



UNITED STATES OF AMERICA  
**Federal Trade Commission**  
WASHINGTON, D.C. 20580

Office of Commissioner  
Alvaro M. Bedoya

**Prepared Remarks of Commissioner Alvaro M. Bedoya  
Federal Trade Commission**

**National Academies of Sciences, Engineering & Medicine  
Meeting of the Committee on the Impact of Social Media on the  
Health and Wellbeing of Children & Adolescents<sup>1</sup>**

**February 7, 2023**

**1. We need to do more to protect our kids’ mental health.**

My wife and I have two toddlers. Being a parent is hard. Personally, I think the hardest part is not changing diapers or losing sleep. I think the hardest part of being a parent is when you know your child is hurting, but you don’t know *why* – and you do not know how to help them.

We are in the middle of a youth mental health emergency.<sup>2</sup> Suicide is now the second-leading cause of death for children 10 to 14 years of age.<sup>3</sup>

Ask a parent, today, what they are most worried about for their children, and their number one answer is not drugs, or alcohol, or teen pregnancy – their top concern is their children’s *mental health*.<sup>4</sup>

Parents and experts increasingly point to social media as a key contributor to this crisis. But parents are still struggling to figure out exactly what’s going on, and how they can help their kids. They are taking their kids to the doctor. They are taking them to therapists. They are trying to limit the hours their kids go online. They are trying to get a sense of what their kids are doing online. Too many parents still feel helpless.

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<sup>1</sup> <https://www.ftc.gov/press-release/2023/02/ftc-commissioner-alvaro-bedoya-testifies-congress>

It's not just parents. One in three teens say they use social media or video sites "almost constantly." About the same number say that that's too much. Yet more than half say that they would not know how to stop.<sup>5</sup>

In response to a recent survey, a 14-year-old named Hannah said: "I always want it near me . . . when I'm sitting on the sofa, I just scroll."

Lara, age 13, said: "I kind of wanted to have more time to do stuff other than just go on my phone . . . [but] it didn't work, I kept turning it off and then going back and still using it."

Otto, 15: "Sometimes I'll go on it at like 11pm and won't go off it until six in the morning."

Jack, 14: "Once you start, you can't stop."

This should not surprise anyone. After all, we live in an attention economy.

In the words of one engineer: "Companies make their money from attention. Reducing attention will reduce revenue. If you are a designer working in an attention business, you will design for attention."<sup>6</sup> In the words of another engineer: "There are no safety standards – there is no ethics board in the digital space."<sup>7</sup>

In an attention economy, companies very literally compete for our thoughts, our time, our minds. No one should be surprised if that economy affects our mental health.

And compulsive use is just part of the problem. Research suggests that mental health harms are also driven by harassment, social entio (s)-tio (s)-tion' e2 ( 3 (e)4 e)4 ( )-2 (i-2 ( . R)-3 R)-3 p,soy frg r des t(c)4 (onot)8 (obl)-2 blsiio-7 (e)4 (ve3 (e)4 e)4 ( Td[(4 Tw [(t)-6 (h)-4 -21.43o)4 (r)3 (m)ae)-6r a







In my time with you today, however, I want to highlight that even if you agree with these concerns regarding content moderation, existing law still offers us a range of options to protect teen mental health on social media.

Because if you take a slow, careful look at what critics say is driving teen mental health issues online, only part of it stems from content recommendation algorithms.

I recommend reading an extraordinary report from the 5Rights Foundation in the United Kingdom – the *Pathways* report.<sup>18</sup> The authors of that report conducted an in-depth survey of the design strategies that allegedly drive a range of social media harms. They also interviewed the product designers who built these systems, as well as teens themselves – those were many of the quotes I shared earlier.

The report argues that content recommendation algorithms deliberately play into the psychological vulnerabilities of young people to keep them online. But the report also lays out a range of *other* design decisions that social media companies use to prolong engagement – a critical contributor, they say, to mental health harms online.

These strategies include intermittent variable rewards, video autoplay, 24-hour push notifications and nudges, infinite scroll, content that expires within a predetermined window, and quantified public popularity that enables social comparison.

These so-called persuasive design strategies are set alongside yet another set of simple privacy decisions that help drive and keep young people online. For example, a site may decide to restrict direct contact between strangers – or they may decide to allow it, a decision that undoubtedly would increase the number of messages and nudges that kids receive from an app or service.

Why am I talking about this? Because persuasive design strategies, default open and direct communications between children and adults – this is not content. This is design. This is architecture. This is the structure that social media companies have built *around* content – the kind of features that several courts have declined to immunize.<sup>19</sup>

Let me be very clear: I am not saying that content recommendation algorithms *aren't* contributing to mental health problems. Nor am I trying to deprioritize that question. Nor am I saying that federal law would immunize these algorithms. In fact, critics would say that these algorithms are *also* architecture, rather than content. I am not expressing an opinion either way on any of these questions.

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<sup>18</sup> PATHWAYS REPORT *supra* note 6.

<sup>19</sup> See, e.g., *Barnes v. Yahoo!, Inc.*, 570 F.3d 1096, 1100 (9th Cir. 2009) (“To ‘provid[e] immunity every time a website uses data initially obtained from third parties would eviscerate [the statute].” (quoting *Fair Hous. Council of San Fernando Valley v. Roommates.com, LLC*, 521 F.3d 1157, 1171 (9th Cir. 2008)) (brackets in original); *Roommates.com, LLC*, 521 F.3d at 1171 (holding that Roommates.com was “not entitled to [Section 230] immunity for the operation of its search system . . . which directs emails to subscribers according to discriminatory criteria.”)

I *am* saying that there is clear room in the law, today, to act on closely related but separate problems. And that's exactly what the FTC just did.

In 2011, the Commission appointed its first Chief Technologist; a dozen years later, the FTC now boasts a full team of technologists who work alongside our investigators, paralegals, attorneys, and economists to help us detect and understand complex and hard-to-find technological harms.

In 2014, for example, FTC technologists analyzed 12 popular consumer apps and figured out that they were sharing people's health information with 78 different third parties, including data on consumers' diets and medical symptoms.<sup>25</sup> This is the kind of thing that would be invisible to anyone other than a technologist.

Thanks to this strategic recruiting, today, if I have an economic question or a technical question, there

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total, we found more than 200 public LinkedIn profiles for Ph.D. psychologists and other brain scientists working for major social media companies.<sup>28</sup>

I also asked my staff to review public job boards. We found a number of open job listings at social media companies for senior, full-time psychological specialists. One listing was for an in-house “expert on psychological disorders, which could include but are not limited to substance addiction, anxiety-related disorders, eating disorders, and self-harming behaviors.” The listing indicates that this person will write policies to prevent these harms, and work on specific cases as they arise.<sup>29</sup>

And there is real expertise on this issue not just at HHS or the Surgeon General's office, but also at the National Institutes of Health, the NTIA, and elsewhere.

I will also engage with my counterparts in *state* legislatures and law enforcement, and, critically, our international counterparts. We may not have in-house psychologists, but some of our colleagues in the U.K. and the Netherlands do – and we should learn from them as to how to add and integrate this expertise into our work.

And that brings me to you. I think you have such an important role to play here. We are long overdue for a reckoning on youth mental health online. And, as I've said, I think a key barrier to that reckoning is a latent doubt as to whether the research supports a link between social media use and mental health.

While I have not come to a conclusion about any specific company or practice, based on my own review of the literature I think it is clear that, *in general*, there is a relationship between certain uses of social media and youth mental health. It is nuanced, but it is real. But while I am a lawyer and an FTC commissioner, I am not a psychologist, psychiatrist, or any kind of mental health expert.

I think that this group, working through the National Academies, could have an extraordinary impact in sharing with the world its own expert conclusions as to the existence and nature of that relationship and the targeted research that you feel remains to be done. I'm particularly interested in learning more about the specific