

## DIGITAL CONSUMER PROTECTION COMMISSION ACT OF 2023

The digital revolution provided new opportunities for promoting social interaction, starting businesses, and democratizing information. But digital advancement has a dark side. Giant digital platforms have spawned an explosion of child sexual abuse material and sexual exploitation, human trafficking, drug trafficking, cyberbullying, and promoted eating disorders, addictive behaviors, and teen suicide. Today, a tiny number of Big Tech companies control most of the world's Internet traffic and effectively regulate Americans' digital lives. Big Tech companies have far too much power — over our economy, our society, and our democracy. Tech monopolies suppress competition by buying up rivals, preferencing their own products, and charging hefty commissions to other businesses. To get ever more users and data, social media companies manipulate users to drive them to addiction. They target kids with content on self-harm, eating disorders, and bullying. And they leave consumers in the dark about how their data is collected or used, and fall prey to massive data leaks that leave us vulnerable to criminal activity, foreign interference, and disinformation.

It's time for meaningful, structural change to rein in Big Tech. The Warren-Graham *Digital Consumer Protection Commission Act* would create a new commission to regulate online platforms. The bill would:

- Create an independent, bipartisan regulator charged with policing the biggest tech platforms, like Facebook, Google, and Amazon, to protect consumers, promote competition, secure Americans' privacy, guard national security, and prevent harm online.
- Empower the commission, along with the Federal Trade Commission and Department of Justice, to enforce violations of the law. Dominant digital platforms would risk losing their license to operate if they repeatedly violate the law.
- **Transparency.**
  - Require dominant platforms to publish clear terms of service and content moderation practices. Establish consumer's right to appeal when dominant platforms violate their terms of service, including their content moderation policies, such as by failing to remove CSAM and other harmful material.
  - Require dominant platforms to establish user-friendly notification and appeals processes. Empower users to submit complaints following adverse appeals regarding violations of terms of service.
- **Competition.**
  - Ban abuses of dominance committed by Big Tech firms such as self-preferencing, tying arrangements, predispute arbitration agreements and class-action waivers, noncompete agreements, and no-poach agreements.
  - Authorize prospective and retrospective review of Big Tech mergers.
  - Prohibit conflicts of interest like Amazon's owning its marketplace and competing on that platform.
- **Privacy.**
  - Guarantee users the right to access their personal data and to know when their personal data is collected and processed.
  - Establish duties of loyalty, care, and mitigation of harms, including discrimination, cyberbullying, CSAM, and addictive/harmful behaviors, for all data processors.
  - Limit targeted advertising based on users' personal data.

- ***National Security.***
  - Require dominant platforms to be owned by U.S. citizens or have a U.S. subsidiary.
  - Limit data processing in restricted countries and require platforms to identify bots.

The *Digital Competition Protection Commission Act* is endorsed by Accountable Tech, the American Economic Liberties Project, the Center for American Progress, Color of Change, Common Sense Media, the Open Markets Institute, Public Citizen, and Raven.