

Fair Competition and Opportunity Access Act

REVISED PROPOSAL AND PROPOSED BILL

PROPOSED LAW: REQUIRE SEPARATE, EQUALLY CAPABLE PLATFORMS OR A REQUIRED NON-MAINSTREAM SETTING ON MAJOR PLATFORMS - EXPANDING VISIBILITY AND ECONOMIC OPPORTUNITY FOR EMERGING CREATORS, INDEPENDENT BUSINESSES, AND OVERLOOKED VOICES; ADDRESSING BARRIERS TO ENTRY, UNFAIR BLACKLISTING, RELIGIOUS DISCRIMINATION, AND DISPROPORTIONATE CANCELLATION INVOLVING TRAUMA, ADDICTION, OR MENTAL HEALTH; AND SUPPORTING ADULT PORN STARS WHO CHOOSE TO ENTER OTHER CAREERS OR REBUILD A PRIVATE LIFE, INCLUDING ADDRESSING BARRIERS CAUSED BY THE CONTINUED CIRCULATION OF PAST CONTENT.

Jonathan Michael Dionisio | October 25, 2026

CITIZEN LEGISLATIVE DISCUSSION DRAFT - NOT ENACTED LAW

A real opportunity to enter, grow, and start again

The Fair Competition and Opportunity Access Act is a citizen proposal by Jonathan Michael Dionisio. It asks lawmakers to open practical routes to audiences, customers, work, and public discussion for people who lack established fame, large advertising budgets, or powerful connections. It also asks that a lawful past, a diagnosis, a religious belief, or an isolated outburst not automatically become a permanent barrier to earning a living. This document is proposed legislation for discussion, not an introduced or enacted bill.

The central request is binding legislation requiring separate, equally capable platforms reserved for emerging participants OR a required non-mainstream setting on covered major platforms. The setting must be offered by the platform; using it would remain the audience's choice. The reserved space would exclude mainstream advertising and paid dominance and limit mainstream coverage and incumbent influence to the fullest extent legally permissible. Lawmakers must define and justify the reach of those duties rather than assume every platform function can constitutionally be regulated in the same way.

The proposal joins discovery reform with practical support: affordable tools, help overcoming barriers to entry, independent appeals, protection against evidence-supported discriminatory blacklisting, fair review after outbursts involving trauma, addiction, or mental health, protection against religious discrimination, and voluntary career and privacy support for adult porn stars. It does not promise an audience, guaranteed income, universal acceptance, or removal of every lawful record.

Barriers to entry and sustainable opportunity

A person can be allowed to open an account yet have little practical route to customers. Visibility may require advertising money, while advertising money depends on sales that cannot happen without visibility. Publishing fees, inaccessible tools, payment restrictions, confusing application requirements, and closed professional networks can reinforce that cycle. The Act would examine these barriers together, including whether participants can retain customers and income after an initial discovery opportunity.

Assistance would include understandable onboarding, accessible publishing and editing tools, translation and captions, affordable analytics, business planning, skills training, and access to qualified advice. Competitively awarded small grants or training support could be authorized subject to appropriations, published criteria, and independent evaluation. Assistance should help participants become independent rather than require permanent dependence on one platform, institution, or program.

"Economic blockade" describes the cumulative entry barriers this proposal seeks to investigate. It is not a finding of conspiracy, an unlawful boycott, or wrongdoing by any named company. Low reach alone does not prove suppression. Complaints should be assessed using relevant records and fair review.

Separate platforms OR a required non-mainstream setting

Under the separate-platform route, lawmakers would establish an enforceable framework for independent services with capable publishing, search, discovery, accessibility, and business tools. Governance and funding would prevent dominant firms from quietly controlling a service intended for newcomers. A nominal website without a functioning audience strategy or useful technology would not satisfy the policy objective.

Under the integrated route, covered major platforms would offer an easily located, clearly labeled setting for eligible emerging creators, independent businesses, and overlooked voices. The setting would not simply repackage the ordinary feed. Preferences would persist unless users change them, with a straightforward exit and no deceptive pressure to switch back.

The final law must state who provides or funds a separate service, which operators owe which duties, and how the alternatives relate. An operator could not claim compliance by pointing to an unrelated, empty website. Coverage thresholds, costs, implementation dates, and constitutional analysis must be settled through evidence, consultation, and legislative drafting.

Eligibility, fair discovery, and preventing capture

Eligibility would use published, sector-appropriate measures such as sustained audience size, revenue, ownership, and substantial promotional backing. It would not depend on an official approving a person's beliefs, popularity, criticism, or personal connections. People who have a large audience in one field could still qualify for career-transition assistance based on need; eligibility for reserved discovery would be assessed separately.

Beneficial ownership and major sponsorship relationships would be disclosed proportionately so dominant businesses cannot occupy reserved space through front accounts. Ordinary collaboration would not automatically disqualify a participant. Rolling measurements, notice, an appeal, and a reasonable graduation period would prevent a brief success from abruptly cutting off support.

Discovery systems would offer meaningful opportunities for unfamiliar work, with transparent explanations of ranking factors, rotation or exploration mechanisms where appropriate, and independent evaluation. They would not guarantee equal views or compel individual users to follow, purchase, agree, or engage.

Advertising, technology, and durable audience relationships

The reserved setting would be free of mainstream advertising, purchased ranking, hidden sponsorship, and dominant commercial influence to the fullest lawful extent. Any permitted promotion by eligible participants would be clearly disclosed and governed by limits that prevent the same pay-to-be-seen system from reappearing. Funding and advertiser relationships would be publicly described in aggregate.

"Equally capable" means materially comparable reliability, mobile access, accessibility, search, publishing, basic analytics, and relevant creative tools. It does not require copying every proprietary feature. Differences would need documented technical or cost reasons and independent review. Support would include low-bandwidth options and plain-language instructions.

Participants should be able to export their own lawful work and relevant business records, and maintain relationships with followers who consent. Portability would respect copyright, privacy, security, and other people's choices. Sustainable retention of opportunity means being able to grow and leave a service without losing everything built there.

Protection against unfair blacklisting and retaliation

The Act would prohibit defined discriminatory blacklisting, evidence-supported coordinated exclusion, and retaliation for lawful competition or good-faith complaints within its covered relationships. Confidential reporting, preservation of notices and contracts, independent investigation, reasoned decisions, and proportionate remedies would make the protection usable.

Similar account decisions alone would not prove coordination. Investigators would need relevant evidence of communications, criteria, contractual restraints, retaliation, or other conduct within the law's scope. Those accused would receive notice and a fair opportunity to respond, subject to necessary witness and privacy protections.

Legitimate safety restrictions, fraud prevention, lawful editorial decisions, and independently justified commercial decisions would remain available. The proposal would not compel every company to enter a contract or guarantee access to any particular audience.

Trauma, addiction, mental health, and proportionate review

When trauma, addiction, or mental health is relevant to a public outburst or covered exclusion decision, a human review should consider the actual conduct, context, severity, recurrence, current risk, and feasible protective measures. A diagnosis should not itself establish danger or incapacity. An outburst should not automatically become indefinite exclusion from every economic opportunity.

Temporary restrictions, a cooling-off period, clearer communication, supported appeals, or limited restoration may be appropriate in some cases. Continued restrictions should have reasons, attainable reassessment criteria, and a review date. Safety and accountability still matter: threats, violence, targeted harassment, exploitation, and fraud are not excused.

Medical information would be requested only when necessary and lawful, kept confidential, and separated from public profiles. Access to assistance would not require public disclosure of a diagnosis, a particular religious belief, or a universal treatment requirement. Existing disability law and the broader new safeguards proposed here must be distinguished.

Religious discrimination and freedom of belief

The Act would address defined religious discrimination and retaliation in covered opportunity programs and commercial decisions. Christians, members of other faiths, and people with no religious belief would receive equal consideration. Participation could not require religious conversion, abandonment of a belief, or endorsement of an official viewpoint.

Belief and conduct would be assessed separately. Freedom of religion would not authorize threats, harassment, exclusion of others contrary to applicable law, or exemption from legitimate safety requirements. Review would account for existing constitutional protections, applicable statutory exemptions, and the scope of any new duties.

Existing employment protections depend on the employer, worker, and circumstances; they do not automatically cover every platform or independent contractor. Any expanded protections in this draft would require legislation.

Adult porn stars: the right to choose another path

Adult porn stars who want another career, education, business ownership, or a more private life should have a practical route forward. A substantial online catalogue can remain searchable long after a performer changes direction. Stigma, unauthorized reposts, harassment, identity exposure, and blanket screening can make a fresh start difficult even when the original work was lawful and consensual.

The Act would offer voluntary, confidential support including career counseling, transferable-skills assessment, education and credential assistance, business planning, access to competitive start-up support, and referrals for legal and privacy advice. Lawmakers should define protection against blanket exclusion based solely on past lawful, consensual adult performance, while allowing individualized consideration of demonstrably relevant qualifications, current conduct, safety, and applicable law.

No one would have to leave adult entertainment, express regret, adopt a religion, or disavow their past to qualify. Those who continue performing would retain access to otherwise available creator and business assistance. "Rebuilding a private life" describes a person's own choice; it does not suggest adult performers lack ordinary lives or dignity.

Past content, privacy, and realistic remedies

Privacy support would help people document unauthorized uploads, impersonation, doxxing, and nonconsensual intimate imagery; submit appropriate removal requests; and pursue available legal remedies. Existing TAKE IT DOWN Act duties apply to covered platforms and qualifying requests, including the 48-hour removal requirement for valid requests. That law is not a blanket right to erase every previously authorized adult video.

For content covered by valid licenses, the proposal would support contract review, voluntary withdrawal or buyback negotiations, clear distribution terms, and transparent requests for removal or reduced discoverability. Lawmakers should study narrowly tailored, appealable search-delisting remedies with exceptions for legitimate public interest and lawful expression. These additional remedies are proposals, not rights already guaranteed.

Consent to filming, consent to publication, and the scope and duration of a license are distinct questions. New agreements should clearly explain distribution, sublicensing, identity disclosure, duration, and withdrawal terms. No honest program can promise complete erasure of copied material across the internet. Privacy assistance must not expose the very identities it is meant to protect.

Enforcement, evidence, funding, and limits

Legislation should designate a responsible federal administrator, define its authority, coordinate with existing labor and civil-rights agencies, and provide judicial review. Complaints would be accessible, confidential where appropriate, and resolved under published deadlines. Remedies could include correction of decisions, restoration where lawful, appropriate compensation after proof, and proportionate penalties for defined violations.

Funding amounts would require a fiscal estimate and appropriations. Competitive awards would use conflict disclosures and published criteria. Audits would examine access, service quality, ownership, barriers to entry, sustained participation, appeal outcomes, and career-transition results without publishing sensitive individual records. Success would be measured by usable opportunities rather than guaranteed popularity.

Mandatory changes to curated feeds raise substantial First Amendment questions. *Moody v. NetChoice* explains protection for certain editorial functions; a user-controlled setting is not automatically immune from those concerns. Legislative counsel must examine particular functions and less restrictive alternatives. Severable support for independent services, skills, privacy assistance, and valid competition enforcement should remain available if a particular mandate cannot lawfully operate.

Request to lawmakers

I ask lawmakers to develop the following discussion draft through hearings, testimony from emerging creators and businesses, adult performers who choose to participate, privacy and disability advocates, platform operators, and independent constitutional and competition experts. The objective is a fair opportunity to enter, grow, retain a livelihood, and change direction without permanent economic exclusion.

The draft below states proposed duties rather than claiming existing authority. Numerical thresholds, funding, agency allocation, enforcement detail, and effective dates need legislative findings and professional drafting. No named person or company is accused of a legal violation by this proposal.

Proposed Bill

Legislative discussion draft for counsel and public consultation.

Section 1. Short title and status

This discussion draft may be cited as the "Fair Competition and Opportunity Access Act." It is a citizen legislative proposal, not enacted law.

Section 2. Purposes

The purposes are to reduce unjustified barriers to entry and sustained economic participation; expand lawful discovery for emerging creators and independent businesses; prevent defined discriminatory blacklisting and retaliation; provide proportionate review where trauma, addiction, or mental health is relevant; protect religious freedom and equal treatment; and support adult porn stars who voluntarily seek other careers or greater privacy.

Section 3. Definitions and coverage

"Covered major platform" means a service meeting objective size, market role, and discovery-function criteria established by Congress following a public assessment. A small operator shall not become covered solely because it hosts a successful creator.

"Eligible emerging participant" means a person or independent enterprise meeting published, sector-specific criteria concerning audience, revenue, controlling ownership, and promotional backing. "Non-mainstream setting" means a user-selectable discovery environment reserved for eligible participants.

"Covered opportunity decision" means an admission, discovery, suspension, reinstatement, or program-assistance decision expressly brought within this Act. Coverage shall be tied to a constitutional source of authority. "Adult porn star" includes a current or former adult performer in lawful, consensual sexually explicit media; access to assistance shall not depend on fame.

Section 4. Alternative access routes

Congress shall establish a framework requiring separate, equally capable platforms OR requiring covered major platforms to offer a genuine non-mainstream setting, as specified in final legislation. Responsibility for provision, governance, funding, compliance, and audience access shall be expressly assigned.

An integrated setting shall be clearly available, voluntary for users, and capable of retaining their preferences. A separate service shall have a credible operating and discovery plan. Neither an inaccessible mode nor an unrelated, unusable website shall constitute compliance. These duties remain subject to Section 15.

Section 5. Reserved discovery and independence

Within the reserved space, mainstream advertising, purchased priority by dominant entities, hidden sponsorship, and evasion through controlled accounts shall be prohibited to the fullest constitutionally permissible extent. Rules governing coverage of mainstream subjects shall preserve lawful criticism and public-interest reporting.

Eligibility decisions shall use published criteria, controlling-ownership disclosures, reasonable graduation periods, and independent appeals. Ranking shall offer meaningful opportunities for unfamiliar eligible work without guaranteeing equal results or requiring user engagement.

Section 6. Capability, entry support, and portability

Covered services shall provide materially comparable reliability, accessibility, publishing, search, mobile usability, and relevant basic analytics, with documented justification for material differences.

Subject to appropriations, the administrator shall competitively support skills training, accessible tools, onboarding, independent business development, and sustainable customer relationships. Exports and interoperability shall protect consent, intellectual property, privacy, and security.

Section 7. Discriminatory blacklisting and retaliation

Within covered relationships, no covered entity shall engage in discriminatory blacklisting as defined by final legislation, unlawfully coordinate exclusion, or retaliate for lawful competition or a good-faith complaint.

Findings require relevant evidence and a reasoned decision; low visibility or parallel decisions alone do not establish a violation. Legitimate safety, fraud prevention, lawful editorial judgment, and independently justified decisions shall be preserved.

Section 8. Contextual review and reassessment

For a covered exclusion decision in which trauma, addiction, or mental health is relevant, the decision-maker shall provide individualized, proportionate review of conduct, context, severity, recurrence, current risk, and reasonable protective measures. Urgent temporary safety action may precede review.

The affected person shall receive understandable reasons, a meaningful opportunity to respond, an independent appeal, and reassessment criteria and timing for continuing exclusion. This section does not excuse threats, violence, exploitation, fraud, or targeted harassment, or require another person to resume contact.

Section 9. Religious nondiscrimination

Covered programs shall not condition assistance on religious belief, nonbelief, conversion, or endorsement of an official viewpoint. Final legislation shall define prohibited religious discrimination and retaliation in covered decisions and preserve applicable constitutional protections and lawful exemptions.

No protection under this section excuses independently prohibited conduct or authorizes discrimination against other participants.

Section 10. Voluntary career support for adult porn stars

The administrator shall, subject to appropriations, establish confidential, voluntary assistance for current and former adult porn stars seeking education, other employment, independent enterprise, or a more private life. Services may include skills assessment, training and credentials, business planning, competitive start-up assistance, and qualified legal and privacy referrals.

Assistance shall not require departure from the industry, public disclosure of performance history, regret, religious participation, or disclosure beyond what is necessary. Discovery eligibility and career-support eligibility shall be assessed separately.

Final legislation shall establish narrowly defined protections against blanket exclusion from covered opportunities solely because of past lawful, consensual adult performance, while permitting individualized assessment of demonstrably relevant qualifications, present conduct, safety, and applicable law.

Section 11. Past-content and privacy assistance

Assistance shall include identifying unauthorized distribution, impersonation, doxxing, and nonconsensual intimate imagery; preserving evidence; and using applicable reporting and removal processes. Existing legal duties remain independently enforceable.

The administrator shall develop model plain-language distribution terms and support voluntary contract review, withdrawal negotiations, and consent-based resolution of licensed-content disputes. No general retroactive cancellation of valid distribution rights is created by this draft.

Congress shall separately evaluate narrow search-delisting or other privacy remedies, including notice, evidence, public-interest exceptions, publisher rights, and appeals. No service shall promise complete internet erasure.

Section 12. Confidentiality and data minimization

Programs shall collect only necessary information, use appropriate security and access controls, limit retention, and provide a correction and deletion process subject to lawful recordkeeping. Medical details and performance history shall not appear in public participant directories without freely given, specific consent.

Reports shall use aggregate or appropriately de-identified information. Complainants and respondents shall receive fair process without unnecessary disclosure of private identities or records.

Section 13. Administration, complaints, and remedies

Congress shall designate an administrator and expressly define investigative and enforcement authority, coordination with existing agencies, complaint deadlines, evidence standards, and judicial review. No new agency authority is claimed before enactment.

Available remedies shall be proportionate to proven violations and may include correction, lawful restoration, compensation upon proof, and defined civil penalties. Anti-retaliation and conflict-of-interest rules shall apply. Final legislation shall expressly determine any private right of action and its limits.

Section 14. Funding, evaluation, and implementation

Funds shall be authorized only in amounts set through fiscal review and appropriations. Awards shall be competitive and audited; no award shall depend on agreement with a political or religious position.

Implementation shall follow published coverage criteria, a reasonable phase-in, and independent evaluation of entry, retention, service quality, privacy, appeals, and voluntary career outcomes. Final legislation shall set review, sunset, and effective dates.

Section 15. Constitutional safeguards and severability

Nothing shall require unlawful material, waive child-protection obligations, erase valid intellectual-property rights, compel personal endorsement, guarantee audience engagement, or override constitutional protections for expression, religion, association, and due process.

A court's invalidation of a particular application or provision shall not defeat severable, independently workable provisions. Any constitutional fallback shall be identified honestly; voluntary adoption is not represented as equivalent to the requested mandatory setting.

Sources and legal context

US Supreme Court: *Moody v. NetChoice* (July 1, 2024). Editorial discretion and platform-specific constitutional analysis; not a ruling validating this proposed Act.

https://www.supremecourt.gov/opinions/23pdf/22-277_d18f.pdf

FTC: *Complying With the Take It Down Act*. Existing duties for covered platforms and valid requests; not a universal right to erase licensed adult content.

<https://www.ftc.gov/business-guidance/resources/complying-take-it-down-act>

EEOC: *Religious Discrimination*. Existing employment protections have defined coverage and limits.

<https://www.eeoc.gov/religious-discrimination>

FTC: Group Boycotts. Existing competition law depends on the facts; this proposal makes no finding of an unlawful boycott.

<https://www.ftc.gov/advice-guidance/competition-guidance/guide-antitrust-laws/dealings-competitors/group-boycotts>