

**Congress of the United States**  
**Washington, DC 20515**

November 22, 2021

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

Dear Mr. Zuckerberg:

We write regarding targeted advertising to young users on Facebook’s platforms. Your company recently announced a policy change to significantly limit advertisers’ ability to target children and teens on Facebook. However, new research suggests Facebook *itself* continues to target teens with ads based on those users’ personal information. In light of these findings, Facebook must respond to this research, address this apparent inconsistency between the company’s promises and its practices, and explain in detail the process by which targeted ads reach young teens on its platforms.

On July 27, 2021, Facebook announced it would significantly limit the criteria by which advertisers may target teens on Facebook, Instagram, and Messenger. Specifically, Facebook stated that advertisers would only be able to target children and teens based on age, location, and gender.<sup>1</sup> Your company’s announcement explicitly stated that targeting based on “interests or on [users’] activity on other apps and websites, will no longer be available to advertisers.”<sup>2</sup> Relatedly, Facebook’s Global Head of Safety, Antigone Davis, stated during her recent testimony before the Senate Committee on Commerce, Science, and Transportation, “We have very limited advertising to young people. You can only actually now target a young person based on their gender, age, or location.”<sup>3</sup> This change, made in advance of the implementation of the United Kingdom’s Age Appropriate Design Code, appeared to be a step in the right direction towards an end to targeted advertising directed at children online. Targeted advertising to young users is manipulative because young people are more influenced by marketing, less likely to

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<sup>1</sup> *Giving Young People a Safer, More Private Experience*, Facebook (July 27, 2021), <https://www.facebook.com/business/news/facebook-is-changing-how-advertisers-can-reach-young-people>.

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

<sup>3</sup> *Hearing before the Senate Committee Subcommittee on Consumer Protection, Product Safety, and Data Security Hearing “Protecting Kids Online: Facebook, Instagram, and Mental Health Harms”*, 117th Cong. (Sept. 30, 2021), <https://www.commerce.senate.gov/2021/9/protecting-kids-online-facebook-instagram-and-mental-health-harms>.

realize a piece of content is an advertisement, and less able to grasp the harms of vast data collection.<sup>4567</sup>

Unfortunately, new research suggests that Facebook may be continuing to facilitate targeted advertising to young teens. According to a recent study, while Facebook may have significantly limited *advertisers'* ability to target teen users, Facebook *itself* continues to collect considerable data about young teens' online activity to feed Facebook's own machine learning enabled advertising "Delivery System" and target young users.<sup>8</sup> Using fake accounts registered as 13 and 16 year olds, researchers determined that Facebook collects vast amounts of information from those users. This includes information about the users' browsing history, the terms they search for and the products they purchase, offering deep insight into the users' interests and preferences. The researchers also found that Facebook leverages this data to serve teen users with advertisements that the company's machine learning tools predict will catalyze engagement.<sup>9</sup> Against the backdrop of these findings, Facebook's recent statements about how it limits ad targeting to young users appear misleading.

These findings are particularly concerning in light of other recent revelations about how Facebook's platforms harm young people. New reporting shows how teens on your platforms are bombarded with targeted ads that have the potential to harm their mental health.<sup>10</sup> Testimony from Facebook whistleblower Frances Haugen before the Senate Committee on Commerce, Science, and Transportation provided further description of the harms that promotion of commercial content pose to teens on Facebook's platforms, including information about how Facebook fails to protect young users from ads for dangerous products like e-cigarettes.<sup>11</sup> A growing body of evidence suggests that Facebook's advertising practices are fundamentally inconsistent with young users' wellbeing.

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<sup>4</sup> Matthew Lapierre, Frances Fleming-Milici, Esther Rozendaal, Anna McAlister & Jessica Castonguay, "The Effect of Advertising on Children and Adolescents", *Pediatrics* (2017), 140 (2) S152-S156; doi:10.1542/peds.2016-1758V.

<sup>5</sup> Laura Owen, Charlie Lewis, Susan Auty, Moniek Buijzen, "Is Children's Understanding of Non-Traditional Advertising Comparable to their Understanding of Television Advertising?" *Journal of Public Policy Mark* (2021), 32(2):195-206 doi.org/10.1509/jppm.09.003.

<sup>6</sup> Beatriz Feijoo, Simón Bugueño, Charo Sádaba & García-González, "Aurora Parents' and Children's Perception on Social Media Advertising", *Comunicar* (2021), vol. 29, n. 67 doi.org/10.3916/C67-2021-08.

<sup>7</sup> Sandra Calvert 2008, "Children as Consumers: Advertising and Marketing" *Future Child*, Spring 18(1):205-34. doi.org/10.1353/foc.0.0001.

<sup>8</sup> Elena Yi-Ching Ho & Rys Farthing, *How Facebook Still Targets Surveillance Advertising to Teens*, Fairplay, Global Action Plan, Reset Australia (November 16, 2021), <https://fairplayforkids.org/wp-content/uploads/2021/11/fbsurveillancereport.pdf>.

<sup>9</sup> *Id.*

<sup>10</sup> Georgia Wells, Jeff Horwitz and Deepa Seetharaman, *Facebook Knows Instagram Is Toxic for Teen Girls*, Company Documents Show, *Wall St. J* (Sept. 14, 2021), <https://www.wsj.com/articles/facebook-knows-instagram-is-toxic-for-teen-girls-company-documents-show-11631620739>.

<sup>11</sup> *Hearing before the Senate Committee Subcommittee on Consumer Protection, Product Safety, and Data Security Hearing "Protecting Kids Online: Testimony from a Facebook Whistleblower"* 117th Cong. (Oct. 5, 2021).

Facebook's announcement that it would limit ad targeting to users under the age of 18 implicitly acknowledged the harms that targeted advertisements pose to young people,<sup>12</sup> and Facebook explicitly stated it was committed to taking a "more precautionary approach" in its advertising practices when it announced its policy change.<sup>13</sup> Unfortunately, new research suggests that harmful advertising practices on Facebook continue. Therefore, we request responses to the following questions by December 13, 2021:

1. Since Facebook's announcement that it will limit ad targeting to users under 18, what specifically has Facebook done to restrict advertisers' abilities to reach young users?
2. Does Facebook use an advertising "Delivery System" powered by artificial intelligence to determine in part what commercial content users under 18 on your platform see? If yes, please describe the program in detail.
  - a. What types of user data does this system collect or employ?
  - b. Does this system collect or employ data from users under the age of 13?
  - c. How long has Facebook used this system?
3. Will Facebook commit to releasing its algorithmic process for ad targeting to be studied by independent researchers? If not, why not?
4. Please describe in detail the ways in which Facebook uses data about the interest and browsing history of users under 18.
5. Has Facebook conducted any internal research on the effects of targeted advertising on users under 18? If so, please provide this research in its entirety.
6. Has Facebook communicated with potential advertisers about Facebook's advertising "Delivery System" and its ability to target users under 18? If so, please describe these communications in detail.
7. Has Facebook's advertising "Delivery System" ever served an advertisement to a user under 18 that promoted weight-loss, nicotine or alcohol use?
8. Will Facebook commit to ending targeted advertising to users under 18 on all of its platforms? If not, why not?

Thank you for your attention to these important matters.

Sincerely,



Edward J. Markey  
United States Senator



Kathy Castor  
Member of Congress



Lori Trahan  
Member of Congress

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<sup>12</sup> *Giving Young People a Safer, More Private Experience*, Facebook (July 27, 2021), <https://www.facebook.com/business/news/facebook-is-changing-how-advertisers-can-reach-young-people>.

<sup>13</sup> *Id.*