

April 26, 2021

To President Joseph R. Biden:

We write to you as a broad coalition of organizations committed to reinvigorating the Department of Justice (“DOJ”) as a force for holding corporate impropriety to account. The DOJ Antitrust Division (“Antitrust Division”) is set to play a crucial role in this effort, and it is imperative that the next Assistant Attorney General for the Antitrust Division is committed to reining in abusive corporate power. As you consider potential nominees for the position, we look forward to working closely with your leadership in the interest of revitalizing the office.

Recent reports indicate that Deputy Attorney General-designate Lisa D. Monaco is involved in the deliberation process over who will be chosen to lead the Antitrust Division. Per reporting by *Politico*, “Monaco has been involved in the behind-the-scenes deliberations around who to choose as assistant attorney general of antitrust, according to two industry sources familiar with the dynamics.”¹

As you know, the Antitrust Division will be responsible in the years ahead for reining in -- or failing to rein in -- Big Tech monopolies. For that reason, Monaco’s past work in the private sector relating to Apple and Google is deeply concerning. Specifically, disclosure forms filed by Monaco following her nomination as Deputy Attorney General revealed that she has done legal work on behalf of Apple, Inc.² Apple is currently a subject of scrutiny by federal and state antitrust probes.³ In 2021, for example, the DOJ reportedly began its investigation into possible violations of antitrust law by Apple through its “Sign in With Apple” feature.⁴ The DOJ Antitrust Division needs leadership committed to reining in the power of Apple and other Big Tech giants, and an individual with ties to a targeted corporation should not play a role in determining who will lead the office.

In addition, Monaco was a founding principal for WestExec Advisors, a consultancy firm that has lent advice to Google.⁵ Filed in October 2020, the DOJ antitrust suit against Google is a

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<https://www.politico.com/newsletters/morning-tech/2021/04/15/what-tech-can-do-to-drown-out-vaccine-lies-794688>

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<https://assets.documentcloud.org/documents/20493763/lisa-monacos-personal-financial-disclosure-statement-jan-25-2021.pdf>

³ <https://www.politico.com/news/2020/06/24/justice-department-anti-trust-apple-337120>

⁴

<https://www.competitionpolicyinternational.com/doj-looks-into-complaints-regarding-the-sign-in-with-apple-button/>

⁵

<https://therevolvingdoorproject.org/letter-to-biden-chief-of-staff-ron-klain-about-amazon-and-google-influence-over-antitrust-appointments/>

historic step in the struggle to hold Big Tech accountable.⁶ Whoever is chosen to lead the Antitrust Division will be tasked with presiding over the lawsuit to its completion, and the apparent influence of an individual with professional ties to Google in this process poses an obvious conflict of interest.

Your administration has a historic opportunity to rein in the power of Big Tech and begin a new era of holding corporate power to account. In order to do so, individuals with personal ties to Big Tech should be prevented from playing a role in determining who will lead the Antitrust Division. In the interest of preserving the integrity and independence of the office, we urge that Monaco be removed from the deliberation process over who will lead the Antitrust Division.

Sincerely,

Blue Future
Center for Popular Democracy
CODEPINK
Courage California
Demand Progress Education Fund
Fight Corporate Monopolies
Fight for the Future
Fix Democracy First
Jobs with Justice
Other98
Our Revolution
People's Action
Progress America
Revolving Door Project
Rootsaction.org
Social Security Works
The Freedom BLOC
The X-Lab

⁶ <https://www.justice.gov/opa/pr/justice-department-sues-monopolist-google-violating-antitrust-laws>