

S 2992

American Innovation and Choice Online Act

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Oct 18, 2021

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 301.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 301. (Mar 2, 2022)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/2992>

Sponsor

Name: Sen. Klobuchar, Amy [D-MN]

Party: Democratic • **State:** MN • **Chamber:** Senate

Cosponsors (13 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blumenthal, Richard [D-CT]	D · CT		Oct 18, 2021
Sen. Booker, Cory A. [D-NJ]	D · NJ		Oct 18, 2021
Sen. Daines, Steve [R-MT]	R · MT		Oct 18, 2021
Sen. Durbin, Richard J. [D-IL]	D · IL		Oct 18, 2021
Sen. Graham, Lindsey [R-SC]	R · SC		Oct 18, 2021
Sen. Grassley, Chuck [R-IA]	R · IA		Oct 18, 2021
Sen. Hawley, Josh [R-MO]	R · MO		Oct 18, 2021
Sen. Hirono, Mazie K. [D-HI]	D · HI		Oct 18, 2021
Sen. Kennedy, John [R-LA]	R · LA		Oct 18, 2021
Sen. Lummis, Cynthia M. [R-WY]	R · WY		Oct 18, 2021
Sen. Warner, Mark R. [D-VA]	D · VA		Oct 18, 2021
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Mar 16, 2022
Sen. Reed, Jack [D-RI]	D · RI		Aug 1, 2022

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Mar 2, 2022

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
117 HR 3816	Related bill	Dec 21, 2022: Placed on the Union Calendar, Calendar No. 475.

American Innovation and Choice Online Act

This bill prohibits certain large online platforms from engaging in specified acts, including giving preference to their own products on the platform, unfairly limiting the availability on the platform of competing products from another business, or discriminating in the application or enforcement of the platform's terms of service among similarly situated users.

Further, a platform may not materially restrict or impede the capacity of a competing business user to access or interoperate with the same platform, operating system, or hardware or software features. The bill also restricts the platform's use of nonpublic data obtained from or generated on the platform and prohibits the platform from restricting access to platform data generated by the activity of a competing business user. The bill also provides additional restrictions related to installing or uninstalling software, search or ranking functionality, and retaliation for contact with law enforcement regarding actual or potential violations of law.

The bill establishes affirmative defenses for the prohibited conduct.

The Federal Trade Commission and the Department of Justice must designate whether an entity is a platform covered by the bill, and both must carry out enforcement activities.

The bill also provides for civil penalties, injunctions, and the forfeit of profits for repeat offenders.

Actions Timeline

- **Mar 2, 2022:** Committee on the Judiciary. Reported by Senator Durbin with an amendment in the nature of a substitute. Without written report.
- **Mar 2, 2022:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 301.
- **Jan 20, 2022:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Oct 18, 2021:** Introduced in Senate
- **Oct 18, 2021:** Read twice and referred to the Committee on the Judiciary.