

Dissenting Statement of Commissioner Christine S. Wilson

Regarding Request to Extend Public Comment Period on Petition to Promulgate a Rule to Prohibit the Use of Certain Types of Engagement-Optimizing Design Practices on Minors

December 28, 2022

Today the Commission votes to publish a Federal Register Notice extending the public comment period for a rulemaking petition to prohibit “the use of certain types of engagement-optimizing design practices on minors in connection with internet services.” The same organizations that filed the petition with the FTC in November now return as requestors, asking the Commission to extend the public comment period. Congress has made important strides toward this goal. Other constructive and noteworthy bills aimed at protecting children’s privacy and digital well-being are receptive to hearing from the public. I am always receptive to hearing from the public. But when the Rules of Practice were changed,

¹ Hugues Sampasa-Kanyinga and Rosamund F. Lewis, *Frequent Use of Social Networking Sites is Associated with Poor Psychological Functioning Among Children and Adolescents*, *Journal of the American Academy of Child and Adolescent Psychiatry* 61(12):1611-1618 (2022).

Andrew K. Przybylski, *The association between adolescent well-being and digital technology use*, 3 *NATURE HUMAN BEHAVIOUR* 1-10 (2022).

I expressed concern that compelling the Commission to seek comment on every petition for rulemaking would tax our finite and scarce resources.⁴ In any event, the FTC's Rules of Practice are clear that the public comment period for petitions is 30 days.⁵ I do not support expending additional resources to deviate from the Commission's Rules of Practice for a process that could contribute to the derailing of important federal legislation.

For these reasons, I dissent.

⁴ Oral Remarks of Commissioner Christine S. Wilson, *Open Commission Meeting: FTC Procedural Rules Concerning Petitions for Rulemaking* (Sept. 15, 2021), <https://www.ftc.gov/system/files/documents/>