



October 14, 2021

The Honorable Mitch McConnell
U.S. Capitol Building, S-230
Washington, D.C. 20510

Dear Leader McConnell and Republican Members of Congress:

As a non-partisan educational and research institute with the mission to promote consumer welfare, we share your goal of promoting competition online and protecting consumers. However, we urge you to be prudent of any proposals that inadvertently undermine consumer welfare, like the American Innovation and Choice Online Act, for the benefit of sledgehammering a few companies on the premise that big is bad and that you may disagree with on a political or ideological basis.

Failing to recognize this will only punish successful and innovative businesses and deny consumers current and potential benefits, and show consumers they are not the pre-eminent concern in antitrust law and enforcement.

We are especially concerned about proposals in which consumer welfare is largely ignored in favor of a presumption that “big tech” is automatically anti-consumer. Failing to fully consider the consumer benefits technology companies provide, and what would be lost by punishing their successes, would severely undermine consumer welfare.

The American Innovation and Choice Online Act would essentially prevent companies like Apple, Amazon, Facebook, Google, and Microsoft from offering integrated tech conveniences to consumers, putting at risk free services and making them less accessible to the public.

Consumers and small businesses alike would be harmed. The extreme legal risk created by such proposals will make it difficult for small businesses to access online marketplaces, which have been vital for their growth and success. These online marketplaces and platforms not only provided lifelines to small businesses during the pandemic, but also provided the opportunity for small businesses, startups, and entrepreneurs to access the pool of consumers and enjoy the free or low-cost online tools and services these marketplaces offer.

At a time when stagflation risks are growing, Congress' priority should be preserving consumer welfare and encouraging an environment for small businesses and startups to thrive, and NOT disrupting the growth and success of these small businesses and making buying everyday

goods more expensive for consumers. We urge Congress to consider the above mentioned consequences before rushing through an ambiguously worded proposal.

Respectfully,

Krisztina Pusok
Director
American Consumer Institute