

November 16, 2022

The Honorable Charles Schumer  
Majority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Majority Leader Schumer, Leader McConnell, Speaker Pelosi & Leader McCarthy:

We write to urge you to pass two bipartisan bills to rein in the power of Big Tech, the American Innovation and Choice Online Act (AICOA) and Open App Markets Act (OAMA), during the 117th Congress. Despite strong support among lawmakers across party lines and strong votes out of committee, neither bill has received a floor vote in either chamber. As the session—and the opportunity to pass these monumental antitrust bills—draws to an end, we call upon you to prioritize their passage.

The American Innovation and Choice Online Act (S. 2992 / H.R. 3816) would strip Big Tech of unfair self-preferencing advantages and allow open and free competition on platforms. Making Big Tech platforms subject to the rigors of competitive pressure forces them to innovate and aggressively combat negative user experiences, lest they lose users to a newly emboldened rival. The Open App Markets Act (S. 2710 / H.R. 7030) would open up mobile app stores to competition. These bills are designed to work synergistically and together can combat many of Big Tech's worst abuses.

We have been patient through promises from congressional leaders of a vote that has yet to materialize. This is an achievable, landmark accomplishment that is within your grasp this session. We stand energized and ready to help you get these bills across the legislative finish line.

The bills are common-sense, compromise legislation that have the support of a wide range of stakeholders. They are the culmination of a multi-year bipartisan investigation into Big Tech,

exhaustive hearings, and expert analysis.<sup>1</sup> We join with the Biden Administration in urging you to make these bills a priority in your upcoming session.<sup>2</sup>

The bills are also incredibly popular with the American people and people around the world who depend on digital platforms. Poll after poll has shown the public fed up with Big Tech's unchecked power and eager to support members getting tough with them. In a recent poll 77% of voters agreed Big Tech was too powerful and 65% were more likely to support their representative if they voted for greater Big Tech regulation.<sup>3</sup>

As history writes the final chapters of the 117th Congress, you face a consequential choice on how it concludes. Passing the American Innovation and Choice Online Act and the Open App Markets Act would mark a triumphant, bipartisan and politically popular win. The choice is yours.

Signed,

Access Now  
Accountable Tech  
Africa Freedom of Information Centre (AFIC)  
American Economic Liberties Project  
American Family Voices  
Appalshop Community Media Initiative  
Artist Rights Alliance  
Athena  
Blue Future  
Center for Digital Democracy  
Color Of Change  
Committee to Support the Antitrust Laws  
Consumer Federation of America  
Consumer Reports  
DefendDefenders  
Demand Progress  
Demos

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<sup>1</sup> Mark MacCarthy, *The House antitrust report is a major step toward reining in Big Tech*, BROOKINGS (Oct. 20, 2020), <https://www.brookings.edu/blog/techtank/2020/10/20/the-house-antitrust-report-is-a-major-step-toward-reining-in-big-tech/>.

<sup>2</sup> Emily Birnbaum, *Biden Team to Push 'Ambitious' Antitrust Crackdown on Big Tech in Congress*, BLOOMBERG (Nov. 4, 2022), <https://www.bloomberg.com/news/articles/2022-11-04/biden-plans-ambitious-antitrust-crackdown-on-big-tech-post-midterms>.

<sup>3</sup> Lauren Windsor, *Swing State Voters More Likely to Vote for Candidate Supporting Big Tech Regulation*, AM. FAMILY VOICES (Oct. 6, 2022), <https://www.americanfamilyvoices.org/post/press-release-new-poll-shows-bipartisan-swing-vote-support-for-regulating-big-tech>.

Economic Security Project Action  
Farm Action Fund  
Fight Corporate Monopolies  
Fight for the Future  
Future of Music Coalition  
Institute for Local Self-Reliance  
International Brotherhood of Teamsters  
LobbyControl (Germany)  
Main Street Alliance  
Media Alliance  
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Open Markets Institute  
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Our Revolution  
Oxfam America  
P Street (PCCC)  
Progress America  
Public Citizen  
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RootsAction.org  
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Southeast Asia Freedom of Expression Network (SAFEnet)  
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The Tech Oversight Project  
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Woodhull Freedom Foundation  
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