[DISCUSSION DRAFT]

117TH CONGRESS
1ST SESSION

H. R. ______

To require internet platform companies to submit to the Federal Trade Commission biannual filings regarding the impact such companies’ products or services have on users and to require the Director of the National Institutes of Health to conduct a study related to the mental health impact of social media on children, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

M. __________ introduced the following bill; which was referred to the Committee on _______

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A BILL

To require internet platform companies to submit to the Federal Trade Commission biannual filings regarding the impact such companies’ products or services have on users and to require the Director of the National Institutes of Health to conduct a study related to the mental health impact of social media on children, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the "Act".

SEC. 2. MENTAL HEALTH IMPACT DISCLOSURES.

(a) BIANNUAL FILINGS.—Each covered company shall submit to the Commission, on a biannual basis, a detailed description of the impact such company’s products or services have on users. Such disclosure shall include—

(1) the role and impact such company’s products or services have on the mental health of users, for users who are under the age of 13, users who are age 13 or older but under the age of 18, and users who are age 18 or older;

(2) the role and impact that the passive consumption of content on such company’s products or services has on the mental health of users, for users who are under the age of 13, users who are age 13 or older but under the age of 18, and users who are age 18 or older; and

(3) the results of any studies or research such company has conducted or contracted with third parties to conduct on the role and impact such company’s products or services have on the mental health of users, for users who are under the age of
13, users who are age 13 or older but under the age of 18, and users who are age 18 or older.

(b) PUBLIC AVAILABILITY.—The Commission shall make publicly available on the website of the Commission the disclosures required under subsection (a). The covered company filing such disclosures may claim any information included in such filing to be privileged and confidential and, upon coordination with the Commission, such information shall be treated as such for purposes of section 552(b)(4) of title 5, United States Code. If the Commission withholds any information included in the filing, the Commission shall make publicly available on the website the category of information withheld and the purposes for doing so.

(c) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) IN GENERAL.—This section shall be enforced by the Commission under the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(2) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of this section shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).
(3) ACTIONS BY THE COMMISSION.—

(A) IN GENERAL.—The Commission shall prevent any person from violating this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PENALTIES AND PRIVILEGES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

SEC. 3. STUDY ON DISCLOSURE OF MENTAL HEALTH IMPACT.

(a) STUDY.—Not later than 1 year after the date of the enactment of this Act, the Director of the National Institutes of Health (in this section referred to as the “Director”), in coordination with the head of any other appropriate Federal agency, shall conduct a study related to the mental health impact of social media on children. In conducting the study, the Director shall—

(1) consult technology companies (including social media companies and mobile application devel-
opers), academic researchers, and consumer advocacy groups; and

(2) assess a variety of means for disclosing the mental health risks associated with the use of social media, including—

(A) health warning label requirements on certain products or services;

(B) health warning disclosures on advertisements for certain products or services; and

(C) other means for communicating risks related to the use of social media.

(b) REPORT.—Not later than 6 months after completion of the study required by subsection (a), the Director shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that contains—

(1) the results of such study; and

(2) any recommendations for legislation to address mental health risks related to the use of social media.

SEC. 4. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term “Commission” means the Federal Trade Commission.
[(2) COVERED COMPANY.—The term “covered company” means a company that provides any internet platform that—]

[(A) generates $3,000,000,000 or more in annual revenue; and]

[(B) has 300,000,000 or more monthly active users.]