

President Joseph R. Biden
1600 Pennsylvania Ave. NW
Washington, DC 20050

August 10, 2021

Dear President Biden,

We write to express support for numerous provisions in your Executive Order on Promoting Competition in the American Economy. America is experiencing a monopoly crisis.¹ For four decades, Americans have been increasingly constrained by excessive corporate concentration across a host of markets.² Such consolidation decimates small businesses, lowers workers' wages, and creates private gatekeepers.³ It even threatens our democracy.⁴ This executive order is a valuable step towards reaffirming the federal government's mandate to promote fair and competitive markets, preserve economic liberty for all Americans, and protect America's economic standing in the world.

We also write to provide support in ensuring the outlined measures are implemented in a timely and comprehensive manner. Empowering federal agencies to foster fair competition through the exercise of rulemaking, regulatory, procurement, and information-sharing processes is a strong foundation to ensure a whole-of-government approach towards excessive corporation concentration.⁵

We also welcome the order's explicit support for small businesses, farmers, ranchers, and entrepreneurs. From encouraging the diversification of government procurement processes to protecting small businesses from unfair competition and allowing them to attract and retain workers and repair their own equipment, the order will help reverse the dangerous trend of market concentration that has decimated America's small businesses. If fully implemented, it will allow small businesses, farmers, ranchers, entrepreneurs, and startups open access to

¹ Craig Torres, "Monopoly Power Lies Behind Worst Trends in U.S., Fed Study Says," Bloomberg, August 18, 2018, <https://www.bloomberg.com/news/articles/2020-08-18/monopoly-power-lies-behind-worst-trends-in-u-s-fed-study-says>; Isabel Cairó and Jae Sim, "Market Power, Inequality, and Financial Instability," Finance and Economics Discussion Series 2020-057, Board of Governors of the Federal Reserve System, August 2020, <https://doi.org/10.17016/FEDS.2020.057>.

² Germán Gutiérrez and Thomas Philippon, "Ownership, Concentration, and Investment," AEA Papers and Proceedings, May 2018, <https://doi.org/10.1257/pandp.20181010>.

³ "Confronting America's Concentration Crisis: A Ledger of Harms and Framework for Advancing Economic Liberty for All," American Economic Liberties Project, July 2020, <https://www.economicliberties.us/wp-content/uploads/2020/08/Ledger-of-Harms-R41.pdf>.

⁴ Matt Stoller, "How To Prevent the Next Social Media-Driven Attack On Democracy — and Avoid a Big Tech Censorship Regime," American Economic Liberties Project, February 3, 2021, <https://www.economicliberties.us/our-work/how-to-prevent-the-next-social-media-driven-attack/>.

⁵ "The Courage to Learn: A Retrospective on Antitrust and Competition Policy During the Obama Administration and Framework for a New Structuralist Approach," American Economic Liberties Project, January 2021, https://www.economicliberties.us/wp-content/uploads/2021/01/Courage-to-Learn_12.12.pdf.

existing markets and protect their ability to compete in new ones, as well as intensify homegrown innovation and give workers and consumers alike more opportunities and choices.⁶

We look forward to the timely staffing of agencies outlined in the order to enable its prompt and thorough implementation. Appointing leaders committed to the judicious enforcement of our nation's antitrust laws is critical to the execution of the order, especially at the Federal Trade Commission (FTC) and Department of Justice (DOJ) Antitrust Division.

Nominations like that of FTC Chair Lina Khan send a clear message to the American people: antitrust enforcement can and should be directed by subject matter experts with a strong track record of investigating and addressing concentrations of corporate power. We eagerly await the appointment of an additional FTC Commissioner and Assistant Attorney General of the DOJ's Antitrust Division. We strongly urge you to nominate bold enforcers who won't hesitate to ensure that your vision is fully realized.

We look forward to continuing to work with you to address our nation's monopoly crisis.

Signed,

American Economic Liberties Project
American Independent Business Alliance
American Pharmacists Association (APhA)
Common Future
Family Farm Action Alliance
Main Street Alliance
National Community Pharmacists Association
National Family Farm Coalition
R-CALF USA
Small Business Majority

⁶ Jake Sullivan, "Remarks by National Security Advisor Jake Sullivan at the National Security Commission on Artificial Intelligence Global Emerging Technology Summit," White House, July 13 2021, <https://www.whitehouse.gov/nsc/briefing-room/2021/07/13/remarks-by-national-security-advisor-jake-sullivan-at-the-national-security-commission-on-artificial-intelligence-global-emerging-technology-summit>.