

# 45+ Free Market Groups and Activists Oppose the “American Innovation and Choice Online Act”

July 19, 2022



**AMERICAN  
BUSINESS  
DEFENSE  
COUNCIL**



**The American Consumer Institute  
Center for Citizen Research**



**AMERICANS FOR  
PROSPERITY**

Dear Senate Republican Leader Mitch McConnell and House Republican Leader Kevin McCarthy,

We write in opposition to S. 2992, the “American Innovation and Choice Online Act,” legislation that would massively expand the size and scope of the federal government.

**Despite what some politicians may claim, Sen. Amy Klobuchar’s antitrust bill gives the Biden Administration vast new regulatory authority over American businesses, fails to address conservative censorship concerns and would make inflation worse for American families.**

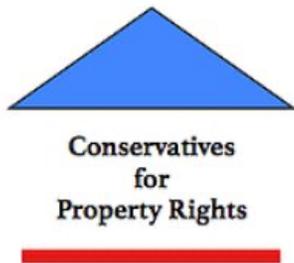
Conservatives have legitimate concerns over Big Tech's targeting of conservative speech and the creeping influence of non-economic issues in the business decisions of America’s largest companies. In reaction to this problem, a few Republicans have co-sponsored the Klobuchar bill with the hope that it will help reduce discrimination against conservative voices online.

**In reality, the bill would worsen these issues by forcing targeted companies into a “mother-may-I” relationship with the federal government.** The institutional Left is in universal agreement about the effects the bill will have. The Center for American Progress [endorsed](#) the bill on the grounds that it will spur “much needed improvements in content moderation and technologies.”

**Whatever so-called “improvements” that the left has in mind for content moderation will certainly not work out in favor of conservatives’ free speech.** If conservatives are unhappy with the status quo, just imagine Big Tech targeting conservative speech on behalf of Biden bureaucrats.

S. 2992 outlaws a slew of routine business activity for companies with over \$550 billion in market cap and 50 million monthly users. If a business runs afoul of these new government mandates, the government can levy a fine of up to 10 percent of the business’ revenue.

Supporters promise the bill will only apply to four or five American companies...for now. This bill opens the door for future



government regulation based on the size of a company, a government cap on innovation and a permanent dial that Democrats can use to trap more companies under the heavy hand of government control.

**While supporters claim this is the first serious antitrust bill in nearly a century, S. 2992 hardly resembles antitrust law as traditionally understood.** For almost 50 years, the consumer welfare standard has anchored American antitrust law. Antitrust enforcers generally do not act unless consumers are being harmed via tangible effects like higher prices, reduced innovation, or lower quality.

S. 2992 would push the U.S. towards a European-style approach, where the government picks economic winners and losers and targets politically disfavored companies with frivolous lawsuits. Bureaucrats win, consumers lose.

For policy and political reasons alike, it seems foolish for Republicans to help Democrats ram through such a sweeping regulatory bill as the midterms approach. Pocketbook issues like generation-high inflation and skyrocketing gas prices are top of mind for American families. A [recent](#) Gallup poll shows 52 percent of Americans name inflation as their top issue – antitrust does not even rank. The last thing families and consumers need is a law that would restrict access to the generic products that they reach for in order to make ends meet.

**Even some Democrats admit that S. 2992 will increase inflationary pressure on American families.** One Democrat aide [blasted](#) the bill as Sen. Klobuchar’s “pet project” with little political payoff, saying “We should be focused on items that will help consumers deal with rising costs...[and] nobody can figure out why it would be a priority.” Another aide was quoted asking, “Does the Klobuchar bill reduce rising costs in the short term for consumers? No. So why would it be a focus between now and the election?”

The Klobuchar bill would grow the size and scope of government, worsen conservative censorship, and increase inflationary pressure on American families. Instead of addressing pocketbook issues, Sen. Klobuchar’s top priority is empowering Biden bureaucrats before Democrats lose control of Congress. Republicans should not throw Sen. Klobuchar a lifeline.

Sincerely,

Grover Norquist  
President, Americans for Tax Reform



Robert H. Bork, Jr.

Dr. Arthur B. Laffer

Richard Rahn

Stephen Moore  
Economist

Marty Connors  
Chair, Alabama Center-Right Coalition

Dick Patten  
President, American Business Defense Council

Phil Kerpen  
President, American Commitment

Steve Pociask  
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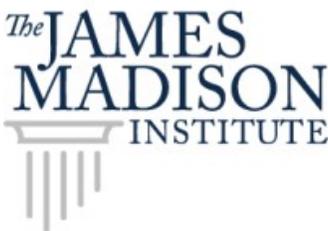
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Daniel J. Mitchell  
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Patrick Hedger  
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Rusty Cannon  
President, Utah Taxpayers Association

Casey Given  
Executive Director, Young Voices

Cc: House Republican Conference  
Senate Republican Conference