

U.S. Rep. Sensenbrenner: Statement on the The House Antitrust, Commercial and Administrative Law Majority Staff Report on Big Tech

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Washington, D.C. - Ranking Member Jim Sensenbrenner (WI-05) offered the following statement on the The House Antitrust, Commercial and Administrative Law Majority Staff Report on Big Tech.

“The House Antitrust, Commercial and Administrative Law Majority Staff Report on Big Tech is a thorough documentation of the current state of the marketplace. However, as I’ve said at recent hearings on this topic, I disagree with the view that there needs to be a wholesale rewrite of our country’s antitrust laws.

Congressional review of our antitrust laws in the age of Big Tech was absolutely warranted. Oversight of the existing legal and regulatory framework is one of the key functions of the committee system, and I applaud Chairman Cicilline on his undertaking of this project in a bipartisan manner.

There actually is a lot that we agree on, including the lack of sufficient scrutiny on past activity by these companies. For example, the report highlights that Facebook only had one acquisition extensively reviewed by the FTC out of nearly 100. That lack of enforcement raises significant questions. What becomes clear is that better resources and funding for the enforcement agencies are key to having an effective antitrust framework.

Ultimately, I am concerned with several of the recommendations made by the committee. A ‘Glass-Steagall’ like approach to tech regulation does not benefit

consumers and will lead to too much government regulation of a very innovative industry. Likewise, mandating data interoperability could hamper future innovation by preventing the development of new and better systems.

I am also opposed to several of the proposed changes to merger activity. A presumptive ban on future acquisitions, especially now with economic uncertainty plaguing the world, could hinder potentially fruitful, beneficial business decisions. Also, shifting the burden of proof in merger cases misplaces the obligation upon companies to prove their innocence rather than the government proving their guilt.

I hope that as this report is examined and the recommendations are debated, we do not lose sight of the importance of facilitating a world where cost, choice, and innovation benefit the American consumer.”