

**Testimony of Ava Smithing, Advocacy Director of the Young People's Alliance
Vermont Senate Committee on Institutions
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Chair Harrison, Vice Chair Plunkett, and members of the Committee on Institutions. Thank you for inviting me to express my support for the Vermont Kids Code, SB 69.

My name is Ava Smithing, and I am the Director of Advocacy at the Young People's Alliance. We are a youth led and run non-profit dedicated to leveraging youth perspectives in policy conversations that impact us. I have the best job in the world, working with our youth base and applying their insights into my legislative advocacy work. Our organization has worked closely on the proposed Kids Online Safety Act and related data privacy bills at the federal level over the past two years. I am so grateful for the opportunity to speak in support of bill S.69 and share my personal experience as a young person harmed by social media's exploitative, predatory business model.

I am one of the many teenage girls who grew up on Instagram and consequently suffered from an eating disorder. My multi-year struggle is what led me to my work at the Young People's Alliance. In combination with my learned expertise on the regulatory mechanisms, the social media industry, and the research driving this bipartisan group of Senator's to write this bill in the first place is what has put me in front of you today. I was 10 or 11 years old when I first downloaded social media. The decision to click that download button was driven by what the platforms promised: a way to connect and joke with my friends. However, not long later Instagram was acquired by Meta and they began employing the strategies that they used on Facebook to maximize engagement.

The app began using algorithms that delivered content based on what would keep you using their platform the longest, as opposed to Instagram's previous model of only showing posts in a reverse chronological order, i.e., the most recent posts first. Instagram began curating my feed to maximize how long I stayed on the app. It also included a change in what type of content appeared; I no longer just received content from people I followed, but I received content from accounts I did not follow, from brands I had never engaged with, and from people I did not know. After this, my experience online became one of relentless exposure to content that deepened my insecurities.

The reason Meta, at the time Facebook, made these changes follows from their business model. Facebook makes money by selling advertisements to companies. They promise these companies that the psychological profiles they designed are so accurate that they can ensure that they are recommending the product or service to a user that will be likely to use it. And so, they charge advertisers to promote their products or services by click; for every click they get on an ad,

Facebook gets paid. Facebook is not like a billboard owner who charges a monthly fee to advertise, but more like a salesperson who is paid on commission. Just like salespeople, this means that for Facebook to make more money they have to do one of two things: (1) increase the price of ads or (2) increase the amount of clicks those ads get, which they can do by increasing the amount of ads a user sees and increasing the accuracy of their psychological profiles.

Thus, between photos of my friends and family, I started seeing advertisements for bikinis. I was at an awkward age, insecure, and the large like and comment counts on these advertisements and posts led me to realize the implicit message underlying all of them: my worth is tied to my appearance. “I want to look like her,” I thought. So naturally, I paid more attention to these posts than others. This is how a negativity bias works.

As humans, we are adapted for survival. Evolution has designed us so negative experiences are more salient and more important to us than positive ones. Social media companies have discovered how to exploit and profit from this human instinct. Their algorithms input what we look at and how long we look at it and output an assumption about what our preferences and our interests must be.

When I hesitated on an ad for a bikini, social media’s automated decision making systems wrongly inferred that I wanted more of that content. They then stored this assumption as data and linked it indefinitely to my profile. I was then recommended more and more of the content that made me feel ashamed of my own body.

That’s the first way data is weaponized against users: by falsely assuming that what we spend time looking at is what we want to see more of. It is important to point out that this did not require any direct engagement with posts— no liking, commenting, or sharing— just time spent before moving to the next post in the endless queue.

The next way data is weaponized against users on social media is through a process called collaborative filtering. Collaborative filtering predicts what content you’ll engage with by analyzing patterns in datasets from millions of users with similar behaviors. For example, if groups of users who interact with and follow the Boston Celtics also tend to interact with and follow the Boston Red Sox, then the algorithm might show you Boston Red Sox content if you are a Celtics fan. In my case, users who lingered on bikini ads also frequently interact with exercise content. So, the system predicted that because I looked at bikini ads, I would likely be interested in exercise content too, regardless of whether I actively sought out exercise content.

This creates a reinforcing feedback loop that shapes recommendations and can gradually lead users toward more extreme or niche content over time. It started with bikini ads. Then exercise

content. Then diet tips. Then posts about skipping meals. Then I was taught to hide my habits from my parents. And it only got worse until I was shown posts that are too difficult to recount.

I never chose this. My data did for me. At 12, I didn't understand how any of this worked. I just clicked 'yes' after scrolling past the endless pages of legalese in the terms and conditions and assumed that if this was all I was seeing, it must be what I was supposed to be seeing. The women in these images must have been what the world expected of me, and I should follow their instructions to conform.

My story is sadly not unique, each young person on social media is exposed again and again to their biggest vulnerabilities because of the way their attention is tracked and stored. My younger brother, for example, sees videos of people getting hit by cars and buses, and of people getting brutally murdered on his TikTok feed. He never liked, commented on or shared these videos, but as the cliché goes, "You can't look away from a car crash." And as we now know on these apps, you can't look away from what you are forced to see more of.

This is not only because of the content itself and its implications I have just described, but also because the data that these companies collect on you, the models they build using that data, and the features they have created in their service also keep users addicted to scrolling and using their service itself. The research demonstrates this in spades. As of 2023, [teenagers spent](#) 4.8 hours per day on social media, more than a quarter of their waking hours. My own experience demonstrates this also. I was unable to put my phone down not only because of my desire to fit in, but also because of the way social media delivers content through a variable reward system—the same psychological trick used in slot machines. Social media platforms mix content they know will trigger both positive and negative reactions, creating an addictive cycle where just the anticipation of a dopamine hit is enough to keep you scrolling in a way that your brain registers as pleasurable. You never know when you'll see something that gives you a little hit of dopamine, so you keep scrolling just in case, and because my data was constantly updating, the system could perfectly calibrate what to show me next.

I need to be clear, because I've talked a lot about content: the harm wasn't just the content itself. It was how often I saw it, how much I saw it, and how quickly it changed my perception of who I was and who I should be. A combination of the hijacking of my negativity bias, use of collaborative filtering and a variable reward system were the perfect storm to keep me a money making machine.

This is why S.69 is so important—because these protections are content-neutral. They don't tell platforms what they can or can't show. They simply ensure that our most vulnerable personal data isn't exploited to decide how often we see content we never searched for. By regulating the collection of data that powers content recommendation systems, the bill helps to give younger

users the control they need to be empowered online. The bill also limits the data companies can collect and how that information can be used. Instead of collecting every piece of data imaginable to determine that bikini advertisements are the ones I am most likely to click on, the data can only be used for necessary services and features of which the minor is knowingly engaging with.

If this bill were passed in my home state of Tennessee or federally when I first downloaded Instagram, the data that was collected about me could not have been used to recommend content that I did not choose. The platforms would have been stopped short of leading me down a pipeline that led to an eating disorder.

Young people do not have the choice to delete social media to avoid these pitfalls. These platforms are deeply integrated into the lives of youth who are peer sensitive, do not want to be left out of what their friends are doing online, and have little ability to self regulate emotionally and know when they need to get offline.

Youth need your help making sure they can socialize in a way that does not threaten their wellbeing. I am lucky to be alive today, that I got the help I needed before the algorithm brought me any further. But I lost 10 years of my life to these manipulative platforms in exchange for maintaining a social life. Youth today have no way to know that these platforms are not built for them because they have never been exposed to better. I barely remember what life was like before these platforms took over, but you all do.

I urge you to use that memory to stand up for our youth when the federal government and these companies fail to do so. Meta executives, including Instagram head Adam Mosseri, have long known the impact their platforms have on teen mental health but chose to downplay it publicly. Internal documents show that Mosseri dismissed concerns from his own employees about Instagram's role in exacerbating eating disorders and self-harm. In 2021, despite internal data showing harm, he publicly claimed the impact was 'quite small.' Yet, behind the scenes, Instagram was making deliberate choices to retain and engage young users- even those who were too young to be on the platform in the first place.

And last April, I shared a similar story to the one I have just told you to the House Energy and Commerce IDC Subcommittee. And while I am truly grateful for their and your consideration, and my ability to be here today, and then, I wish more than anything I did not have to relive this pain again- but every year Congress fails to act, more young people are harmed- so here I am- because Vermont has the opportunity to lead where the federal government has not. To be a leader in strong, privacy-driven legislation to protect youth online.

Chair and members of the committee, we need S.69. Without data protections, social media companies will continue to collect, store, and use our insecurities against us for profit. This bill is a step toward stopping that exploitation.

Please pass it.

Thank you very much and I look forward to answering your questions.