

April 23, 2023
The Honorable Ron Latz
Chair, Minnesota Senate Judiciary Committee
95 University Avenue W.
3105 Minnesota Senate Bldg
St. Paul, MN 55155

Dear Chair Latz and Members of the Senate Judiciary Committee,

I am a Minnesota resident and a former lobbyist for Amazon. I would like to express my support for SF 2810. To be clear, I am speaking only for myself, not for the benefit of or representing the views of any group or organization.

We have often been slow to protect children from advances in technology. It was not until 1938 – decades after the dawn of the American factory – that our nation had its first statute broadly prohibiting child labor. Because of that law, small children no longer toil in mines or have their bodies broken in mills. But today, Big Tech companies mine kids' data and harvest their attention, and the cost is not broken bodies but broken minds. From a child's perspective, the digital world these companies steward is what the sweatshop or factory floor was for children a century ago: a lawless place, designed for adults and operating for the benefit of adults.

I submit this testimony because I fear that the classic Big Tech lobbying playbook that I know well is working and will work to our state's children's detriment in this case. I submit it because the families you represent likely don't know what's going on here, that it is organizations funded by TikTok, Meta, Amazon, and Google that are behind the opposition to this bill, and I believe they deserve to know. And I've stood up because my hope is to convince you and the members of your committee that if we call out these tactics for what they are together, that Minnesotans will stand behind you for standing up *against* bullies and *for* the state's children.

Based on my experience as a tech lobbyist, I can tell you that what I see in the public testimony from these companies and their allies – and, I can imagine, the conversations they and their representatives are having with you in hallways and on phone calls – are carefully coordinated and designed to exploit information and resource asymmetries to coerce you to do something not in your or your constituents' interest. I call that bullying, and so should you.

Part of that strategy is to challenge the constitutionality of the bill. To my shame, I've used this argument before myself in other situations, and it is a sign that these companies believe the law is an irredeemable threat. But their argument is circular: first Big Tech funds the NetChoice lawsuit challenging the California law's constitutionality, then TechNet, funded by the same companies, cites the existence of that lawsuit to argue that the constitutionality of this law has been called into question.

But remember how slow we've been to protect children in the past. The opposition to the 1938 Fair Labor Standards Act – indeed, what delayed these protections for more than 20 years –

was led by business interests that questioned the constitutionality of these protections. Not just mills and quarries and factories lobbied against the bill, but businesses like bakeries did too, saying the law would put them out of business.

We now have child labor protections because legislators like you took courage to *legislate* and to update our laws to protect our most vulnerable in the face of tough opposition. These companies' pressure tactics are intended to be frightening, and so I know that passing this bill does take courage. But I've come forward, with some amount of personal and professional risk, to urge you to be the legislators we look back on a decade from now, when today's kids are grown, and tomorrow's infants are still just kids, with gratitude and pride. Also, I don't like bullies, and I think most Minnesotans probably would agree with me.

These companies claim to be among the most innovative in the world. Let's make them innovate for our kids' benefit, not just for themselves. And yes, these companies may pay a financial cost for that. But on the balance sheet of society, they extract far more from our state than they pay in, and will continue to do so. Designing safe products for Minnesota's children is the least they can do, and they've proven they won't do it on their own.

Thank you for your consideration.

Sincerely,

Casey Mock