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August 20, 2018

Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Re: Competition and Consumer Protection in the 21st Century Hearings, Project Number P181201

To FTC Commissioners, and Staff:

The American Conservative Union's (ACU) mission includes promoting and protecting our nation's founding principles of individual liberty and limited government. We believe that Americans from all over the country, regardless of race or class, do better under a free enterprise system. ACU opposes any overreach of the regulatory state as part of our overall mission, in part because we believe that government overreach diminishes human dignity, and in turn, produces worse outcomes for people.

We believe that free enterprise is the only economic system that offers the promise of widespread prosperity and the protection of individual rights. Building on those principles, we always work to express our support, or concerns for any limitation of free enterprise that threatens the health of the free market economy but we also fight to protect the individual liberty that has made the American system the success it is today. Part of what has given rise to the amount of increased opportunities in the free market economy is the advancement of technology and its impact on both the public and private sector. ACU wants those advancements in technology to continue at an ascending pace, and in order to do so government officials and agency leaders must recognize the important role that technology plays in today's economy.

The Federal Trade Commission's (FTC) announcement that "the agency will hold a series of public hearings on whether broad-based changes in the economy, evolving business practices, new technologies, or international developments might require adjustments to competition and consumer protection enforcement law, enforcement priorities, and policy" is a welcome decision. ACU is hopeful that these FTC hearings will provide responsible oversight and take on important questions about the intersecting role of technology in the public and private sector.



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Here are some of the areas where ACU will be likely weighing in with the agency and our membership:

- Acquisitions and mergers
- Antitrust
- Artificial Intelligence
- Competition and consumer protection issues
- FTC's process for engagement and enforcement
- Identification and measurement of market power and entry barriers
- Intellectual Property (IP) and innovation
- Intersection between privacy, big data, and competition
- Platform related issues (i.e. election interference, suppressing conservative voices, improper use of data, IP theft, etc.)
- Privacy and data security matters
- Regulations at both the state and federal level

ACU remains optimistic that these hearings will give way to productive discussion on several important topics that our organization, and many others, have been working on for a number of years. Our membership, which comes from places all across the country, has real concerns about the future of free speech, competition, privacy, and property rights and it is important that any public hearings the FTC will conduct include a cautionary approach with respect to government involvement. Consumers and businesses must be respected, innovation and competition must be encouraged; that is the right approach for the agency to take with respect to these upcoming hearings. Having said that, ACU fully supports the openness these hearings promise to deliver and we are anxious to hear what actions (if any) may be taken as a result.

ACU has always said that there is a role for the government, albeit limited, as it relates to basic standards but that doesn't mean regulators should overstep their authority, preventing progress and stifling innovation in the process. The topics the FTC has on their agenda for these upcoming hearings provide a clear pathway to addressing some of the key issues that are being debated in the tech space right now, and in some cases have been debated for years. How the agency deals with these issues beyond the hearings is something that ACU will be paying very close attention to in the coming months.

Respectfully,

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Director of Government Affairs
American Conservative Union

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