

The Honorable Chuck Schumer
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Dick Durbin
Chair
Senate Committee on the Judiciary
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Charles Grassley
Ranking Member
Senate Committee on the Judiciary
U.S. Senate
Washington, DC 20510

Dear Leader Schumer, Leader McConnell, Chair Durbin and Ranking Member Grassley:

I write to urge you to swiftly confirm Jonathan Kanter as Assistant Attorney General for Antitrust (AAG) at the U.S. Department of Justice (DOJ). The alarming rise in consolidation across digital marketplaces and unlimited power of Big Tech platforms requires immediate attention, and Jonathan Kanter is well-qualified to lead the Antitrust Division at this important time.

High barriers to entry due to rampant data collection and network effects, along with hundreds of uncontested mergers and acquisitions over the past two decades, have given Big Tech control over what businesses win and lose and what voices are seen and heard. It is high time this country's antitrust enforcement agencies rein in this unchecked economic and political power.

Throughout his over 20-year career, Kanter has distinguished himself as a strong advocate for meaningful antitrust enforcement and robust competition, both in private practice and as a government attorney. Currently the founder and partner at his own boutique, antitrust-focused law firm, The Kanter Group LLC, Kanter previously served as co-chair of the antitrust practice at Paul, Weiss, Rifkind, Wharton, and Garrison LLC, where he worked to hold Big Tech accountable for their anticompetitive conduct, and as an attorney for the U.S. Federal Trade Commission's Bureau of Competition. His experience and expertise make him well-prepared to take on the important fights currently before the Antitrust Division, as well as those that are likely to arise during his tenure.

Importantly, there is strong Republican support for addressing the anticompetitive conduct of the dominant digital platforms. Kanter's nomination has already received the praise from the top Republican on the Senate Judiciary's Subcommittee on Competition Policy, Antitrust, and Consumer Rights, Senator Mike Lee, who said that he was "encouraged" by Kanter's track record.

Kanter is deeply knowledgeable of the law and economics of antitrust as well as the costs associated with underenforcement. Not adequately enforcing our antitrust laws makes it harder for businesses that play by the rules to thrive and create jobs, while limited competition leads to higher prices and suppressed innovation that hurts consumers. The lack of competition between

digital platforms in particular has resulted in the dangerous suppression of conservative voices and viewpoints. Considering these costs, it is imperative that the Senate confirm Jonathan Kanter in a timely fashion.

There are also a number of important antitrust initiatives and reviews already under way at DOJ – including an ongoing antitrust lawsuit against Google and a joint review of merger guidelines with the FTC – that deserve the focus and leadership of an appointed and confirmed nominee.

The costs of delaying the confirmation of an AAG for Antitrust are high for both businesses seeking to compete fairly and consumers who deserve fairness in the marketplace. And Jonathan Kanter has proven throughout his career that he has both the knowledge and the will to be a strong protector of competition. That is why I urge you to move swiftly to confirm him to be Assistant Attorney General for Antitrust.

Sincerely,

Mike Davis
Founder and President
Internet Accountability Project

cc:

The Honorable Amy Klobuchar
Chair
Senate Committee on the Judiciary Subcommittee on Competition Policy, Antitrust, and
Consumer Rights
U.S. Senate
Washington, DC 20510

The Honorable Michael S. Lee
Ranking Member
Senate Committee on the Judiciary Subcommittee on Competition Policy, Antitrust, and
Consumer Rights
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