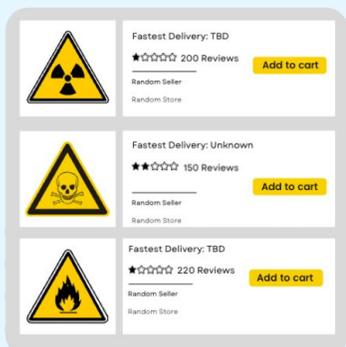


# The American Innovation and Choice Online Act Undermines the Privacy & Safety of Americans Online

S.2992 fails to adequately exempt privacy and security features of online businesses. The large hurdles needed to qualify for the exemption mean that businesses are more likely to be forced to compromise security standards.

## Diminishing Safety and Reliability Standards of Online Marketplaces



This bill compels online businesses to host potentially dangerous products.

Currently, digital platforms take painstaking steps to ensure that the products hosted on their site are as safe and trustworthy as possible. But, Section 2(a)(2) of this bill makes it illegal for a platform to "unfairly limit" how its competitors can compete with its own offerings" in ways that "materially harm competition". To the detriment of American consumers, this includes the hosting of potentially dangerous, inappropriate, or poor quality products. Online marketplaces would be forced to host products when they can't guarantee quality, timeliness, or even safety as with limited exemptions they would risk billions in fines and ignores the risk to consumers these products could present.

## Risking Viruses and Security Breaches



This bill creates an environment that makes our mobile devices more prone to viruses and hacks.

The American Innovation and Choice Online Act could open up our phones to new security threats and viruses. This is because Section 2(b)(1) provides awful actors with new options they can exploit to get huge amounts of sensitive consumer data and limits the ability of covered businesses to respond to such malevolent actors. Section 2(b)(1) makes it illegal for a platform to "materially restrict or impede" the ability of a competitor to access or interoperate with the same ease as the platform's own offerings. This could force device manufacturers to expose customers to more viruses and abusive apps—an absolute losing situation for consumers.

## Exposing Our Personal Information to Awful Actors



This bill forces covered businesses to share our personal information with third parties including those that seek to harm America and its citizens

Section 2(b)(4) makes it illegal to "materially restrict or impede" a business user's ability to access data created through the platform or limit portability. This means platforms will have to turn over our personal data to people we don't know or don't expect to do business with including awful actors or foreign agents. That means Americans' data and security online could immediately be compromised. Despite a written-in exemption to protect "privacy and security", the bill prevents businesses from doing so by first having them prove their innocence or face hefty fines.