

Congress of the United States
Washington, DC 20515

April 5, 2021

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

Dear Mr. Zuckerberg:

We write regarding Facebook’s recent announcement that it is “exploring” plans to launch a version of Instagram, which Facebook owns, for users under the age of 13.¹ Given Facebook’s past failures to protect children and in light of evidence that using Instagram may pose a threat to young users’ wellbeing, we have serious concerns about this proposal. Children are a uniquely vulnerable population online, and images of kids are highly sensitive data. Facebook has an obligation to ensure that any new platforms or projects targeting children put those users’ welfare first, and we are skeptical that Facebook is prepared to fulfil this obligation.

Facebook has a record of failing to protect children’s privacy and safety, casting serious doubt on its ability to do so on a version of Instagram that is marketed to children. In 2019, for example, reports showed that Facebook’s Messenger Kids app, which was intended for kids between the ages of six and 12, contained a significant design flaw that allowed children to circumvent restrictions on online interactions. Specifically, Facebook allowed children using Messenger Kids to enter group chats with individuals who were not previously approved by the young users’ parents.² Although software bugs are common, this episode illustrated the privacy threats to children online and evidenced Facebook’s inability to protect the kids the company actively invited onto this platform. In light of these and other previous privacy and security issues on Facebook’s platforms, we are not confident that Facebook will be able to adequately protect children’s privacy on a version of Instagram for young users.

Moreover, research shows that apps such as Instagram may be detrimental to young people’s wellbeing and mental health. A growing body of scholarship shows a link between young people’s use of social media (and the devices they use to access social media) and the “increase in mental distress, self-injurious behavior and suicidality among youth.”³ New research shows

¹ Ryan Mac & Craig Silverman, *Facebook Is Building An Instagram For Kids Under The Age Of 13*, BuzzFeed News (Mar. 18, 2021), https://www.buzzfeednews.com/article/ryanmac/facebook-instagram-for-children-under-13?mkt_tok=ODUwLVRBQS01MTEAAAF76Wa7gepI39A5wVIUsYMz6f2GDv9g1rWiYmtOIC3NziizWuTzJCaIshU83fHU8tA19vVmx76IsbdGFY1iCyJpXpjzYB92I0S_GJGy5tDrlhYb.

² Russell Brandom, *Facebook design flaw let thousands of kids join chats with unauthorized users*, The Verge (Jul. 22, 2019), <https://www.theverge.com/2019/7/22/20706250/facebook-messenger-kids-bug-chat-app-unauthorized-adults>.

³Elia Abi-Jaoude et al., *Smartphones, Social Media Use and Youth Mental Health*, 192(6) CMAJ, 136–141 (2020).

that young people experiencing depressive symptoms are almost twice as likely to report using social media “almost constantly.”⁴ Although this statistic does not necessarily show a causal relationship, separate research shows that more than one in five young Instagram users are victims of bullying on the platform.⁵ Parents and policymakers alike would generally benefit from additional research on the specific effects of social media use on children and teens, and certainly before your company encouraged children 12 and under to join. However, we already know today that there exists ample evidence to demonstrate the risks to kids’ wellbeing that platforms such as Instagram can pose.

If Facebook’s objective is to decrease the number of users under the age of 13 on its current Instagram platform, it should invest in efforts to do that directly. The alternative approach that Facebook appears poised to take—specifically, pushing kids to sign up for a new platform that may itself pose threats to young users’ privacy and wellbeing—involves serious challenges and may do more harm than good.

In light of concerns outline above, we request responses to the following questions April 26, 2021:

1. Please describe in detail the model for a version of Instagram intended for children that Facebook is exploring.
 - a. What specific user age range is Facebook considering for its version of Instagram for children?
 - b. What data will Instagram collect about users on the version of the platform for children?
 - c. Describe the relationship between the main Instagram platform and the children’s platform.
 - i. Will users on the children’s platform be able to communicate with users on the main platform?
 - ii. Will users on the main platform be able to view content posted on the children’s platform?
 - iii. Will accounts on the children’s platform be affiliated with or created through accounts on the main platform? If so, will Instagram use data collected about a user on the children’s platform to direct targeted advertisements at the affiliated user on the main platform?
 - d. Describe how you will handle the data of a user on the version of Instagram for children when a user turns 13 years old.
 - e. Describe how you will handle the data of a user on the version of Instagram for children when users delete or disable their accounts on the platform.
2. In what ways will the community guidelines and restrictions on certain types of content differ between the main Instagram platform and the version for children you are

⁴ Victoria Rideout et al., *Coping with Covid-19*, Common Sense and Hopelab (2021), <https://www.common sense media.org/sites/default/files/uploads/research/2021-coping-with-covid19-full-report.pdf>.

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

planning?

3. Does Instagram use machine learning or other similar tools to identify users on the main Instagram platform that are likely children? If so, please describe what tools you use in this process, detail how that process works, and share how many child Instagram users you have identified through this process. If not, does Instagram have plans to use machine learning or other similar tools to identify child users on the main Instagram platform and move them to the version of the platform for children?
4. Will you commit that any platforms that Facebook launches for children, including a version of Instagram that is marketed for children, will never sell or share any user data with third parties for commercial purposes? If not, why not?
5. Will you commit that any platforms that Facebook launches for children, including a version of Instagram that is marketed for children, will always be completely free of targeted advertising? If not, why not?
6. Will you commit that any platforms that Facebook launches for children, including a version of Instagram that is marketed for children, will always be completely free of “influencer marketing” and other forms of commercial content that children may be incapable of identifying as advertisements? If not, why not?
7. Will you commit that any platforms that Facebook launches for children, including a version of Instagram that is marketed for children, will not employ “push alert” techniques or similar design features that encourage users to spend time on the app? If not, why not?
8. Will you commit that any platforms that Facebook launches for children, including a version of Instagram that is marketed for children, will not employ features such as “like” buttons, follower counts, or other tools that allow children to quantify popularity? If not, why not?
9. Will you commit that any platforms that Facebook launches for children, including a version of Instagram that is marketed for children, will not include beauty filters or similar design features that can lead to an unhealthy body image?
10. Will you commit that any platform that Facebook launches for children, including a version of Instagram that is marketed for children, will not include ephemeral features such as stories and “vanish mode” which are difficult to monitor for bullying or child exploitation?
11. Will you commit that a user of the version of Instagram for children will not automatically sign up a user up for the main version of Instagram when that user turns 13 years old? If not, why not?

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12. Will you commit to turning on by default the most protective privacy settings, screen time limits, and any other parental control features available on the platform? If not, why not?
13. Will you commit to consistently subjecting any future version of Instagram for children to independent audits focused on privacy, marketing, and harmful content on the platform? If not, why not?
14. Please describe in detail the research you have conducted, commissioned, or consulted regarding the potential harms to children on social media platforms such as Instagram.

Should Facebook fail to provide adequate responses to the questions above or otherwise fail to demonstrate that a future version of Instagram for children would meet the highest standards of user protection, we would advise you to abandon your plans to launch this new platform.

Due to the telework policies of many congressional offices during the coronavirus pandemic, physical signatures are unavailable. The listed individuals have asked to be signatories to this letter. Thank you for your attention to this important matter. If you have any questions, please contact our offices.

Sincerely,

Edward J. Markey
United States Senator

Kathy Castor
Member of Congress

Lori Trahan
Member of Congress

Richard Blumenthal
United States Senator