

OPEN LETTER TO THE UNITED STATES CONGRESS

A Proposed Regulatory Framework for Personal Data Sovereignty, Global Data Markets, and Universal Basic Income

Revised Edition — February 2026

February 2026

To: Members of the United States Senate and House of Representatives

Re: The Personal Data Dividend and Economic Sovereignty Act (PDESA) — Revised Framework Including Global Marketplace Architecture

I. Introduction

Dear Senator / Representative,

We write to you at a pivotal moment in the history of the American economy. The digital age has created extraordinary wealth — yet the individuals who generate the raw material of that wealth, their personal data, receive none of the proceeds. Every American who uses a smartphone, browses the internet, makes a purchase, or interacts with a digital service generates billions of dollars in aggregate value for technology corporations, data brokers, and advertisers annually. That value flows upward. None of it flows back.

We propose a solution that is neither socialist redistribution nor unfettered corporate capture. It is something distinctly American: property rights. Specifically, the recognition of personal data as personal property — and the establishment of a market-based mechanism through which every American can monetize what is already rightfully theirs.

We call this framework the Personal Data Dividend and Economic Sovereignty Act (PDESA). This revised edition incorporates updated provisions governing international buyer access — a critical refinement that transforms this framework from a domestic policy instrument into the foundation for a global democratic data standard.

II. The Problem: An Invisible Economy Exploiting Every American

The data economy is not an abstraction. It is the largest transfer of uncompensated value in human history. Consider:

- The global data broker industry generates over \$300 billion annually — built almost entirely on data harvested from private citizens without meaningful consent or compensation.
- Major technology platforms earn an average of \$50-\$200 per user per year in advertising revenue derived directly from behavioral data. Users receive nothing.
- American households in the bottom income quintile are disproportionately data-rich but economically poor — their consumer behavior, health patterns, and financial struggles are among the most commercially valuable datasets in existence.

- There is currently no federal law that (a) recognizes data as personal property, (b) requires compensation for its commercial use, or (c) creates a portable, interoperable standard for data ownership.

This is not merely an economic injustice. It is a structural failure of property law to keep pace with the digital economy. Congress has the authority — and the obligation — to correct it.

III. The Proposed Framework: Five Legislative Pillars

We propose that Congress enact legislation built on five interlocking pillars:

Pillar 1: Personal Data as Protected Property

Federal law must explicitly classify personal data as the intellectual and economic property of the individual who generates it. This requires amending the existing patchwork of sector-specific privacy laws (HIPAA, COPPA, GLBA) with a unified federal standard that grants individuals the baseline rights to access, port, license, and monetize their own data.

Draft Language	"Personal data, as defined herein, shall constitute personal property of the individual from whom it is derived. No commercial entity shall sell, license, or otherwise transfer personal data for commercial gain without a revocable, time-limited, and compensated data use agreement executed directly with the data subject."
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Pillar 2: The National Data Vault Standard (NDVS)

Congress should direct NIST, in coordination with the FTC and CFPB, to establish a National Data Vault Standard — a portable, encrypted, interoperable personal data container that every American citizen may maintain. Participation by major data-collecting platforms (defined by user threshold) would be mandatory. The standard should be open-source and platform-neutral to prevent monopolization.

Federal Role	NIST sets the technical standard. FTC enforces platform compliance. CFPB oversees financial data integration. No single agency owns the vault — it belongs to the citizen.
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Pillar 3: The Data Licensing Marketplace — Revised with Global Buyer Architecture

A federally chartered, non-profit data licensing exchange — modeled on the structure of FINRA or the Federal Home Loan Banks — would provide the market infrastructure through which Americans can voluntarily license their data to approved commercial buyers. Proceeds flow directly to individuals through standardized payment mechanisms.

An earlier draft of this framework proposed a blanket exclusion of all foreign state-owned entities from the buyer marketplace. Upon further analysis, we have revised this position. The original intent — preventing adversarial state actors from

purchasing granular behavioral profiles on American citizens — is sound and remains in force. However, a categorical exclusion of all foreign entities would inadvertently cripple the global marketplace dynamics that make this framework economically powerful and geopolitically significant.

The real threat is not "foreign" buyers — it is adversarial state intelligence access. The EU's data regulators, Canadian federal research bodies, Japanese pharmaceutical firms, and Kenyan mobile finance companies are all technically "foreign," yet their participation is essential to the liquidity and value of the exchange. We therefore propose a five-tier buyer classification system, modeled on CFIUS review standards:

Tier	Buyer Type	Treatment	Status
Tier 1 — Domestic Standard	US private companies, NGOs, academic institutions	Standard vetting; approved by default unless flagged	OPEN
Tier 2 — Foreign Allied	Private entities from Five Eyes, EU, Japan, South Korea, etc.	Enhanced vetting; approved with data-category restrictions	OPEN
Tier 3 — Foreign Non-Aligned	Private entities from neutral or non-treaty nations	Case-by-case review; sensitive data categories restricted	REVIEW
Tier 4 — State-Adjacent	Sovereign wealth funds, state-affiliated research bodies	CFIUS-style national security review; restricted to aggregate/anonymized data only	RESTRICTED
Tier 5 — Adversarial State	Entities on Treasury/Commerce restricted lists; PRC military-civil fusion; OFAC-designated orgs	Categorically excluded	EXCLUDED

This architecture preserves robust national security protections at Tier 5 while opening the marketplace to the legitimate global economy at Tiers 1 through 3. It also acknowledges the reality of emerging market economies — where state-linked enterprises represent a larger share of commercial activity — through the nuanced review process at Tier 4.

Additional marketplace rules that apply across all tiers:

- All licenses are time-limited, purpose-specific, and revocable by the data subject at any time.
- Zero-knowledge proof technology may be used to license data properties without raw data exposure.
- An independent audit office, modeled on the GAO, verifies buyer compliance continuously.
- Political campaigns — domestic or foreign, in any tier — are categorically and unconditionally excluded. Unlike commercial data use which creates economic value, political microtargeting of citizens using their own licensed data creates a consent paradox that undermines democratic integrity.

Revised Draft Language

"Buyers are classified under a five-tier vetting system modeled on CFIUS review standards. Entities on U.S. Treasury, Commerce, or OFAC restricted lists — including PRC military-civil fusion enterprises and adversarially designated state actors — are categorically excluded. Foreign private entities from allied nations may participate subject to enhanced vetting and data-category restrictions. Political campaigns, domestic or foreign, are excluded in all tiers without exception."

Pillar 4: The American Data Dividend (ADD)

A minimum of 15% of all data licensing revenue shall be directed into the American Data Dividend Fund, distributed on a per-capita basis to all verified adult American citizens. This is not welfare — it is a dividend on an asset Americans already own and are already being exploited for. The Alaska Permanent Fund is the closest domestic precedent: residents as co-owners of a shared resource, receiving annual proceeds from its commercial use.

Projected Range

Early modeling suggests an ADD of \$800-\$2,400 per adult American annually at meaningful participation rates — at zero net cost to taxpayers, funded entirely by the commercialization of data Americans already generate.

Pillar 5: Anti-Concentration and Open Competition Provisions

Data sovereignty is only meaningful if it cannot be recaptured by the same monopolistic platforms that currently exploit it. Provisions must (a) prohibit platforms above a defined user threshold from operating proprietary data marketplaces for their own users' data, (b) mandate data portability across all major platforms within 30 days of user request, and (c) establish antitrust safe harbors for community data cooperatives — allowing groups of individuals to pool and collectively negotiate data licensing arrangements.

IV. The Bipartisan Case

This framework offers something genuine to both sides of the aisle:

For Conservatives & Libertarians	For Progressives & Democrats
<ul style="list-style-type: none">• Property rights over personal assets• Market-based, not tax-funded income support• Anti-monopoly, pro-competition provisions• Reduces dependency on government welfare• Empowers individual economic	<ul style="list-style-type: none">• Universal basic income floor for all Americans• Rebalances power between Big Tech and citizens• Greatest benefit to lower-income households• Corrects structural exploitation of personal data• Supports data privacy and digital

agency	rights
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V. Why the Global Marketplace Makes This Stronger, Not Riskier

The revised buyer architecture is not a concession — it is a strategic upgrade. A marketplace open only to American buyers is a domestic data pool. A marketplace open to vetted global buyers is a global democratic data standard. The difference in economic value, geopolitical influence, and dividend size is substantial.

A US framework that allows allied democracies to participate as full buyers positions America as the architect of global data governance — not just another jurisdiction with privacy rules. That is a far more powerful diplomatic and commercial position than one of data protectionism.

Furthermore, the five-tier system actually provides more precise national security protection than a blanket foreign exclusion. It distinguishes between Kenyan fintech (Tier 2-3) and PRC military-affiliated AI companies (Tier 5) — a distinction a blunt categorical ban cannot make.

VI. Anticipated Objections and Our Responses

"This will stifle innovation."

On the contrary — a well-functioning data marketplace with clear property rights expands the economy. Buyers gain access to higher-quality, consented data. The advertising industry's greatest long-term risk is regulatory and reputational backlash from non-consensual practices. This framework provides a durable foundation for the data economy to grow.

"The government cannot manage a data exchange."

We agree — and that is not what we propose. The exchange is a federally chartered, independently governed non-profit marketplace. The government sets rules and audits compliance; it does not touch the data, operate the technology, or control transactions. This is precisely the model that governs securities markets, agricultural commodities, and telecommunications spectrum.

"Opening to foreign buyers creates national security risks."

The five-tier framework was specifically designed to answer this objection. Adversarial state actors are categorically excluded. Allied nation private entities are welcome under enhanced review. The CFIUS process — which this mirrors — has successfully navigated exactly these distinctions in the context of foreign investment for decades. The same framework can work here.

"UBI discourages work."

The American Data Dividend is a return on an asset, not a welfare payment. It is variable: participants who contribute more complete data receive proportionally higher payments, directly tying income to economic participation.

VII. The Global Competitiveness Imperative

The European Union has moved aggressively with GDPR, the Data Governance Act, and the AI Act. China has implemented data sovereignty frameworks — in service of state, not citizen, interests. The United States has no comprehensive federal data framework whatsoever.

The nation that establishes the gold standard for citizen data sovereignty — with a marketplace open to democratic allies — will attract global trust, talent, and investment. Every day without action is another day in which that standard is set by Brussels or Beijing rather than Washington.

VIII. Our Request

We respectfully request that you:

- Co-sponsor or champion the drafting of the Personal Data Dividend and Economic Sovereignty Act as described in this letter.
- Direct the relevant committees (Senate Commerce; House Energy & Commerce; Senate Finance; House Ways & Means) to hold hearings on personal data as property and the feasibility of a national data dividend.
- Request a CBO score and GAO feasibility study on the American Data Dividend fund structure.
- Engage with NIST to begin preliminary work on the National Data Vault Standard under existing authority.
- Direct the Treasury and Commerce Departments to produce a joint assessment of the proposed five-tier buyer classification framework and its relationship to existing CFIUS architecture.
- Meet with constituent groups, civil society organizations, labor unions, and technology companies to build the bipartisan coalition this issue deserves.

The data economy will not wait. The technology is ready. The economic case is clear. The global strategic opportunity is finite. The moment is now.

We are available to brief your office, your staff, or any relevant committee at your convenience.

Respectfully submitted,

[Your Name / Organization Name]

[Title / Role]

[Address]

[Email | Phone]

This letter may be reproduced and distributed freely. A companion technical brief detailing the global marketplace architecture, economic modeling, and international precedent is available upon request.