

November 12, 2021

To: President Joseph R. Biden, Senate Majority Leader Charles E. Schumer, and Speaker of the House Nancy P. Pelosi

We write to you as a broad coalition of organizations committed to empowering American consumers. As you know, the reconciliation package now being negotiated before Congress stands to uplift millions of Americans,¹ and we are grateful for your ongoing efforts to enact it into law. While much of Washington focuses on that priority, however, the question remains as to where Washington will focus next. We are writing to encourage your offices to focus next on the monopoly power wielded by Big Tech, which has proven disastrous to consumers, small businesses, and society at-large.²

In July, President Biden acknowledged the urgency of curbing anti-competitive behavior, stating that “excessive market concentration threatens basic economic liberties.”³ When it comes to reining in Big Tech’s abusive behavior, time is of the essence. In recent weeks, extensive documentation has come to light around not only Facebook’s systematic assault on young users’ mental health and other negative impacts,⁴ but also relating to Amazon⁵ and Google’s⁶ ongoing anti-competitive behavior. And Apple’s latest judicial appeal of a ruling requiring modest changes to its practices⁷ once again demonstrates that nothing short of a transformative policy change will deter these companies’ abusive behavior.

As you know, efforts to reform antitrust law have now been introduced in both the House⁸ and Senate⁹ with strong bipartisan support. Bipartisan coalitions of states attorneys general have also expressed their support for reform,¹⁰ and the recent nominations of Lina Khan and Jonathan Kanter (both known for their strong advocacy of antitrust enforcement) have been met with support across party lines as

¹<https://www.cbsnews.com/news/budget-reconciliation-bill-build-back-better-act/>

² <https://www.cnbc.com/2020/10/06/house-democrats-say-facebook-amazon-alphabet-apple-enjoy-monopoly-power.html>

³

<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/07/09/executive-order-on-promoting-competition-in-the-american-economy/>

⁴ <https://www.npr.org/2021/10/05/1043377310/facebook-whistleblower-frances-haugen-congress>

⁵ <https://www.reuters.com/investigates/special-report/amazon-india-rigging/>

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<https://www.wsj.com/articles/google-charges-more-than-twice-its-rivals-in-ad-deals-wins-80-of-its-own-auctions-court-documents-say-11634912297>

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<https://www.wsj.com/articles/apple-filing-notice-of-appeal-in-epic-antitrust-case-looks-to-stay-in-app-injunction-11633734000>

⁸ The six legislation are as follows: The American Choice and Innovation Online Act, the Platform Competition and Opportunity Act, the Ending Platform Monopolies Act, the Augmenting Compatibility and Competition by Enabling Service Switching Act, the State Antitrust Enforcement Venue Act, the Merger Filing Fee Modernization Act.

<https://gizmodo.com/heres-whats-in-the-six-antitrust-bills-that-could-final-1847172991>

⁹ <https://www.klobuchar.senate.gov/public/index.cfm/news-releases?ID=3AD365BE-A67E-40BB-908A-C8570FF29600>

¹⁰ <https://www.tn.gov/attorneygeneral/news/2021/9/20/pr21-35.html>

well.¹¹ Public opinion polling has shown similar bipartisan support in favor of reinvigorating antitrust laws. Data for Progress surveys, for example, have found that Democrats and Republicans favor closer scrutiny of Big Tech mergers by a 72% and 55% margin, respectively. In addition, a majority of voters from both parties also indicated their support for prohibiting Big Tech companies from buying up smaller firms,¹² 71% of Democrats and 66% of Republicans agreed that Big Tech companies harm consumers and unfairly disadvantage competitors.¹³

With this level of bipartisan support, it is clear that prioritizing the passage of big tech accountability measures isn't just a once-in-a-generation opportunity to reinvigorate antitrust enforcement and hold Big Tech accountable; it's also an opportunity for President Biden and the Democratic Congress to produce strong legislative victories. However, without full attention and prioritization from the White House and congressional leadership, these bills risk never becoming law.

Clamping down on Big Tech's monopoly power would be a victory for consumers and would receive broad political support, and we hope you make this a priority after reconciliation.

Sincerely,

Accountable Tech
American Economic Liberties Project
Blue Future
Center for Digital Democracy
Climate Hawks Vote
Demand Progress
Institute for Local Self-Reliance
International Brotherhood of Teamsters
Main Street Alliance
Open Markets Institute
The Other 98%
RootsAction.org
X-Lab

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<https://www.washingtonpost.com/politics/2021/10/07/first-khan-now-kanter-democrats-republicans-are-uniting-around-bi-dens-tech-picks/>

¹² <https://www.dataforprogress.org/blog/2021/10/1/voters-want-to-rein-big-techs-merger-mania>

¹³ https://www.filesforprogress.org/datasets/2021/9/dfp_antritrust_sept_1_toplevels.pdf