



August 31, 2026

The Honorable Gavin Newsom
Governor, State of California
California State Capitol, Suite 1173
Sacramento, California 95814

Re: A.B. 1709 – Request for veto

Dear Governor Newsom:

We write today on behalf of the Electronic Frontier Foundation (EFF) to respectfully request your veto on A.B. 1709.

Technology should support and empower young people, but A.B. 1709 falls far short. Using technology is how we learn and build community in today's world. However, laws such as A.B. 1709, as passed by the legislature, function as a ban on social media use for people under the age of 16 and cut young people off from essential information and experiences. This approach acutely harms vulnerable youth and marginalized groups who often find safety in supportive online communities that they cannot always access in the physical world. The bill will also likely be tied up in court because of its significant First Amendment problems.

Under the provisions of A.B. 1709, social media platforms are prohibited from offering "addictive features" to users under 16, allowing access for young people only if platforms strip away those features. This definition encompasses "addictive feeds," autoplay, and any other elements designated by the Attorney General in future rulemaking. However, the bill defines "addictive feeds" so broadly that it covers virtually every system that social media platforms use to recommend user-generated content to others. And importantly, those same systems allow all users to share their content widely and find new friends, communities, and audiences. Instead of recognizing that these features benefit users, A.B. 1709 states that they are inherently addictive.

The bill also relies on sweeping generalizations regarding the unsettled science of youth social media use and addiction. Research shows that social media bans are ineffectual and also deny young people opportunities to develop their own voices and perspectives. Young people use social media to share art, practice their religion, and even to engage in politics. But A.B. 1709 strips away the basic features that enable young people to use social media, blunting their ability to both speak online and to access other people's speech.

Even if a platform attempts to comply with A.B. 1709 by not offering recommendation systems to those under 16, the mandate still violates the First Amendment. Forcing young people onto a dysfunctional, stripped-down version of social media heavily burdens their constitutional rights to access information and participate in public discourse.

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Furthermore, the legislation fails to eliminate the severe privacy risks posed by age gating, mandating that covered platforms verify the age of users on pain of liability. Because the framework does not specify how verification should occur without requiring additional proof, A.B. 1709 will in practice result in platforms using the most invasive forms of age verification, such as requiring government-issued ID uploads or biometric scanning. This is acutely a problem for many teens, as even those over 16 may not have government-issued ID. Age-gating requirements force everyone to give up more personal information and will have companies collect even more data to verify who can pass through their online gates, further concentrating power in corporate hands rather than protecting people. This requirement creates massive honeypots of sensitive personal data, severely damages online anonymity, exposes users of all ages to heightened security breach risks, and relies on biometric systems that historically carry high error rates across race and gender lines.

Finally, A.B. 1709 introduces dangerous legal confusion imposing requirements that directly conflict with already enacted legislation such as A.B. 1043 (2025) or S.B. 976 (2024). Rather than offering regulatory clarity or true protections, A.B. 1709 establishes a tangled scheme that sacrifices fundamental constitutional rights for political posturing. California will only end up spending valuable resources to defend a law bound to be tied up in court.

Instead of enacting social media bans that cut young people off from digital lifelines, communities, and speech, the Golden State should model gold standard laws that ensure technology truly works for people of all ages. We should redouble our efforts to get technology law right—supporting the passage of robust privacy laws that target surveillance business models. That is how we protect everyone in the AI age.

Young people should be able to use technology in safe and healthy ways, but shutting down access to digital forums does more harm than good. For these reasons, we must respectfully maintain our opposition and urge your veto. Thank you.

Sincerely,



Rindala "Rin" Alajaji
Associate Director of State Affairs
Electronic Frontier Foundation