

Congress of the United States
Washington, DC 20515

September 25, 2023

Mr. Sundar Pichai
Chief Executive Officer
Alphabet Inc. and Google LLC
1600 Amphitheatre Parkway
Mountain View, CA 94043

Dear Mr. Pichai,

In our role as legislators, we are considering the development of potential pro-competition and pro-consumer legislation. To inform these efforts, we would like to better understand the impacts to Americans that will result from Alphabet's compliance with the Digital Markets Act (DMA) in the European Union. As you know, Alphabet was recently designated a "gatekeeper" because you own products that perform a core platform service that acts as an important gateway for businesses to reach end users. Gatekeeper status reflects a particularly powerful position in the market. Unfortunately, in all digital markets, including the United States, that power has been abused to stifle competition and consumer choice. In 2020, the Committee on the Judiciary of the U.S. House of Representatives concluded that Amazon, Apple, Facebook [Meta], and Google [Alphabet] were "exploiting their gatekeeper power to dictate terms and extract concessions that third parties would not accept in a competitive market."¹

The DMA guards consumer privacy and choice by protecting the personal data of end users, enabling interoperability of critical communications services, and allowing end users to choose which payment, software distribution, web browsing, and other default services to use on their devices. In addition, the DMA spurs competition and innovation by allowing independent developers and small businesses to grow, compete, and thrive without the threat of anti-competitive business tactics, such as the unfair preferencing of gatekeeper products over third-party products, mandating the use of gatekeeper services, and/or restricting the abilities of third parties to act independently or interact with a gatekeeper's competitors.

Your qualifying services are used by millions of American end users as well as small-and medium-sized businesses, who remain unprotected by the DMA. As European consumers and small businesses will be afforded greater rights, we are concerned that Americans, and the American technology ecosystem, will be perpetually disadvantaged. As we consider potential legislation, we ask that you answer the following questions on or before October 7, 2023. For all questions, please explain the reasoning behind your decision, and highlight any roadblocks that may exist to accomplishing these goals in the United States.

1. For each of your designated services, do you plan to afford U.S. users the same protections given to E.U. users by the DMA regarding the use of their personal data

¹ United States Committee on the Judiciary. (2022). *Investigation of Competition in Digital Markets*
<https://www.govinfo.gov/content/pkg/CPRT-117HPRT47832/pdf/CPRT-117HPRT47832.pdf>

collected by third parties, and the tracking of users outside core services for the purposes of targeted advertising? If not, why not?

2. For each of your designated services that facilitate or publish advertisements, do you plan to offer the same level of advertising transparency mandated under the DMA to advertisers and publishers in the US? If not, why not?
3. In the E.U., how will the DMA affect the User Choice Billing program, which allows consumers to select alternative payment methods on Google Play in some cases, in the EU? Do you plan to make any corresponding changes in the U.S.? If not, why not?
4. In the U.S., do you plan to ensure that Google Search does not self-preference other Google Services, such as YouTube and Google Maps, in its search results? If not, why not?
5. In the U.S., do you plan to ensure that Google Ads and AdX do not favor Google sites and services over third parties? If not, why not?
6. In the U.S., do you plan to allow users to select their own default applications at device setup on Android devices and uninstall first-party applications? If not, why not?
7. Has Alphabet analyzed what the cost would be to extend the privacy protections and/or advertising transparency mandated by the DMA to the U.S.? If so, would the extension of these EU mandates result in a decrease in expense relative to the cost to maintain different sets of rules for the E.U. and the U.S.?

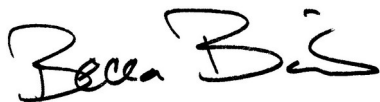
Sincerely,



Lori Trahan
Member of Congress



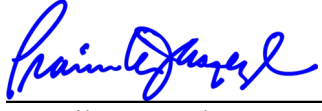
Henry C. "Hank" Johnson, Jr.
Member of Congress



Becca Balint
Member of Congress



Yvette D. Clarke
Member of Congress



Pramila Jayapal
Member of Congress

Congress of the United States
Washington, DC 20515

September 25, 2023

Mr. Satya Nadella
Chief Executive Officer
Microsoft Corporation
One Microsoft Way
Redmond, WA 98052

Dear Mr. Nadella,

In our role as legislators, we are considering the development of potential pro-competition and pro-consumer legislation. To inform these efforts, we would like to better understand the impacts to Americans that will result from Microsoft’s compliance with the Digital Markets Act (DMA) in the European Union. As you know, Microsoft was recently designated a “gatekeeper” because you own products that perform a core platform service that acts as an important gateway for businesses to reach end users. Gatekeeper status reflects a particularly powerful position in the market. Unfortunately, in all digital markets, including the United States, that power has been abused to stifle competition and consumer choice. In 2020, the Committee on the Judiciary of the U.S. House of Representatives concluded that Amazon, Apple, Facebook [Meta], and Google [Alphabet] were “exploiting their gatekeeper power to dictate terms and extract concessions that third parties would not accept in a competitive market.”¹

The DMA guards consumer privacy and choice by protecting the personal data of end users, enabling interoperability of critical communications services, and allowing end users to choose which payment, software distribution, web browsing, and other default services to use on their devices. In addition, the DMA spurs competition and innovation by allowing independent developers and small businesses to grow, compete, and thrive without the threat of anti-competitive business tactics, such as the unfair preferencing of gatekeeper products over third-party products, mandating the use of gatekeeper services, and/or restricting the abilities of third parties to act independently or interact with a gatekeeper’s competitors.

Your qualifying services are used by millions of American end users as well as small-and medium-sized businesses, who remain unprotected by the DMA. As European consumers and small businesses will be afforded greater rights, we are concerned that Americans, and the American technology ecosystem, will be perpetually disadvantaged. As we consider potential legislation, we ask that you answer the following questions on or before October 7, 2023. For all questions, please explain the reasoning behind your decision, and highlight any roadblocks that may exist to accomplishing these goals in the United States.

1. For each of your designated services, do you plan to afford U.S. users the same protections given to E.U. users by the DMA regarding the use of their personal data collected by third parties, and the tracking of users outside core services for the purposes of targeted advertising? If not, why not?

¹ United States Committee on the Judiciary. (2022). *Investigation of Competition in Digital Markets*
<https://www.govinfo.gov/content/pkg/CPRT-117HPRT47832/pdf/CPRT-117HPRT47832.pdf>

2. For each of your designated services that facilitate or publish advertisements, do you plan to offer the same level of advertising transparency mandated under the DMA to advertisers and publishers in the US? If not, why not?
3. In the U.S., do you plan to allow users to select their own default applications at device setup on Windows devices and uninstall first-party applications? If not, why not?
4. Has Microsoft analyzed what the cost would be to extend the privacy protections and/or advertising transparency mandated by the DMA to the U.S.? If so, would the extension of these EU mandates result in a decrease in expense relative to the cost to maintain different sets of rules for the E.U. and the U.S.?

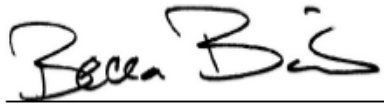
Sincerely,



Lori Trahan
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Becca Balint
Member of Congress



Yvette D. Clarke
Member of Congress



Pramila Jayapal
Member of Congress

Congress of the United States
Washington, DC 20515

September 25, 2023

Mr. Mark Zuckerberg
Chairman and Chief Executive Officer
Meta
1 Hacker Way
Menlo Park, CA 94025

Dear Mr. Zuckerberg,

In our role as legislators, we are considering the development of potential pro-competition and pro-consumer legislation. To inform these efforts, we would like to better understand the impacts to Americans that will result from Meta's compliance with the Digital Markets Act (DMA) in the European Union. As you know, Meta was recently designated a "gatekeeper" because you own products that perform a core platform service that acts as an important gateway for businesses to reach end users. Gatekeeper status reflects a particularly powerful position in the market. Unfortunately, in all digital markets, including the United States, that power has been abused to stifle competition and consumer choice. In 2020, the Committee on the Judiciary of the U.S. House of Representatives concluded that Amazon, Apple, Facebook [Meta], and Google [Alphabet] were "exploiting their gatekeeper power to dictate terms and extract concessions that third parties would not accept in a competitive market."¹

The DMA guards consumer privacy and choice by protecting the personal data of end users, enabling interoperability of critical communications services, and allowing end users to choose which payment, software distribution, web browsing, and other default services to use on their devices. In addition, the DMA spurs competition and innovation by allowing independent developers and small businesses to grow, compete, and thrive without the threat of anti-competitive business tactics, such as the unfair preferencing of gatekeeper products over third-party products, mandating the use of gatekeeper services, and/or restricting the abilities of third parties to act independently or interact with a gatekeeper's competitors.

Your qualifying services are used by millions of American end users as well as small-and medium-sized businesses, who remain unprotected by the DMA. As European consumers and small businesses will be afforded greater rights, we are concerned that Americans, and the American technology ecosystem, will be perpetually disadvantaged. As we consider potential legislation, we ask that you answer the following questions on or before October 7, 2023. For all questions, please explain the reasoning behind your decision, and highlight any roadblocks that may exist to accomplishing these goals in the United States.

1. For each of your designated services, do you plan to afford U.S. users the same protections given to E.U. users by the DMA regarding the use of their personal data collected by third parties, and the tracking of users outside core services for the purposes of targeted advertising? If not, why not?

¹ United States Committee on the Judiciary. (2022). *Investigation of Competition in Digital Markets*
<https://www.govinfo.gov/content/pkg/CPRT-117HPRT47832/pdf/CPRT-117HPRT47832.pdf>

2. For each of your designated services that facilitate or publish advertisements do you plan to offer the same level of advertising transparency mandated under the DMA to advertisers and publishers in the US? If not, why not?
3. Do you plan to ensure that Meta Ads does not favor Meta sites and services in the U.S.? If not, why not?
4. Do you expect to allow interoperability between Messenger, WhatsApp, and other messaging services not owned by Meta in the U.S.? If not, why not?
5. Has Meta analyzed what the cost would be to extend the privacy protections and/or advertising transparency mandated by the DMA to the U.S.? If so, would the extension of these EU mandates result in a decrease in expense relative to the cost to maintain different sets of rules for the E.U. and the U.S.?

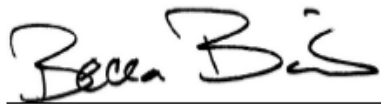
Sincerely,



Lori Trahan
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Becca Balint
Member of Congress



Yvette D. Clarke
Member of Congress



Pramila Jayapal
Member of Congress

Congress of the United States
Washington, DC 20515

September 25, 2023

Mr. Andy Jassy
President and Chief Executive Officer
Amazon.com, Inc.
410 Terry Ave. North
Seattle, WA 98109

Dear Mr. Jassy

In our role as legislators, we are considering the development of potential pro-competition and pro-consumer legislation. To inform these efforts, we would like to better understand the impacts to Americans that will result from Amazon’s compliance with the Digital Markets Act (DMA) in the European Union. As you know, Amazon was recently designated a “gatekeeper” because you own products that perform a core platform service that acts as an important gateway for businesses to reach end users. Gatekeeper status reflects a particularly powerful position in the market. Unfortunately, in all digital markets, including the United States, that power has been abused to stifle competition and consumer choice. In 2020, the Committee on the Judiciary of the U.S. House of Representatives concluded that Amazon, Apple, Facebook [Meta], and Google [Alphabet] were “exploiting their gatekeeper power to dictate terms and extract concessions that third parties would not accept in a competitive market.”¹

The DMA guards consumer privacy and choice by protecting the personal data of end users, enabling interoperability of critical communications services, and allowing end users to choose which payment, software distribution, web browsing, and other default services to use on their devices. In addition, the DMA spurs competition and innovation by allowing independent developers and small businesses to grow, compete, and thrive without the threat of anti-competitive business tactics, such as the unfair preferencing of gatekeeper products over third-party products, mandating the use of gatekeeper services, and/or restricting the abilities of third parties to act independently or interact with a gatekeeper’s competitors.

Your qualifying services are used by millions of American end users as well as small-and medium-sized businesses, who remain unprotected by the DMA. As European consumers and small businesses will be afforded greater rights, we are concerned that Americans, and the American technology ecosystem, will be perpetually disadvantaged. As we consider potential legislation, we ask that you answer the following questions on or before October 7, 2023. For all questions, please explain the reasoning behind your decision, and highlight any roadblocks that may exist to accomplishing these goals in the United States.

1. For each of your designated services, do you plan to afford U.S. users the same protections given to E.U. users by the DMA regarding the use of their personal data collected by third parties, and the tracking of users outside core services for the purposes of targeted advertising? If not, why not?

¹ United States Committee on the Judiciary. (2022). *Investigation of Competition in Digital Markets*
<https://www.govinfo.gov/content/pkg/CPRT-117HPRT47832/pdf/CPRT-117HPRT47832.pdf>

2. For each of your designated services that facilitate or publish advertisements, do you plan to offer the same level of advertising transparency mandated under the DMA to advertisers and publishers in the US? If not, why not?
3. In the U.S., do you plan to ensure that Amazon.com does not favor first party products, such as Amazon Basics or those that use Amazon Fulfillment? If not, why not?
4. Has Amazon analyzed what the cost would be to extend the privacy protections and/or advertising transparency mandated by the DMA to the U.S.? If so, would the extension of these EU mandates result in a decrease in expense relative to the cost to maintain different sets of rules for the E.U. and the U.S.?

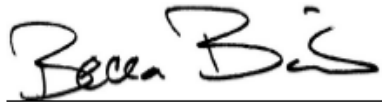
Sincerely,



Lori Trahan
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Becca Balint
Member of Congress



Yvette D. Clarke
Member of Congress



Pramila Jayapal
Member of Congress

Congress of the United States
Washington, DC 20515

September 25, 2023

Tim Cook
Chief Executive Officer
Apple, Inc.
One Apple Park Way
Cupertino, CA 95014

Dear Mr. Cook,

In our role as legislators, we are considering the development of potential pro-competition and pro-consumer legislation. To inform these efforts, we would like to better understand the impacts to Americans that will result from Apple's compliance with the Digital Markets Act (DMA) in the European Union. As you know, Apple was recently designated a "gatekeeper" because you own products that perform a core platform service that acts as an important gateway for businesses to reach end users. Gatekeeper status reflects a particularly powerful position in the market. Unfortunately, in all digital markets, including the United States, that power has been abused to stifle competition and consumer choice. In 2020, the Committee on the Judiciary of the U.S. House of Representatives concluded that Amazon, Apple, Facebook [Meta], and Google [Alphabet] were "exploiting their gatekeeper power to dictate terms and extract concessions that third parties would not accept in a competitive market."¹

The DMA guards consumer privacy and choice by protecting the personal data of end users, enabling interoperability of critical communications services, and allowing end users to choose which payment, software distribution, web browsing, and other default services to use on their devices. In addition, the DMA spurs competition and innovation by allowing independent developers and small businesses to grow, compete, and thrive without the threat of anti-competitive business tactics, such as the unfair preferencing of gatekeeper products over third-party products, mandating the use of gatekeeper services, and/or restricting the abilities of third parties to act independently or interact with a gatekeeper's competitors.

Your qualifying services are used by millions of American end users as well as small-and medium-sized businesses, who remain unprotected by the DMA. As European consumers and small businesses will be afforded greater rights, we are concerned that Americans, and the American technology ecosystem, will be perpetually disadvantaged. As we consider potential legislation, we ask that you answer the following questions on or before October 7, 2023. For all questions, please explain the reasoning behind your decision, and highlight any roadblocks that may exist to accomplishing these goals in the United States.

1. For each of your designated services, do you plan to afford U.S. users the same protections given to E.U. users by the DMA regarding the use of their personal data collected by third parties, and the tracking of users outside core services for the purposes of targeted advertising? If not, why not?

¹ United States Committee on the Judiciary. (2022). *Investigation of Competition in Digital Markets*
<https://www.govinfo.gov/content/pkg/CPRT-117HPRT47832/pdf/CPRT-117HPRT47832.pdf>

2. For each of your designated services that facilitate or publish advertisements, do you plan to offer the same level of advertising transparency mandated under the DMA to advertisers and publishers in the U.S.? If not, why not?
3. In the U.S., do you plan to allow apps distributed on the App Store to use payment platforms besides Apple Pay? If not, why not?
4. In the U.S., do you plan to ensure that the App Store does not favor first party products, such as Apple Music, in its search results? If not, why not?
5. In the U.S., do you plan to allow users to select their own default applications at iOS device setup and uninstall first-party applications? If not, why not?
6. Has Apple analyzed what the cost would be to extend the privacy protections and/or advertising transparency mandated by the DMA to the U.S.? If so, would the extension of these EU mandates result in a decrease in expense relative to the cost to maintain different sets of rules for the E.U. and the U.S.?

Sincerely,



Lori Trahan
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Becca Balint
Member of Congress



Yvette D. Clarke
Member of Congress



Pramila Jayapal
Member of Congress

Congress of the United States
Washington, DC 20515

September 25, 2023

Shou Zi Chew
Chief Executive Officer
TikTok
5800 Bristol Pkwy
Culver City, CA, 90230

Dear Mr. Chew,

In our role as legislators, we are considering the development of potential pro-competition and pro-consumer legislation. To inform these efforts, we would like to better understand the impacts to Americans that will result from TikTok’s compliance with the Digital Markets Act (DMA) in the European Union. As you know, Byte Dance was recently designated a “gatekeeper” because TikTok performs a core platform service that acts as an important gateway for businesses to reach end users. Gatekeeper status reflects a particularly powerful position in the market. Unfortunately, in all digital markets, including the United States, that power has been abused to stifle competition and consumer choice. In 2020, the Committee on the Judiciary of the U.S. House of Representatives concluded that Amazon, Apple, Facebook [Meta], and Google [Alphabet] were “exploiting their gatekeeper power to dictate terms and extract concessions that third parties would not accept in a competitive market.”¹

The DMA guards consumer privacy and choice by protecting the personal data of end users, enabling interoperability of critical communications services, and allowing end users to choose which payment, software distribution, web browsing, and other default services to use on their devices. In addition, the DMA spurs competition and innovation by allowing independent developers and small businesses to grow, compete, and thrive without the threat of anti-competitive business tactics, such as the unfair preferencing of gatekeeper products over third-party products, mandating the use of gatekeeper services, and/or restricting the abilities of third parties to act independently or interact with a gatekeeper’s competitors.

TikTok is used by millions of American end users as well as small-and medium-sized businesses, who remain unprotected by the DMA. As European consumers and small businesses will be afforded greater rights, we are concerned that Americans, and the American technology ecosystem, will be perpetually disadvantaged. As we consider potential legislation, we ask that you answer the following questions on or before October 7, 2023. For all questions, please explain the reasoning behind your decision, and highlight any roadblocks that may exist to accomplishing these goals in the United States.

1. Do you plan to afford U.S. TikTok users the same protections given to E.U. users by the DMA regarding the use of their personal data collected by third parties, and the tracking of users outside core services for the purposes of targeted advertising? If not, why not?
2. Do you plan to offer the same level of advertising transparency mandated under the DMA to advertisers on TikTok in the US? If not, why not?

¹ United States Committee on the Judiciary. (2022). *Investigation of Competition in Digital Markets*
<https://www.govinfo.gov/content/pkg/CPRT-117HPRT47832/pdf/CPRT-117HPRT47832.pdf>

3. Has TikTok analyzed what the cost would be to extend the privacy protections and/or advertising transparency mandated by the DMA to the U.S.? If so, would the extension of these EU mandates result in a decrease in expense relative to the cost to maintain different sets of rules for the E.U. and the U.S.?

Sincerely,



Lori Trahan
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Becca Balint
Member of Congress



Yvette D. Clarke
Member of Congress



Pramila Jayapal
Member of Congress