

April 13, 2023

To: House Judiciary Committee

CC: The Honorable Hakeem Jeffries
Minority Leader
United States House of Representatives
Washington, DC 20515

Dear members of the House Judiciary Committee,

We write to you as supporters of reining in monopoly power in the tech sector and beyond. As chair of the House Judiciary Committee's Subcommittee on Antitrust, Commercial and Administrative Law, and with your support and leadership, Representative David Cicilline played a crucial role in bringing antitrust to the policy forefront.¹ With Representative Cicilline set to depart Congress in June, we urge the selection of an individual with a similarly steadfast commitment to anti-monopoly policies to replace him as ranking member of the subcommittee. Specifically, we urge the selection of a member who championed the bipartisan antitrust legislation package that passed committee in June 2021 — a member who voted for all six bills in committee and left no doubt at the time about whether they would be supportive of them during any potential floor votes.² (Some members voted for the bills in committee, but made clear they were reserving the right to oppose the bills on the floor, or to force amendments to weaken them prior to floor action. These members would not meet the standard we argue for here.)

Consisting of six bills,³ the package included an array of proposals to empower antitrust enforcers — and to curb Big Tech's monopolization of the online space and use of various anticompetitive practices.⁴ All six pieces of legislation passed the House Judiciary Committee during a markup held June 23–24, 2021, generally with strong support from Democratic members, joined by a handful of Republicans.

¹

<https://thehill.com/policy/technology/3900219-david-cicilline-led-the-fight-against-big-tech-heres-what-comes-next/>

²

<https://www.cnbc.com/2021/06/11/amazon-apple-facebook-and-google-targeted-in-bipartisan-antitrust-reform-bills.html>

³ The relevant legislative proposals during the 117th Congress: the American Innovation and Choice Online Act (H.R. 3816); the Platform Competition and Opportunity Act (H.R. 3826); the Ending Platform Monopolies Act (H.R. 3825); the Augmenting Compatibility and Competition by Enabling Service Switching (ACCESS) Act (H.R. 3849); the Merger Filing Fee Modernization Act (H.R. 3843); the State Antitrust Enforcement Venue Act of 2021 (H.R. 3460)

⁴ <https://rollcall.com/2021/06/11/house-committee-unveils-bipartisan-big-tech-antitrust-agenda/>

Moreover, support for these measures comports with the Biden administration's stance on competition in the technology sector and across the economy. In a January 2023 op-ed in *The Wall Street Journal*, President Biden articulated his support for legislation to rein in Big Tech's anti-competitive behaviors⁵ and he reaffirmed this impulse during the 2023 State of the Union address.⁶ Ensuring that the top Democrat on the subcommittee has firm anti-monopolistic credentials makes it more likely that the House will be able to work productively with President Biden to implement a vision for a highly-competitive technology sector.

Even in a polarized political environment, holding Big Tech's anti-competitive behavior accountable is a cause all Americans support, regardless of their party.⁷ There remains a possibility of productive legislative work on this front, even over the next two years with a divided Congress. A ranking member willing to work tirelessly to rein in Big Tech will help the party contrast itself with House Republican Leadership's capitulation to tech lobby interests.⁸ Moreover, whoever secures this position over the coming months will likely speak for Democrats on these issues for years to come.

Sincerely,

American Economic Liberties Project
American Family Voices
Athena
Better Organizing to Win Legalization
Center for Digital Democracy
Debt Collective
Demand Progress Education Fund
Economic Security Project Action
Fight for the Future
Freedom BLOC
Greenpeace USA
Institute for Local Self-Reliance
Oil Change U.S.
Open Markets Institute
Other 98%

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<https://www.wsj.com/articles/unite-against-big-tech-abuses-social-media-privacy-competition-antitrust-children-algorithm-11673439411>

⁶ <https://time.com/6253755/biden-big-tech-state-of-the-union-2023/>

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<https://www.americanfamilyvoices.org/post/press-release-new-poll-shows-bipartisan-swing-vote-support-for-regulating-big-tech>

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<https://www.cnbc.com/2023/03/15/apple-amazon-google-will-likely-get-a-relieve-from-gop-controlled-house-on-antitrust-legislation.html>

Our Revolution

P Street

People's Parity Project

Progress America

Public Knowledge

Revolving Door Project

Rootsaction.org

Social Security Works

United We Dream

X-Lab