



The Honorable Lou Correa
Ranking Member
Subcommittee on the Administrative State, Regulatory Reform, and Antitrust,
United States House of Representatives Committee on the Judiciary
2301 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Correa,

We write to you in your capacity as Ranking Member of the Subcommittee on the Administrative State, Regulatory Reform, and Antitrust (“House Antitrust Subcommittee”). Three years ago, the Democratic majority on the subcommittee¹ released a historic report condemning the monopolistic practices of “Big Tech” giants Apple, Amazon, Facebook, and Google.² Despite the findings in this report, you devoted much of the last session of Congress to blocking and tackling for Big Tech companies to prevent accountability from Congress. However, it was our hope that after you were elevated this session to the top Democrat on the subcommittee you would revisit some of your earlier positions.

That is why we were alarmed by your defense of Big Tech monopolies facing international scrutiny at a hearing in September. Specifically, during a September 20 committee hearing,³ you questioned Attorney General Merrick Garland about the European Union’s (EU) Digital Markets Act (DMA) and painted trans-Atlantic activity in this area as unfair efforts to “target” American tech firms.⁴ Aside from the fact that the DMA impacts non-American firms as well, the reality is that European efforts have aimed to protect consumers and small businesses from the sorts of Big Tech’s anti-competitive conduct that cause serious harms domestically as

¹ Formerly known as the Subcommittee on Antitrust, Commercial, and Administrative Law

² The New York Times, “House Lawmakers Condemn Big Tech’s ‘Monopoly Power’ and Urge Their Breakups,” Cecilia Kang and David McCabe, October 8, 2020, <https://www.nytimes.com/2020/10/06/technology/congress-big-tech-monopoly-power.html>

³ The House Judiciary Committee’s “Oversight of the U.S. Department of Justice” hearing, held on September 20, 2023, <https://judiciary.house.gov/committee-activity/hearings/oversight-us-department-justice-0>

⁴ BoldProgressives.org on Twitter (@boldprogressive), September 21, 2023, <https://twitter.com/boldprogressive/status/1704924819257454876?s=46&t=yLzp6Qlr5zAXaSt4hTNueQ>

well. Indeed, a coalition of your colleagues recently wrote to Big Tech companies to urge them to extend the same protections given to European consumers under the law to Americans.⁵

Your insinuation that Biden administration officials are acting inappropriately by collaborating with the EU on these issues also lacks historical context and is in fact indistinguishable from recent talking points of the Chamber of Commerce and other Big Tech-affiliated groups.⁶ As recently noted by Federal Trade Commission (FTC) chair Lina Khan, there is a “long been a history of U.S. enforcers cooperating with, sharing information with international enforcers that’s occurred over multiple decades under both Democratic and Republican administrations. Interestingly, the business community has supported and actively encouraged” that type of coordination in the past.⁷ By condemning the DOJ in this misguided manner, you are undermining the Biden Administration’s productive working relationships with partner agencies across the globe.

While your line of questioning is concerning in and of itself, it is particularly concerning given recent revelations that René Muñoz lobbied for Amazon and Apple on antitrust related issues in the period immediately before being hired as your Chief of Staff last year.⁸ His role in your office raises serious questions in light of your efforts to undermine the Biden Administration in this manner. While members of Congress are not subject to FOIA requirements, we nonetheless urge your office to take the following steps to avoid a growing and concerning appearance of bias and conflicts of interest in your office:

1. To disclose any and all emails and text messages between Muñoz and representatives from Apple, Amazon, or any affiliated organization or proxy group (including the Chamber of Commerce) since he stepped into the role of chief of staff in your office.
2. To disclose Muñoz’s role, if any, in developing your line of questioning at the September 20 hearing. Specifically, that includes shedding light publicly on whether Muñoz drafted the line of questioning, edited it, assigned it to your legislative staff, approved it, or otherwise advised on it.

⁵ "Trahan, Johnson Lead Request to “Gatekeeper” Tech Companies on Compliance with EU’s Digital Markets Act," Press Release by Representative Lori Trahan, September 25, 2023, <https://trahan.house.gov/news/documentsingle.aspx?DocumentID=3017>

⁶ U.S. Chamber of Commerce, "U.S. Chamber Statement on the Digital Markets Act," March 25, 2022, <https://www.uschamber.com/international/u-s-chamber-statement-on-the-digital-markets-act>

⁷ CNBC, "CNBC Transcript: FTC Chair Lina Khan Speaks with CNBC’s ‘Squawk Box’ Today," May 10, 2023, <https://www.cnbc.com/2023/05/10/cnbc-exclusive-cnbc-transcript-ftc-chair-lina-khan-speaks-with-cnbc-s-squawk-box-today.html>

⁸ CNBC, "Chief of staff to new top Democrat on antitrust subcommittee lobbied for Apple, Amazon," Lauren Feiner, June 15, 2023, <https://www.cnbc.com/2023/06/15/correas-chief-of-staff-lobbied-for-apple-amazon-on-antitrust.html>

3. To require Muñoz recuse himself moving forward from any involvement in policy matters pertaining to antitrust or other areas pertaining to Amazon and Apple.
4. To disclose any emails or text messages between any other members of your staff and Amazon, Apple, or any affiliated organization or proxy group (including the Chamber of Commerce) relating to your line of questioning at the September 20 hearing.
5. To disclose any meetings you have had with Amazon, Apple, or any affiliated organization or proxy group (including the Chamber of Commerce) since you hired Muñoz as your chief of staff.

For months, advocates have expressed concerns regarding your voting record against bipartisan antitrust reform.⁹ The public deserves to know if your office is taking cues from — or is otherwise unduly influenced by — Big Tech companies and their allies. Taking these steps is in the public interest, and failing to do so will only increase the perception that your office’s decision-making is unduly influenced by Big Tech interests.

Sincerely,
Revolving Door Project

cc: Hakeem Jeffries, Democratic Leader
Jerrod L Nadler, Ranking Member, House Judiciary Committee
Pramila Jayapal, Chair, Congressional Progressive Caucus
Attorney General Merrick Garland
Assistant Attorney General Jonathan Kanter
Federal Trade Commission Chair Lina Khan

⁹ The Hill, "Progressive campaign blasts California Democrat as 'Big Tech's Best Friend,'" Rebecca Klar, September 1, 2023, <https://thehill.com/policy/technology/4181576-progressive-campaign-blasts-california-democrat-as-big-techs-best-friend/>