

**The Honorable Pamela Bondi**  
Attorney General  
Department of Justice  
Washington, D.C.

**The Honorable Howard Lutnick**  
US Secretary of Commerce  
Department of Commerce  
Washington, D.C.

Wednesday 5 March 2025, Brussels

**Subject:** Response to Concerns Regarding the Digital Markets Act (DMA)

**Dear Attorney General Bondi and Secretary of Commerce Lutnick,**

As Members of the European Parliament, including of the Working Groups on Competition and on the implementation of the Digital Markets Act, we appreciate the opportunity to clarify the intent and scope of this important law.

First and foremost, the objective of the DMA is to ensure free and fair digital markets within the European Union (EU), benefiting European consumers and businesses from all across the globe, including American ones. It is not designed to target companies based on nationality, and in fact, some European companies, such as Booking.com, have already been designated as gatekeepers under the DMA framework. Chinese company Bytedance has also been designated. The “gatekeeper” designation is applied based on clear, objective criteria such as market capitalization, user numbers, and platform influence — these gatekeepers have shown proven track records of dominating their respective markets, edging out competition, stifling innovation from European, American and other global companies, and driving up prices for consumers and denying them choices in the EU.

The characterization of the DMA as a barrier to innovation is also entirely untrue. Rather than stifling innovation, the DMA fosters a competitive ecosystem where innovative companies - whether they are American, European or from other parts of the world - can innovate without being unfairly disadvantaged by entrenched market power. The obligations imposed on gatekeepers—such as ensuring interoperability, fair and non-discriminatory access to app stores, choice of payment systems and data portability—are designed to unlock innovation potential across the entire digital economy.



Moreover, the suggestion that the DMA undermines transatlantic relations or serves as a "tax" on American companies is unfounded. Many US businesses, including start-ups and SMEs, stand to benefit from a more open digital market. The DMA ensures that innovation is rewarded based on merit, not on platform control. Gatekeepers will not be fined if they simply comply with the rule of law.

We would like to emphasize that many American companies are not only benefiting from the DMA but are also actively calling for its enforcement. Companies such as Epic Games, which is launching an alternative app store to Apple's and Google's in the EU, and Meta, which seeks interoperability with Apple to develop new products, stand to gain from these new rules. Similarly, Netflix, Disney and other streaming companies, currently burdened by Apple's and Google's high app store fees, would also benefit from a fairer competitive landscape under the DMA—just like Google in the cloud computing sector or DuckDuckGo in online search. Thousands more American start-ups, scale-ups, entrepreneurs, investors, and growing global companies could generate business in the EU, once gatekeepers properly comply with the DMA.

Given the importance of our shared values in promoting fair competition and innovation, it is essential that we align our efforts to address the challenges posed by dominant digital platforms. Ensuring coherence between our respective frameworks will help create a level playing field that benefits consumers, businesses, and innovators on both sides of the Atlantic. We remain open to maintain an open dialogue that would reinforce our commitment to ensuring that the law supports innovation while protecting consumers and businesses on both sides of the Atlantic.

Yours sincerely,

**Stéphanie Yon-Courtin, MEP**

Chair of the Working Group on Competition of the European Parliament

Rapporteur on the Digital Markets Act for the Committee on Economic and Monetary Affairs (ECON)

**Andreas Schwab, MEP**

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- Andrew Ferguson, Chairman of the Federal Trade Commission
- Gail Slater, Assistant Attorney General for the Antitrust Division, Department of Justice