

June 13, 2024

The Honorable Tom Cole
Chair
House Appropriations Committee
H-307, U.S. Capitol
Washington, DC 20515

The Honorable Rosa DeLauro
Ranking Member
House Appropriations Committee
1036 Longworth House Building
Washington, DC 20515

The Honorable David Joyce
Chair
House Appropriations Subcommittee on
Financial Services and General Government
H-307, U.S. Capitol
Washington, DC 20515

The Honorable Steny Hoyer
Ranking Member
House Appropriations Subcommittee on
Financial Services and General Government
1036 Longworth House Building
Washington, DC 20515

Chair Cole, Ranking Member DeLauro, Chair Joyce, and Ranking Member Hoyer:

We write to express our strong opposition to the Fiscal Year 2025 Financial Services and General Government (FY25 FSGG) Appropriations legislation to be considered by the Appropriations Committee later today, June 13, 2024. Specifically, we are seriously disappointed by the majority's continued efforts to undermine the excellent work of our antitrust enforcers at the Federal Trade Commission (FTC). **We urge the Appropriations Committee to oppose the draconian cuts and dangerous policy riders in the majority's FY25 FSGG legislation, and instead to work towards language that fully funds the FTC and rejects any poison pill policy riders in the appropriations process.**

The FTC's work is more important now than ever. Currently, industries across the economy are more concentrated than they have been in decades.¹ These extreme levels of concentration have granted dominant firms massive levels of market power that they have used to further their bottom lines at the expense of workers, consumers, and small businesses. While taking action to hold these corporations accountable is extremely popular among Americans across the political divide, the majority on the Appropriations Committee has once again decided to hamstring the FTC.²

Under the leadership of Chair Lina Khan, the FTC has worked to fulfill their mission and restore the promise of a competitive economy after decades of consolidation due to lax enforcement.

¹ Gustavo Grullon, et. al., "Are US Industries Becoming More Concentrated?," *Review of Finance*, Volume 23, Issue 4, (July 2019) <https://doi.org/10.1093/rof/rfz007>.

² Taylor Orth, "Most Americans oppose monopolies and support Antitrust Laws," YouGov (Nov. 2023) [Most Americans oppose monopolies and support antitrust laws | YouGov](#).

Indeed, the FTC – along with the Department of Justice’s Antitrust Division (ATR) – has been leading the charge in implementing the Biden Administration’s bold “all of government approach” to restoring competition to the American economy.³ They have moved to block anticompetitive mergers that would hurt consumers and workers in retail grocery, healthcare, and Big Tech.⁴ Additionally, the FTC has been implementing critical updates to our merger enforcement regime, modernizing outdated forms and issuing groundbreaking new merger guidelines.

Beyond policing mergers and acquisitions, the FTC is going after harmful conduct as well. They are investigating allegations of illegal conduct and working to hold corporate criminals accountable; just last month, the FTC uncovered activity that could constitute criminal price fixing behavior by Pioneer Natural Resources that cost consumers an estimated \$2,000-\$4,000 a year for a family of four in just 2021.⁵ They are pursuing a historic case against Amazon, one of the largest companies in the world, for illegally using their market power to foreclose competition and keep prices high for consumers.⁶ And they recently issued a rule that would finally ban restrictive noncompete clauses in employment contracts, which will foster innovation across the economy, help workers escape unsafe working environments, reduce health care costs by up to \$194 billion, and increase wages over the next decade by as much as \$488 billion.⁷

Congress should applaud their efforts and provide them with the resources and tools they need to continue holding monopolists accountable. Instead, the majority’s draft legislation drastically slashes the FTC’s budget by \$37 million to \$388.7 million – \$146 million below the FTC’s request – and includes policy rider after policy rider that inhibits their ability to do their jobs.⁸ In fact, the FY25 FSGG proposal goes even further than the initial proposal approved by the Committee in 2023, a year marked by countless anticompetitive policy riders and unprecedented levels of partisan brinkmanship.⁹

³ Exec. Order No. 14,036 3 C.F.R., “Executive Order on Promoting Competition in the American Economy,” (July 2021) [Executive Order on Promoting Competition in the American Economy | The White House](#).

⁴ Federal Trade Commission, “FTC Challenges Krogers’ Acquisition of Albertsons,” (Feb. 26, 2024) [FTC Challenges Kroger’s Acquisition of Albertsons](#); Kif Leswing, “FTC Chair Lina Khan takes victory lap on blocking Nvidia-Arm merger,” CNBC (Feb. 27, 2024) [FTC Chair Lina Khan takes victory lap on blocking Nvidia-Arm merger](#); Maribeth Guarino, “The FTC is cracking down on big healthcare companies,” U.S. PIRG Education Fund (Jan. 24, 2024) [The FTC is cracking down on big healthcare companies](#).

⁵ Luke Goldstein, “The Mega-Donor Who Colluded With OPEC,” The American Prospect (May 7, 2024) [The Mega-Donor Who Colluded With OPEC](#); American Economic Liberties Project, “Big Oil & Other Corporate Collusion Driving High Prices,” (May, 2024) [Big Oil & Other Corporate Collusion Driving High Prices](#).

⁶ Ron Knox, “The FTC Lawsuit Against Amazon Is the Biggest Antitrust Fight of Our Time,” THE Nation (Nov. 10, 2023) [The FTC Lawsuit Against Amazon Is the Biggest Antitrust Fight of Our Time](#).

⁷ Federal Trade Commission, “Noncompete Rule,” (May 7, 2024) [Noncompete Rule](#).

⁸ House Committee on Appropriations, “Financial Services and General Government Appropriations Bill, 2025,” (June 3, 2024) [Financial Services and General Government Appropriations Bill, 2025](#).

⁹ House Committee on Appropriations, “Committee Approves FY24 Financial Services and General Government Bill,” (July 13, 2023) [Committee Approves FY24 Financial Services and General Government Bill](#).

This legislation would – among a host of restrictive policy riders – severely curtail the FTC by placing unnecessary procedural hurdles on Commission consideration of timely material, inhibiting their ability to issue rules under their clearly delegated “unfair and deceptive acts and practices” authority, preventing them from engaging productively with foreign enforcers on matters of international importance, and freeze efforts to improve agency efficiency by Hart-Scott-Rodino premerger notification forms.¹⁰ And of course, this massive reduction in funding will drastically reduce the FTC’s capacity to effectively and expediently enforce the antitrust laws agency’s vital work.

Chair Khan’s FTC has made important steps towards reining in monopoly power and holding accountable corporations jacking up the prices consumers are forced to pay for gas, groceries, healthcare, and other necessary services. It is time to stop playing games with the American economy and give our antitrust enforcers the tools they need to do their jobs. To that end, **we urge the Appropriations Committee to oppose the cuts to the FTC, these reckless policy riders, and all poison pill riders in the majority’s FY25 FSGG legislation.** Thank you for your commitment to a strong, vibrant, competitive economy. We appreciate your hard work on behalf of the American people.

Sincerely,

20/20 Vision

American Economic Liberties Project

American Indian Mothers Inc.

Americans for Financial Reform

Artist Rights Alliance

Athena

Campaign for Family Farms and the Environment

Center for Responsible Lending

Committee to Support the Antitrust Laws

Common Sense Media

Demand Progress

Farm Action Fund

Friends of the Earth

Future of Music Coalition

Institute for Local Self-Reliance

Main Street Alliance

NETWORK Lobby for Catholic Social Justice

Open Markets Institute

P Street

People Power United

People's Action

People's Parity Project

Public Citizen

Public Knowledge

R-CALF USA

Revolving Door Project

Sabman and Company limited

Service Employees International Union

Small Business Majority

The Tech Oversight Project

¹⁰ House Committee on Appropriations, “Committee Releases FY25 Financial Services and General Government Appropriations Bill,” (June 4, 2024) [Committee Releases FY25 Financial Services and General Government Appropriations Bill](#).