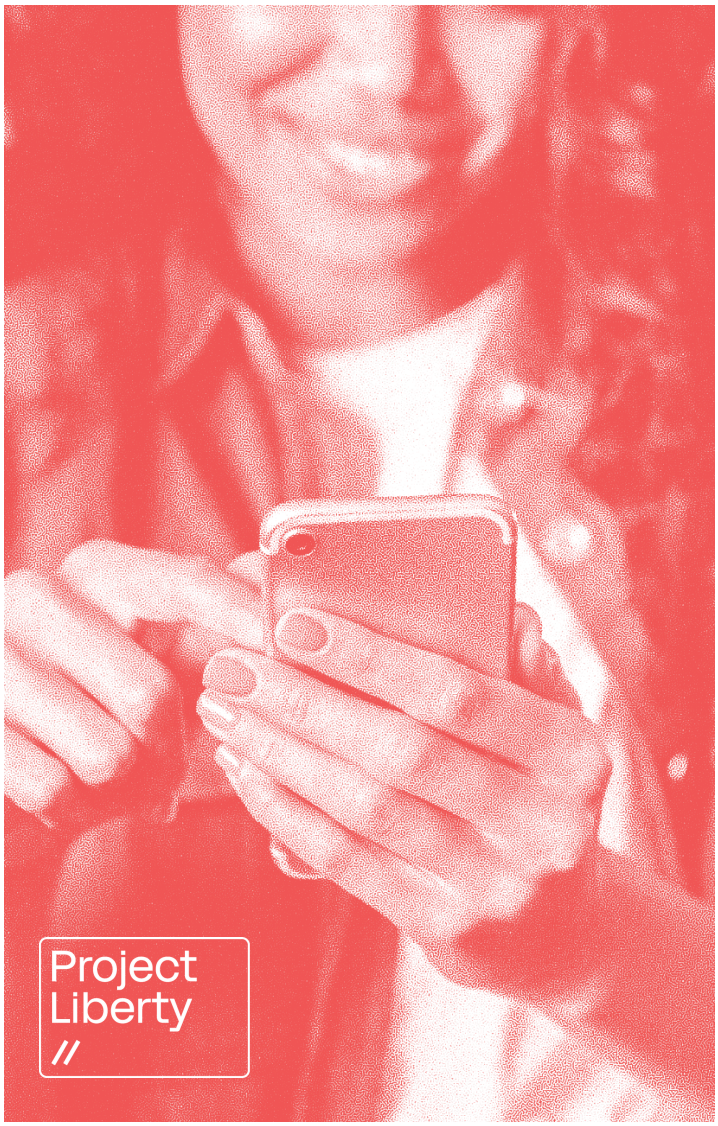
The Digital Choice Act

SF4100
HF3858



Platforms, not people, control our personal data

Social media and AI platforms currently own and profit from individuals' data, including their content, personal memories, network of relationships, and conversations. This bill would empower individuals, foster innovation, and enhance online experiences by expanding data portability and competition.

1. **Lack of individual control over data**
   Account holders don't have full control or a complete record of their online activity. Users risk losing their history if hacked, banned, or switching platforms. While some platforms allow people to download some of their personal data, they often do not include their content and interactions with other users, or the full AI history.
2. **Lack of competition and innovation**
   With data exclusively controlled by existing large social media platforms, it is difficult for new platforms to onboard people who risk losing their content and social networks, or to build new online communities. As AI platforms emerge, we have a rare opportunity to stop this lock-in before it hardens in a new sector.
3. **Potential for safer, more enriching experiences**
   More competition will incentivize social media and AI platforms to provide safer, age-appropriate, and more enriching user experiences, rather than just optimizing for engagement-driven advertising and usage statistics.

The Digital Choice Act would give individuals back control

- **True data portability**
  Requires platforms to allow users to download their complete data in a transferable format, including all content, interactions, context, and conversation history.
- **Right to delete**
  Requires companies to delete all the data they have about someone, at that person's request.
- **Interoperability**
  Requires platforms to enable direct, ongoing data sharing with other social networks or AI platforms when users grant permission, including content and interactions.

Digital choice would deliver safer, more competitive online experiences

- Control over data empowers and protects individuals
- Data portability improves competition by lowering barriers to entry for new platforms
- Reshaping incentives for a healthier, safer internet by making platforms compete with great, healthy user experiences

The Digital Choice Act

Frequently Asked Questions

Project Liberty //

What are data portability and interoperability?

- Data portability means downloading and taking your data with you—like your profile and posts.
- Interoperability means seamlessly sharing your content across platforms in real time.

Where do we see portability and interoperability today?

- These features are common: for example, phone networks let you keep your number and call people on other carriers, and email works across providers.
- Some platforms already offer elements of this—like cross-posting between Facebook and Instagram, or a pilot program linking Threads and Mastodon. New platforms like Bluesky and MeWe use open protocols that support interoperability.

How expensive will this law be to implement?

- Social media companies already must implement these features by July 1, 2026 to comply with existing law in Utah. Several other states are also considering similar provisions this year.
- Platforms with millions of users have already implemented open protocols for social media interoperability within a few months. While this is not trivial, it is on the order of months, not years.
- Social media companies are already required to allow portable downloads of personal data under many states' consumer privacy laws. The Digital Choice Act would expand this to include all relevant data for social media platforms, and require them to make it simple and easy for consumers to use by sending the data directly to platforms the consumer chooses.

What impact would interoperability have on privacy and security?

Data portability and interoperability enhance privacy and security by putting individuals in control of their own data, rather than businesses that profit from its sale.

- User Ownership of Data: Individuals would own and control their data, eliminating the need for centralized entities like social media platforms to store and monetize user information.
- Limited Data Sharing: Users would decide if, when, and how their data is shared. It minimizes exposure to third-party data harvesting. Some interoperability protocols are also designed to avoid sending data between sites, instead letting users select who can access the data in a single location, like designating who has view access to a file on Google Docs, Dropbox, or Photos.
- No Centralized Data Repository: By avoiding large, centralized databases that provide a tempting target for hackers, a decentralized system would significantly reduce the risk of mass data breaches.
- End-to-End Encryption Support: Some interoperability protocols that exist today support encrypted communication, ensuring that private conversations remain private. The bill requires that platforms safeguard the privacy of users and the security of their data.
- Robust User Protections in the Bill: User permission is required at every step of the way, keeping individuals in control. The bill specifically excludes content of other users designated as private, including direct messages.