

The Honorable Rob Bonta
Attorney General of California
1300 I Street
Sacramento, CA 95814-2919

October 18, 2023

Dear Attorney General Bonta,

We, a diverse group of organizations representing young people, parents, educators, pediatricians, mental health providers, technologists, researchers, privacy groups, and advocates deeply appreciate your decision to appeal the recent preliminary injunction on the Age-Appropriate Design Code (AADC) issued by the Northern District of California. Child safety and well-being requires guardrails online, and cuts across every aspect of young people's lives; we join you in calling on the Ninth Circuit to uphold the framework outlined in the AADC and to protect kids' safety and privacy online.

The district court's ruling jeopardizes not only the AADC, but would undermine existing and proposed protections for young people online. By invalidating the AADC as an unconstitutional infringement of protected speech rights, rather than affirming it as a regulatory approach that prioritizes data privacy by default and safety by design, this ruling threatens the very well-being of young people in California and across the nation. It cannot stand.

The court's [judgment](#) ignores obvious harms to kids online and would constitutionally protect Big Tech's practice of collecting and using kids' data: "The state provides no evidence of a harm to children's well-being from the use of personal information for multiple purposes." Instead we should be regulating a tech industry that, as the Surgeon General said in May, should prioritize health and safety in designing products. This is what the AADC seeks to do and in fact, tech companies have already implemented changes to their platforms to protect child safety outside of the U.S. in accordance with the AADC.

We are grateful for your leadership in taking this action and for your role in supporting the AADC's development and enforcement. Upholding the AADC is essential for the safety, privacy, and overall well-being of California's children in the digital age.

We look forward to a Ninth Circuit ruling that is both legally sound and which upholds California's authority to regulate in favor of protecting the privacy and welfare of our state's young people. Thank you for your dedication, and your leadership.

Sincerely,

