

December 15, 2021

President Joe Biden
The White House
1600 Pennsylvania Ave. NW
Washington, D.C. 20500

Dear President Biden:

Thank you for your Administration's strong defense of U.S. workers in response to the European Union's proposed Digital Markets Act (DMA). The DMA would put U.S. tech services -- and the U.S. workers that build them -- at a disadvantage compared to their foreign competitors.

While we share your commitment to promoting robust competition in the technology sector, the DMA will single out leading U.S. firms for new restrictions that would not be applied to those companies' competitors. This will have significant, negative downstream effects on businesses, consumer welfare, workers, and U.S. national security.

Indeed, these concerns are reflected in a multi-agency white paper prepared by your Administration¹ which appropriately identifies a number of concerns with the DMA, including its impact on security and consumer protection; its lack of intellectual property and trade secret protections; and the need for clearer legal definitions. These concerns have been shared by security experts,² with even the European Data Protection Board raising concerns about the DMA's unintended impact on privacy.³

The five U.S. tech firms targeted by the Digital Markets Act support an ecosystem of innovators and entrepreneurs, and have collectively put millions of Americans to work over the past decade.⁴ These companies are investing over \$60 billion annually in R&D, including in quantum computing and other emerging technologies that are central to U.S. leadership.⁵ By imposing rules on their services but not those of foreign competitors, the DMA would effectively mandate top U.S. firms offer products to consumers that are less secure, less useful, and less innovative than rival products from foreign tech companies. This in turn would make U.S. tech services less competitive, harm startups that depend on these firms' services, and put U.S. tech jobs at risk.

We appreciate the leadership on this issue throughout your Administration, organized by the National Security Council, National Economic Council, and U.S. Trade Representative, and reflecting input and leadership from the Departments of Commerce, Justice, and State.

We know your Administration shares many of the goals of the Digital Markets Act. Your team is doing what any U.S. Administration would do -- stand up for U.S. workers in the face of

¹<https://www.reuters.com/technology/exclusive-us-warns-against-ip-trade-secret-risks-draft-eu-tech-rules-paper-2021-11-10/>

²https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3958982;

https://securityconference.org/assets/02_Dokumente/01_Publikationen/211122_MSC_DiscussionPaper_SecurityProofing.pdf

³https://edpb.europa.eu/system/files/2021-11/edpb_statement_on_the_digital_services_package_and_data_strategy_en.pdf

⁴<https://www.cNBC.com/2019/11/04/how-many-jobs-have-amazon-google-and-apple-created-since-2000.html>

⁵<https://www.bloomberg.com/opinion/articles/2018-04-05/amazon-s-technology-and-content-spending-a-huge-gift-to-economy>

discriminatory foreign regulation. On behalf of U.S. tech workers, thank you for your strong support and continued leadership.

Sincerely,

Chamber of Progress

Computer and Communications Industry Association (CCIA)

Developers Alliance

Software & Information Industry Association (SIIA)