

Digital Platform Accountability & Responsibility

Proposals for Legislative Reform

Building a Better Online Community

We need to build a better online community for kids and teens. Seventy percent of teens use social media, and while they derive many benefits from their online interactions, they also believe these platforms are designed to make them spend more time on their devices and distract them and their friends.¹ Manipulative design practices also undermine privacy rights and amplify the worst of the worst content online. Against this backdrop, platforms promise families, kids, and all users a safe and appropriately managed environment, but fail to live up to those claims. Congress and the White House have an important role to play in building a better online community.

Platforms can be toxic for young people.

Online platforms can be a toxic and dangerous environment for children and teens.

- Teens with low social-emotional well-being experience more of the negative effects of social media than kids with high social-emotional well-being. In fact, 45% of girls say social media makes them feel they have to look or act a certain way.²
- Kids on social media are regularly exposed to violence, self-harm, profanity, porn, hate speech, and even violent livestreams. During the pandemic, reports have found that 47% of children and teens have seen content they'd rather avoid, leaving them feeling uncomfortable (29%), scared (23%), and confused (19%).³
- Of parents whose kids watch YouTube, 61% say their child has encountered content they felt was unsuitable for children.⁴

Platforms are failing to protect young people online. We need protections that:

- Limit children's exposure to unhealthy content via social media and other algorithmically curated platforms.
- Curb incentives to push inappropriate ads and other disturbing and even illegal content onto kids.
- Control algorithmic amplification and UX/UI design that undermines users' choices and amplifies negative content.
- Hold platforms accountable for their promises to address misinformation, harassment, and harmful content, including via educated, meaningful enforcement.
- Clarify Section 230 and modify its liability shield on taking reasonable steps to moderate unlawful content.

¹ Rideout, V., & Robb, M. B. (2018). *Social media, social life: Teens reveal their experiences*. San Francisco, CA: Common Sense Media.

² Plan International UK (2017). *Reclaiming the internet for girls*. Available at <https://plan-uk.org/act-for-girls/girls-rights-in-the-uk/reclaiming-the-internet-for-girls>.

³ BBFC (2020). *Half of children and teens exposed to harmful online content while in lockdown*.

⁴ Radesky, J. S., Schaller, A., Yeo, S. L., Weeks, H. M., & Robb, M. B. (2020). *Young kids and YouTube: How ads, toys, and games dominate viewing, 2020*.

- Update and [expand privacy and data protection rules](#) for the 21st century, including updates to the [Children's Online Privacy Protection Act](#) and federal student privacy laws that incorporate data minimization and privacy by design and default.⁵

Address Manipulative Design

Manipulative design, also known as persuasive design or dark patterns, refers to the design of digital devices and apps to influence human behavior. While persuasive design techniques can be used for positive purposes (e.g., more efficient website navigation), they are also used to persuade and sometimes mislead users, often into giving up more information or spending more time or money than they otherwise would. As kids' brains are still developing, manipulative design is especially concerning for platforms that target kids.

Legislation can help, including the DETOUR and KIDS Acts.

- The bipartisan DETOUR Act would make it unlawful to design, modify, or manipulate a user interface or experience directed to kids or teens that cultivates compulsive usage, induces users to give up data or information (to allow tracking or upload more photos), or encourages transactions like in-app purchases.
- The KIDS Act targets manipulative and damaging design features that keep kids glued to the screen or dupe kids into sharing data or making online purchases, including autoplay features, nudge techniques, and badges and rewards purely for product engagement.

Create Healthy and Safe Online Content for Kids

The Children's Television Act has regulated kids' programming for the past 30 years, ensuring a safe and healthy television experience for kids. That law provides guidance to broadcasters on children's television content, advertising rules, and established rules around the airing of indecent television content. We need a similar framework that extends these values and protections online.

The KIDS Act would limit kids' exposure to marketing and commercialization by creating rules that limit the method of content of ads that appear in front of kids. It also requires platforms to provide families with better guidance on kid-healthy content, label and identify healthy content, and support no-cost and ad-free access to this material. Other bipartisan proposals like the **CAMRA Act** would fund much-needed research by NIH into how kids use technology.

Fix Content Moderation and Clarify Intermediary Liability

Parents and policymakers rely on tech companies to moderate and respond to threats, bullying, and other troubling activity. Reforming Section 230 of the CDA may be one way to create a better online environment for our children and families. Congress must take the problem seriously, first by gathering evidence to better understand how online platforms work.

The **SAFE TECH Act** is a good first step and limits companies from claiming Section 230 defenses for content they profit from, including bad products on online marketplaces or discriminatory online ads. The public needs more information about how companies' algorithms work, and about how companies are living up to their own promises, and we encourage regulators like the Federal Trade Commission to investigate how companies are targeting kids and upholding their community guidelines.

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⁵ Johnson, Ariel Fox. 2020. [Improving COPPA: A road map for protecting kids' privacy in 2020 and beyond](#). Common Sense Media.