the Judiciary.

Again, even just a few of the highlights from the whistleblowers and various court filings makes a most compelling argument for a prevailing culture of willful disregard for the health and well-being of teen and child users:

- New Mexico’s unredacted complaint against Snap Inc. asserts that “Snap also complained internally that identifying and protecting minors from sexually explicit content and predatory users would overburden its moderators, “create disproportionate admin costs,” and should not be its responsibility. Snap employees pointed to a “case where an account had 75 different reports against it since Oct. ’21, mentioning nudes, minors, and extortion, yet the account was still active.”³⁶
- In North Carolina’s case against TikTok, video evidence as released with a TikTok executive making the statement: “We obviously wanted people to spend as much time as possible on TikTok, which can be in contrast to what is best for your mental health.”³⁷
- Utah’s case against TikTok alleges that: TikTok coupled its livestream feature with monetization to create an environment built on exchanging TikTok’s virtual currency for sexual and illegal acts. TikTok’s internal “Project Meramec” investigation and the admissions of its employees document how TikTok LIVE allows adults to pay young users to strip, pose, and dance provocatively for “diamonds,” which can be cashed out for real money.³⁸

³⁶ State of New Mexico, Office of the Attorney General. (2024). *Amended complaint, State of New Mexico v. Snap, Inc.* (First Judicial District Court, County of Santa Fe, Sept. 30, 2024). https://www.nationalreview.com/wp-content/uploads/2024/10/2024-09-30-SNAP-NM-Amended-Complaint_Redacted.pdf

³⁷ Cunningham, M. (2025, August 21). *TikTok employees raised concerns that app could be addictive, unsealed edited video shows*. CBS News. <https://www.cbsnews.com/news/tiktok-employees-apps-mental-health-court-video-north-carolina-lawsuit/>

³⁸ Utah Department of Commerce, Division of Consumer Protection. (2025, January 3). *News release: Utah Division of Consumer Protections announces release of previously redacted information in TikTok Inc. complaint filing*. <https://blog.commerce.utah.gov/2025/01/03/news-release-utah-division-of-consumer-protections-announces-release-of-previously-redacted-information-in-tiktok-inc-complaint-filing/>

- Frances Haugen, in her testimony before the Senate Commerce Committee said, “I saw that Facebook repeatedly encountered conflicts between its own profits and our safety. Facebook consistently resolved those conflicts in favor of its own profits.”³⁹
- Sarah Wynn-Williams, said in her testimony before the Senate Commerce Committee, “During my time at Facebook, now Meta, Executive Officers, including the CEO and COO, frequently minimized, dismissed, or even outright denied the many harms that resulted from their platforms. As far as I could tell, they did this to justify their continued focus on growth, even when it seemed obvious to me and my peers on the Policy and Communications team that the company’s growth strategies would worsen the harm caused by Meta’s products.”⁴⁰
- Brian Boland, Meta’s former vice president of partnerships who worked at the company for 11 years and resigned in 2020. “My feeling then and my feeling now is that they don’t meaningfully care about user safety,” he allegedly said. “It’s not something that they spend a lot of time on. It’s not something they think about. And I really think they don’t care.”⁴¹
- Instagram’s former head of safety and well-being Vaishnavi Jayakumar testified that when she joined Meta in 2020 she was shocked to learn that the company had a “17x”

³⁹ Haugen, F. (2021, October 4). *Statement of Frances Haugen* [Written testimony before the U.S. Senate Committee on Commerce, Science, and Transportation, Subcommittee on Consumer Protection, Product Safety, and Data Security]. U.S. Senate Committee on Commerce, Science, and Transportation. <https://www.commerce.senate.gov/services/files/FC8A558E-824E-4914-BEDB-3A7B1190BD49>

⁴⁰ Wynn-Williams, S. (2025, April 9). *Responses to questions for the record* [Written responses submitted to the U.S. Senate Committee on the Judiciary]. U.S. Senate Committee on the Judiciary. https://www.judiciary.senate.gov/imo/media/doc/2025-04-09_qfr_responses_wynn-williams.pdf

⁴¹ Spinks, R. (2025, November 22). *Court filings allege Meta downplayed risks to children and misled the public*. TIME. <https://time.com/7336204/meta-lawsuit-files-child-safety/>

strike policy for accounts that reportedly engaged in the “trafficking of humans for sex.”⁴²

Urgently Needed Federal Response

The clear record of both pervasive, severe harm suffered pursuant to adolescent social media use and the demonstrated conflict of interest between profit and safety inherent in today’s social media industry justifies a significant federal public policy response. Every day without social media safety reform means more harmed children. That is why we are grateful that the Committee recognizes on a bipartisan basis that a broad approach with multiple tactics is needed: resources for education, accountability and rules for platforms, research, privacy reforms, and safety technology. America’s families have waited years for effective social media safety reform; we need to get effective legislation passed and signed into law this Congress.

Sammy’s Law (HR 2657)

The Organization for Social Media Safety has been closely involved in the development of Sammy’s Law, as we believe it to enable a proven effective, durable solution in protecting adolescents from harms related to social media use. I thank the Committee for considering this bipartisan legislation and would like to detail why we support it.

⁴² Spinks, R. (2025, November 22). *Court filings allege Meta downplayed risks to children and misled the public*. TIME. <https://time.com/7336204/meta-lawsuit-files-child-safety/>

Third Party Safety Software. Third-party safety software is an external tool, independent of the social media platforms themselves, that empowers parents to protect their children by, among other features, providing alerts when dangerous content is shared through a child's social media account. These alerts enable caregivers to intervene with life-saving support at the most critical moments. For example, if a child is targeted for severe cyberbullying through a social media post or message, safety software can detect that content and alert the parent, who can then immediately seek mental health assistance.

Because millions of families already employ third-party safety software for the social media platforms and operating systems that permit access, its effectiveness in protecting children is both well-documented and significant. Over the last several years, leading safety software companies have delivered hundreds of millions of alerts to parents, helping protect millions of children from serious harm, including sexual predation, suicides, severe cyberbullying, and trafficking.⁴³ Third-party safety software has averted a documented 16 school shootings.⁴⁴

Sammy's Law will provide families full access to safety software. For third-party safety software to function, social media platforms must grant the safety software provider access to a child's social media account, via an Application Programming Interface (API), when authorized by a parent or guardian. An API is a set of technical instructions that, in this case, allows a parent-authorized safety software provider to securely access specific data from a child's social media account.

⁴³ Bark Technologies. (2024). *Bark's 2024 Annual Report on Children and Technology*. Bark. https://www.bark.us/annual-report-2024/?srsltid=AfmBOor-hzZQmrVMulAoecP35eP4pY1_5CZZE_dmOBxDq2MglMiSKCs

⁴⁴ Baig, E. (2019, February 19). Can artificial intelligence prevent the next Parkland shooting? USA Today (Online). <https://www.usatoday.com/story/tech/2019/02/13/preventing-next-parkland-artificial-intelligence-may-help/2801369002/>

While many social media platforms, like YouTube, Tumblr, X, and Reddit, do provide access, unfortunately, others used significantly by children, like Snapchat and TikTok, do not. This hesitation likely stems from business concerns that child users would avoid social media platforms that support safety software in favor of other less secure platforms. To protect children, parents and guardians must be empowered to choose whether third-party safety software is the best option for their children.

Third-party safety software fills critical safety gaps left by the parental safety tools already available directly on social media platforms. In-platform tools simply do not show efficacy in protecting children from the severe and pervasive range of social media-related harms.

- **Rudimentary Options:** While most major platforms offer some form of parental controls, these tools are often limited to basic time restrictions or crude content filters and frequently overlook the very places where children face the greatest dangers, like private messaging, group chats, and disappearing content. This leaves children vulnerable to a range of harms including human and drug trafficking, severe cyberbullying, and sexual predation.
- **Do Not Adapt to Evolving Threats:** Moreover, the platforms have little incentive to evolve their controls to keep pace with the ever-changing nature of social media-related threats. For example, in recent years, drug traffickers have used emoji-coded language to sell narcotics to teens. Third-party safety software companies responded

quickly updating algorithms to detect this new threat and alert parents in real time.

Meanwhile, platforms like Snapchat took years to publicly acknowledge the problem, let alone act. And when they did, they said in an October 26, 2021, Senate Commerce Committee hearing, “We have employed proactive detection measures to get ahead of what the drug dealers are doing. They are constantly evading our tactics, not just on Snapchat but on every platform.” (emphasis added)⁴⁵

- **Children Can Bypass:** Most built-in tools can be turned off or bypassed by the child, undermining their effectiveness entirely.
- **Work Only on the Individual Platform:** The tools on each social media platform only work on *that particular* platform. Unfortunately, many severe social media-related threats today are *cross-platform*. For example, illicit drugs can be marketed on a platform like Instagram and then the transaction conducted on a platform like Snapchat. Or a child can encounter a predator on a platform like Roblox and then continue interacting with the predator more extensively on a platform like Discord. Siloed safety tools are substantially less effective at protecting children.

The evidence for the ineffectiveness of in-platform tools is clear in that parents do not utilize them despite an overwhelming parental desire for more effective safety options. According to Snapchat founder and CEO Evan Spiegel, there are 20 million teen users of Snapchat, but only

⁴⁵ U.S. Senate Committee on Commerce, Science, and Transportation. (2021, October). *Protecting Kids Online: Snapchat, TikTok, and YouTube*. <https://www.commerce.senate.gov/2021/10/protecting-kids-online-snapchat-tiktok-and-youtube>

200,000 parents have activated the platform's Family Center.⁴⁶ That's just 1% of families making use of Snapchat's safety features, underscoring how poorly suited and poorly adopted these measures are.

By contrast, third-party safety software providers are entirely mission-driven and accountable to parents, not advertisers. Their tools are designed to work across platforms, adapt rapidly to emerging harms, and empower parents to act before severe harm occurs. Most importantly, the protection provided is comprehensive, protecting a child from a full range of social media-related harms throughout the features, spaces, and nooks of the social media platform.

Sammy's Law would not only improve protection for children, it also would meaningfully increase children's privacy. Today, parents are becoming increasingly aware of the significant risk that social media poses to their children and seek to follow the recommendations of trusted professional experts, like the American Psychological Association, and provide responsible supervision of children's social media use.⁴⁷ Without comprehensive third-party safety software access, many parents must resort to manually reviewing children's devices, duplicating accounts, or relying on expansive surveillance tools. According to a November 2022 nationally representative Morning Consult survey, 79% of parents conduct manual reviews of their children's devices and social media accounts.⁴⁸ Unfortunately, not only are these methods far

⁴⁶ Malik, A. (2024, January 31). Snap CEO says 20 million US teens use Snapchat, but only 200,000 parents use its Family Center controls. TechCrunch. <https://techcrunch.com/2024/01/31/snap-ceo-says-20-million-u-s-teens-use-snapchat-but-only-200000-parents-use-its-family-center-controls/>

⁴⁷ American Psychological Association. (2023, May). *Health advisory on social media use in adolescence*. <https://www.apa.org/topics/social-media-internet/health-advisory-adolescent-social-media-use>

⁴⁸ Morning Consult. (2022, November). *Nationally representative survey of U.S. parents on social media safety* [Unpublished survey].

less effective than safety software at protecting children, but they are also incredibly invasive revealing private conversations and content not connected to any harm or risk. found that 84% of parents agree current methods are more intrusive than safety software and less effective.⁴⁹ By empowering parents with access to third-party safety software on the platforms their children use most, Sammy's Law offers a better solution: more targeted, less invasive, and proven to work.

Furthermore, Sammy's Law also strictly limits what safety software may share with parents. Under the bill, data may only be disclosed if it relates to a current or imminent risk of harm, including only listed harms, including suicide, cyberbullying, violence, sexual predation, and eating disorders. This protection, among other stringent safeguards in the bill, ensure children's privacy is strengthened while enabling parents to act against real threats.

The Committee Should Pass Sammy's Law Without Delay. Sammy's Law is uniquely positioned for near-term implementation: it protects children immediately, complements other proposals under consideration, and avoids many of the constitutional challenges that have delayed broader state-level reforms. Third-party safety software is an existing, proven solution to increase safety for young adult social media users; expanding its reach to all major social media platforms will provide immediate and substantial protection for millions of children, undoubtedly saving many lives. The status quo is simply unacceptable; parents and guardians need these tools immediately.

Conclusion

⁴⁹ Morning Consult. (2022, November). *Nationally representative survey of U.S. parents on social media safety* [Unpublished survey].

The Organization for Social Media Safety again thanks the Committee for holding this hearing and signaling its intent to pass critical social media safety legislation. We remain available to provide our insights and assistance in this generationally urgent effort to pass legislation that will protect America's children.

I look forward to answering your questions today.