



OFFICE OF THE GOVERNOR

May 26, 2023

Steve DelBianco
President and CEO
NetChoice
1401 K Street NW, Suite 502
Washington, DC 20005

RE: Confirmation that the California Age-Appropriate Design Code Act protects kids and teens

Dear Mr. DelBianco:

Enough is enough. In light of new action and findings released by the U.S. Surgeon General, I urge you to drop your lawsuit challenging California's children's online safety law.

Every day as our children browse the internet to connect with one another, build community, and learn, they are also pushed to horrific content and exposed to data mining and location tracking. This reality is dangerous to their safety, mental health, and well-being. That's why, last September, I was proud to sign the California Age-Appropriate Design Code Act – a bipartisan, first-in-the-nation law that protects the health and privacy of children using online platforms and prohibits online service providers from encouraging children to provide personal information.

Rather than join California in protecting our children, your association, which represents major tech companies including Google, Meta, TikTok, and Twitter, chose to sue over this commonsense law. In your lawsuit, you have gone so far as to make light of the real harms our children face on the internet, trivializing this law as just being about teenagers who "say unkind things, insufficiently 'like' another's posts," or are unhappy about "the omission of a 'trigger warning.'"

Yet at the same time you are in court callously mocking this law, experts are confirming the known dangers of online platforms for kids and teens: Just days ago, the U.S. Surgeon General issued an advisory on the profound toll that social media takes on kids' and teens' mental health without adequate safety and privacy standards. Your association and its members may be interested to learn of the Surgeon General's urgent findings about the sexual extortion of our children, and alarming links between youth social media use and cyberbullying, depression, suicide, and unhealthy and dangerous outcomes and behaviors. Many of these findings mirror what UCLA researchers also found in an equally alarming report published by the California Partners Project this week.

The harms of unregulated social media are established and clear. It is time for the tech industry to stop standing in the way of important protections for our kids and teens, and to start working with us to keep our kids safe. As the Surgeon General said this week, "[o]ur children and adolescents don't have the luxury of waiting years" — we must act now. I urge you to drop your litigation campaign and instead join state agencies in implementing policies that strike a sound balance between protecting kids and ensuring that tech companies can continue to innovate.

Respectfully,



Gavin Newsom
Governor of California

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