

September 24, 2021

To Republican Members of Congress, Senators, and Congressional staff:

We write to you today to request your support for the six bipartisan antitrust bills that recently passed out of the House Judiciary Committee. The bills include:

- **H.R. 3460**, The State Antitrust Enforcement Venue Act
- **H.R. 3816**, The American Choice and Innovation Online Act
- **H.R. 3825**, The Ending Platform Monopolies Act
- **H.R. 3826**, The Platform Competition and Opportunity Act
- **H.R. 3843**, The Merger Filing Fee Modernization Act
- **H.R. 3849**, The Augmenting Compatibility and Competition by Enabling Service Switching (ACCESS) Act

Voters are demanding action against Big Tech from Congress. According to Pew Research, 68 percent of Americans believe that “social media companies have too much power and influence in today’s economy.” That number jumps to 80 percent among Americans who identify as conservative.¹ If Republicans want to support this grassroots sentiment and fight Big Tech in a substantive way during the Biden Administration, they must consider an all-of-the-above approach that includes supporting some or even all of these antitrust bills.

In an ideal world, Republicans would simply pass legislation that requires Big Tech platforms to adhere to a First Amendment standard online — perhaps in a Section 230 reform bill, or in a bill that classifies Big Tech platforms as common carriers. Unfortunately, we can’t ignore our immediate political reality: Joe Biden and the Democrats are never going to join with Republicans on any effort that protects speech online. They are ideologically opposed to the idea of free speech and free expression. Therefore, we are at least three years (and two elections) away from being able to curb the censorship practices of the Big Tech platforms.

While there is value in preparing for a hopeful scenario where we have the political power needed to pass legislation — we anticipate Republican gains in 2022 and a Republican returning to the White House in 2024 — we simply cannot afford to wait. If we have a viable chance to rein in these historically

¹<https://www.pewresearch.org/fact-tank/2021/07/20/56-of-americans-support-more-regulation-of-major-technology-companies/>

powerful and influential companies, which are capable of swinging elections and ending democracy as we know it, we should certainly take it.

Many loud Big Tech-funded voices on the Right have argued that support for antitrust enforcement is not conservative. We respectfully disagree. Republicans have recognized for more than a century that antitrust enforcement serves a critical need in preventing the consolidation of power around anti-competitive monopolies and thus preserving the free market. Antitrust enforcement becomes even more important when it comes to Big Tech companies that exert control over the free flow of information and directly interfere in our elections.

Others (also often funded by Big Tech) have argued that the House antitrust bills do nothing to stop the censorship. But these companies are ultimately in a position to systematically censor conservative speech because of their size, their power, and their dominance over their respective markets.

We are happy to discuss each of the antitrust bills in detail. Some are easier to support than others. We struggle, for example, to find any legitimate reason to oppose H.R. 3460, the State Antitrust Enforcement Venue Act, a bill which simply empowers state attorneys general. Similarly, we view H.R. 3843, the Merger Filing Fee Modernization Act, as an easy lift for even the most ardent laissez-faire hardliners. All six bills deserve careful consideration and should be judged individually on their merits. In our view, Republicans who venture to support even three or four of these bills should be publicly credited by voters as allies in the fight against Big Tech.

For years, Big Tech companies have engaged in anti-competitive behavior, which has allowed them to amass trillion-dollar valuations, maintain strangleholds on their respective markets, and in the process stifle innovation and distort the larger economy. The House antitrust bills are not perfect. But they represent the only real opportunity in the short term for Congress to do something about Big Tech. There's a reason that the Big Tech monopolists, and the allied groups they fund in Washington, D.C., are lobbying so aggressively against this specific legislation. They recognize that these bipartisan bills are viable and could pose a real threat to their concentrated power.

We urge you to take advantage of perhaps our only realistic opportunity before 2025 to rein in Big Tech. Please consider supporting these bills.

Sincerely,

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American Principles Project

Terry Schilling
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