



**President Joseph Biden**  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500  
USA

3 February 2022

Dear Mr. President,

We are writing on behalf of the TransAtlantic Consumer Dialogue (TACD) concerning the views expressed by the Secretary Gina Raimondo on the European Union's efforts to legislate on digital markets to make them fairer and more open, and so benefit consumers.

The Digital Markets Act (DMA) is a flagship legislation which is currently in the final stages of adoption. The DMA will establish a clear list of obligations and prohibitions for gatekeeping big tech companies to ensure that they stop taking unfair advantage of their enormous market power to block rivals, especially smaller firms, from offering competitive products and services to consumers. This will lead to more choice and innovation for consumers in digital markets.

It is in the common interests of the citizens and consumers, the markets, and the democracies of both the U.S. and the EU to systematically curb big tech anti-competitive behaviour, and such legislation is long overdue. This is why the U.S. legislature – on both sides of the aisle – is also concerned about digital markets. The EU's DMA is an important step to improve the functioning of digital markets. It is therefore crucially important that this legislation is not undermined or watered down to serve the interests of these big tech corporations.

Therefore, we would like to express our concerns about the comments made by Secretary of Commerce Gina Raimondo who claimed that the EU's DMA would "disproportionately impact U.S.-based tech firms" and their ability to serve users.

The DMA does not target U.S. companies but rather targets companies that are in a position to define how goods, services, and information reach customers and which too often turn this position to their advantage to the detriment of competition and consumers' interests. Indeed, we note that the various legislative initiatives in the U.S., such as the American Innovation and Choice Online Act, would regulate exactly the same types of companies.

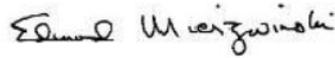
In addition, we emphasize that the DMA would not undermine the security or integrity of devices as claimed by some big tech companies. These are parameters that can and will be taken into account when considering compliance with the new rules.

We therefore call on you and your administration to support and to work constructively with the EU in order to serve our common interests by ensuring that consumers on both sides of the Atlantic finally have the protection they need in the digital economy.



**Monique Goyens**

Director General, BEUC  
EU Co-Chair of TACD



**Edmund Mierzwinski**

Senior Director, Consumer Programmes, U.S. PIRG  
US Co-Chair of TACD

**C/c :**

- David Cicilline, Congressman, USA
- Lina Khan, Chair, U.S. Federal Trade Commission
- Dan Mullaney, Assistant U.S. Trade Representative for Europe and the Middle East, USTR
- Cedric O, Secretary of State for the Digital Economy, French Government
- Gina Raimondo, Secretary of Commerce, USA
- Bharat Ramamurti, National Economic Council Deputy Director, the White House
- Andreas Schwab, Member of the European Parliament
- Margrethe Vestager, Executive Vice-President, European Commission
- Timothy Wu, Special Assistant to the President for Technology and Competition Policy, National Economic Council, the White House
- Stéphanie Yon-Courtin, Member of the European Parliament
- Carlos Zorrinho, Member of the European Parliament