

The Washington Times

The progressive antitrust Trojan Horse

Brian Garst

June 21st, 2022

Progressives have a plan to expand antitrust law that would effectively nationalize America's most successful companies. They even hope to get conservatives on board. The bill most likely to get consideration this Congress would, according to Ryan Bourne and Brad Subramaniam of the Cato Institute, "generally make it unlawful for major online platforms to engage in conduct that has produced tech products that consumers enjoy."

This proposal, if enacted, would prevent Apple from preloading FaceTime and iMessage into your apps and Google would have to remove Google Maps. Amazon Prime would be "de facto banned."

If this sounds to you like a bad deal for consumers, you are spot on. This is nothing more than a Trojan Horse bill intended to expand federal power over the private sector.

Conservatives have a long history of embracing free-market economics. It wasn't so long ago that the Republican Party was known for encouraging entrepreneurship and celebrating success.

Now, there is an emerging split between the populist wing and the traditional free marketeers of the Republican Party that endangers the economy. Because this fight is over Big Tech, some on the right are willing to toss aside small, limited government first principles for short-term political gain.

One Republican has dug in for the fight and is willing to take on Big Government ideas coming from both progressive Democrats and populist Republicans. For Fox News, Republican Sen. Rand Paul wrote on June 13, 2022, that he shares a degree of anger with Big Tech companies, yet he will not toss aside his love of "free-market principles" for legislation that would "deprive consumers of the technological innovation that only free-market competition can provide."

Mr. Paul criticized Democrat Sen. Amy Klobuchar's bill, the American Innovation and Choice Online Act (S. 2992), as creating a presumption that mergers are a violation of antitrust law. Mr. Paul remains critical of Republican Sen. Josh Hawley's bill, the Trust-Busting for the Twenty-First Century Act (S. 1074), that would forward the progressive goal of "preventing mergers" and ignoring "the welfare of the consumer." The Hawley bill bans all mergers and acquisitions by companies with a market capitalization exceeding \$100 billion. The Klobuchar bill is an attempt to empower government bureaucrats' control over private enterprise, while the Hawley bill is a direct attack on success. Both would lead to pain for consumers and stagnation for a struggling American economy.

Ms. Klobuchar's legislation would expand the power of the Federal Trade Commission and the Department of Justice over private enterprise. President Biden's pick to run the FTC, Lina Khan, actually wrote an early version of this legislation. Politico reported in May, "Lina Khan, President Joe Biden's Federal Trade Commission chair, helped write the House version of the American Innovation and Choice Online Act when she was a staffer on the Judiciary Committee." The Politico story cited heartburn from moderate Democrats who fear the radical legislation will cause even more economic headwinds and weaken the party's electoral prospects. Progressive Democrats intend on rushing this legislation through the Senate because they worry that a potential Republican majority following an election dominated by economic concerns would be less apt to beat up on successful technology companies.

These words from President Ronald Reagan are as true today as they were in 1981: "We who live in free-market societies believe that growth, prosperity, and ultimately human fulfillment, are created from the bottom up, not the government down." Brilliant entrepreneurs are far better at driving the economy than unelected government bureaucrats.

American consumers and voters don't want a federal government that has racked up over \$30 trillion in debt to run our nation's most innovative corporations into the ground.