July 16, 2026

The Honorable Chuck Grassley
Chairman
Committee on the Judiciary
United States Senate

The Honorable Richard Durbin
Ranking Member
Committee on the Judiciary
United States Senate

Dear Chairman Grassley and Ranking Member Durbin:

We, the undersigned small- and medium-sized businesses, and organizations that represent them, that rely on open and competitive markets to offer innovative products and services online, write to urge the Committee to hold a hearing on and advance the *American Innovation and Choice Online Act* (AICOA) and the *Open Apps Market Act* (OAMA).[1]

Competition is the backbone of innovation in the digital economy. It drives investment, improves products and services, and has long been a source of American economic growth and prosperity. New products and services emerge when entrepreneurs believe they can reach customers, compete on the merits, and earn a return on their investments. Competitive markets encourage businesses to take risks, deploy capital, and develop new ideas, while ensuring that established firms continue to innovate in response to competitive pressure. From garage startups to industry leaders, competition creates the conditions for growth, innovation, and opportunity throughout the economy.

As Congress has documented extensively, however, the digital economy is dominated by a handful of gatekeeper platforms with the incentive and ability to dictate terms online and prices throughout the U.S. economy.[2] As a result, gatekeeper platforms freely engage in anticompetitive practices to protect their core monopoly, often by excluding rivals or degrading their access to critical inputs or services, thereby treating potential competitors worse than the platform itself or its preferred business partners. As a result, dominant firms can deprive rivals of the ability to scale or attract customers,

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[1] American Innovation and Choice Online Act, S. 4207, 119th Cong. (2026); Open Apps Market Act, S.2153, 119th Cong. (2025).

[2] *See* H.R. Report No. 117-8, pt.1, Investigation of Competition in Digital Markets, at 28 (2020). Other leading antitrust scholars have reached similar conclusions. *See e.g.*, STIGLER COMM. ON DIGIT. PLATFORMS, FINAL REPORT 29, 35 (2019); Howard A. Shelanski, *Information, Innovation, and Competition Policy for the Internet*, 161 U. PA. L. REV. 1663, 1676 (2013) ("Put simply, a bottleneck to everything can potentially take a share of, and exercise some control over, everything. . . a digital platform monopolist controls its own product or service as well as access to a much broader universe of products or services; it affects the decisions of a much broader universe of users.").

while also creating a "flywheel effect" that reinforces their market power into adjacent markets and beyond.[3] Companies should succeed when they compete vigorously to offer better products at lower prices or through superior services. But when gatekeeper platforms can unfairly advantage their own products or services or degrade access to critical platform functions or distribution, or use its control over distribution to disadvantage rivals.

The *American Innovation and Choice Online Act* and *Open Apps Market Act* are critical to reversing these trends by unlocking competition online. AICOA establishes clear, procompetitive rules for the largest online platforms and targets well-documented forms of conduct that can disadvantage rivals and distort competition. OAMA promotes competition within the app ecosystem, empowering consumers with greater control of their devices and protecting developers' rights. By opening digital markets to greater competition, these bipartisan measures would create more opportunities for businesses to reach customers, compete on the merits, and grow. They would also provide greater certainty for entrepreneurs and investors—from app developers and online sellers to emerging AI companies—helping them deploy capital, expand their businesses, and bring new products and services to market.

Passing these commonsense, bipartisan proposals is also critical to safeguarding Americans' economic security. Competition is the most effective tool for lowering prices, improving quality, and expanding consumer choice, while the internet is the backbone of the U.S. economy. When businesses are free to compete for customers, consumers benefit from lower costs, greater innovation, and more options. Conversely, when dominant firms can suppress competitive threats or disadvantage rivals, consumers often bear the resulting costs through reduced choice and diminished competitive pressure. Restoring competition in digital markets is therefore an important component of improving affordability for both consumers and small businesses.

Importantly, this legislation builds upon years of bipartisan congressional and enforcement activity. The Senate Judiciary Committee previously reported these bills favorably on a bipartisan basis after extensive consideration of the competitive issues presented by dominant digital platforms.[4] The concerns reflected in the legislation are also consistent with enforcement actions pursued by the Department of Justice under both Republican and Democratic administrations, and reflect a broad bipartisan recognition that digital markets function best when firms compete on the merits rather than through

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[3] *See* Jonathan Kanter, Assistant Att'y Gen., Antitrust Div., U.S. Dep't of Just., Keynote Address at Fordham Competition Law Institute (Sept. 15, 2022), https://www.justice.gov/archives/opa/speech/assistant-attorney-general-jonathan-kanter-antitrust-division-delivers-keynote-fordham.

[4] The bill's predecessor, S. 2992, 117th Cong. (2021), was advanced by the Senate Judiciary Committee on January 20, 2022, by a vote of 16 to 6. The Open App Markets Act, S. 2710, was advanced by the Senate Judiciary Committee on February 3, 2022, by a vote of 20 to 2.

exclusionary conduct.[5]

American businesses are strongest when markets are open, entry is possible, and success depends on serving customers well. We commend your bipartisan leadership on these issues and urge the Committee to consider and advance the *American Innovation and Choice Online Act* and *Open Apps Market Act*.

Sincerely,

Internet Works	The Travel Technology Association
Mozilla Corporation	Proton
Y Combinator	Yelp
Little Tech Association (LTA)	The Responsible Online Commerce Coalition (ROCC)
Flickr	

cc: John Cornyn (R-TX), Member, Senate Committee on the Judiciary

Sheldon Whitehouse (D-RI), Member, Senate Committee on the Judiciary

Mike Lee (R-UT), Member, Senate Committee on the Judiciary

Amy Klobuchar (D-MN), Member, Senate Committee on the Judiciary

[5] *See, e.g.*, Mike Davis, *Congress Must Finally Kill the Hidden Tax in Your Online Shopping Cart*, FOX NEWS (June 13, 2026), https://www.foxnews.com/opinion/mike-davis-congress-must-finally-kill-hidden-tax-your-online-shopping-cart.

Ted Cruz (R-UT), Member, Senate Committee on the Judiciary

Chris Coons (D-DE), Member, Senate Committee on the Judiciary

Josh Hawley (R-MO), Member, Senate Committee on the Judiciary

Richard Blumenthal (D-CT), Member, Senate Committee on the Judiciary

Thom Tillis (R-NC), Member, Senate Committee on the Judiciary

Mazie Hirono (D-HI), Member, Senate Committee on the Judiciary

John Kennedy (R-LA), Member, Senate Committee on the Judiciary

Cory Booker (D-NJ), Member, Senate Committee on the Judiciary

Marsha Blackburn (R-TN), Member, Senate Committee on the Judiciary

Alex Padilla (D-CA), Member, Senate Committee on the Judiciary

Eric Schmitt (R-MO), Member, Senate Committee on the Judiciary

Peter Welch (D-VT), Member, Senate Committee on the Judiciary

Katie Britt (R-AL), Member, Senate Committee on the Judiciary

Adam Schiff (D-CA), Member, Senate Committee on the Judiciary

Ashley Moody (R-FL), Member, Senate Committee on the Judiciary