

NetChoice

The American Innovation & Choice Online Act Ruins What Makes **prime** So Great



Among its many problems, the Senate *American Innovation and Choice Online Act* will make consumer experience on Amazon services untenable.

Here are a few examples of how:

WHAT SEN. KLOBUCHAR CLAIMS:

“There is nothing in this bill that stops Amazon from continuing its Prime program.”

THE FACTS:

The bill would eliminate bundled services like free Prime Video with Prime Shipping.

Section 2(b)(2) makes it illegal for a covered platform to “condition access” or give “preferred status or placement” on the use of a platform’s services, so Amazon cannot bundle Prime Video along with Prime.

The bill also **gives the DOJ and the FTC the power to ban services they believe harm competition.** In her academic work, FTC Chair Lina Khan has harshly criticized the business models of Amazon and other platforms.



WHAT SEN. GRASSLEY CLAIMS:

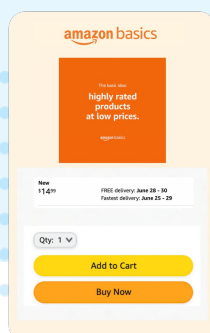
“Nothing in this bill require a business to shut down their marketplace or... [sell]their own branded [products].”

THE FACTS:

Consumers could no longer easily and effectively compare products.

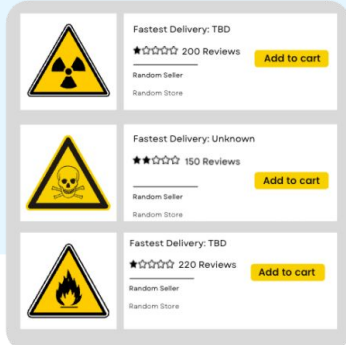
Section 2(b)(6) makes it illegal to treat a platform’s own services more favorably in search and ranking results. By severely limiting how digital platforms offer their services, consumers would lose out on useful tools like price-shop.

This bill would make it **impossible for Amazon to provide buy boxes with lower-priced, generic products like AmazonBasics.**



WHAT SEN. DURBIN CLAIMS:

“This new bill will fight strong arm tactics used by Big Tech to disadvantage their consumers.”



THE FACTS:

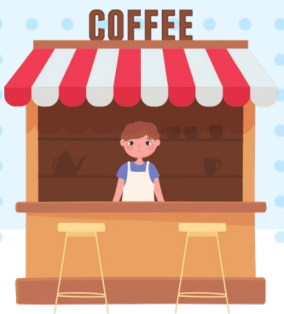
This bill compels online marketplaces to host potentially dangerous products.

Section 2(a)(2) makes it illegal for a platform to "unfairly limit" competitors and "materially harm competition." This harms American consumers by forcing services to host potentially dangerous or poor-quality products.

Online marketplaces would be **forced to host products where they cannot promise quality and safety** for fear of potentially devastating liability.

WHAT SEN. GRASSLEY CLAIMS:

“Big tech is making it more difficult for small businesses to realize success on these dominant platforms.”



THE FACTS:

This bill would make it harder for small businesses to find new customers online.

Section 2(a)(3) makes it illegal to “discriminate” in the enforcement of a platform’s terms of service, relative to similarly situated businesses. So platforms could be charged with discrimination when promoting some businesses more than others.

The bill makes it **harder for platforms to help veteran, LGBTQ, and black-owned small businesses** find loyal audiences online through targeted promotion campaigns.

It’s clear the Senate *American Innovation and Choice Online Act* will take away what makes today’s online marketplaces so valuable.

Don’t let the Senate pass the radical Klobuchar antitrust bill.

Don’t let the Senate break 

