

## HR 3816

American Innovation and Choice Online Act

**Congress:** 117 (2021–2023, Ended)

**Chamber:** House

**Policy Area:** Commerce

**Introduced:** Jun 11, 2021

**Current Status:** Placed on the Union Calendar, Calendar No. 475.

**Latest Action:** Placed on the Union Calendar, Calendar No. 475. (Dec 21, 2022)

**Official Text:** <https://www.congress.gov/bill/117th-congress/house-bill/3816>

### Sponsor

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**Name:** Rep. Cicilline, David N. [D-RI-1]

**Party:** Democratic • **State:** RI • **Chamber:** House

**Cosponsors** (47 total)

<b>Cosponsor</b>	<b>Party / State</b>	<b>Role</b>	<b>Date Joined</b>
Rep. Buck, Ken [R-CO-4]	R · CO		Jun 11, 2021
Rep. Gooden, Lance [R-TX-5]	R · TX		Jun 11, 2021
Rep. Nadler, Jerrold [D-NY-10]	D · NY		Jun 11, 2021
Rep. Cawthorn, Madison [R-NC-11]	R · NC		Jun 14, 2021
Rep. Jayapal, Pramila [D-WA-7]	D · WA		Jun 14, 2021
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Jun 14, 2021
Rep. Jones, Mondaire [D-NY-17]	D · NY		Jun 14, 2021
Rep. McBath, Lucy [D-GA-6]	D · GA		Jun 14, 2021
Rep. Neguse, Joe [D-CO-2]	D · CO		Jun 14, 2021
Rep. Raskin, Jamie [D-MD-8]	D · MD		Jun 14, 2021
Rep. Scanlon, Mary Gay [D-PA-5]	D · PA		Jun 14, 2021
Rep. Trahan, Lori [D-MA-3]	D · MA		Jun 14, 2021
Rep. Donalds, Byron [R-FL-19]	R · FL		Jun 16, 2021
Rep. Gosar, Paul A. [R-AZ-4]	R · AZ		Jun 21, 2021
Rep. Espaillat, Adriano [D-NY-13]	D · NY		Oct 8, 2021
Rep. Garcia, Jesus G. "Chuy" [D-IL-4]	D · IL		Oct 8, 2021
Rep. Levin, Andy [D-MI-9]	D · MI		Oct 8, 2021
Rep. Tlaib, Rashida [D-MI-13]	D · MI		Oct 8, 2021
Rep. Babin, Brian [R-TX-36]	R · TX		Oct 20, 2021
Rep. Mast, Brian J. [R-FL-18]	R · FL		Oct 20, 2021
Rep. Miller-Meeks, Mariannette [R-IA-2]	R · IA		Oct 21, 2021
Rep. Newman, Marie [D-IL-3]	D · IL		Oct 22, 2021
Rep. Porter, Katie [D-CA-45]	D · CA		Dec 8, 2021
Rep. Pingree, Chellie [D-ME-1]	D · ME		Jan 6, 2022
Rep. Hice, Jody B. [R-GA-10]	R · GA		Jan 18, 2022
Rep. Jeffries, Hakeem S. [D-NY-8]	D · NY		Feb 1, 2022
Rep. Lee, Barbara [D-CA-13]	D · CA		Feb 18, 2022
Rep. Omar, Ilhan [D-MN-5]	D · MN		Feb 18, 2022
Rep. Mfume, Kweisi [D-MD-7]	D · MD		Feb 25, 2022
Rep. Bustos, Cheri [D-IL-17]	D · IL		Mar 16, 2022
Rep. Demings, Val Butler [D-FL-10]	D · FL		Mar 16, 2022
Rep. Dean, Madeleine [D-PA-4]	D · PA		Mar 28, 2022
Rep. Escobar, Veronica [D-TX-16]	D · TX		Mar 29, 2022
Rep. Houlahan, Chrissy [D-PA-6]	D · PA		Apr 4, 2022
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Apr 4, 2022
Rep. Castor, Kathy [D-FL-14]	D · FL		Apr 5, 2022
Rep. Cherfilus-McCormick, Sheila [D-FL-20]	D · FL		Apr 5, 2022
Rep. Craig, Angie [D-MN-2]	D · MN		Apr 5, 2022
Rep. Lawrence, Brenda L. [D-MI-14]	D · MI		Apr 6, 2022
Rep. Wild, Susan [D-PA-7]	D · PA		Apr 6, 2022
Rep. Perlmutter, Ed [D-CO-7]	D · CO		Apr 7, 2022

Cosponsor	Party / State	Role	Date Joined
Rep. Morelle, Joseph D. [D-NY-25]	D · NY		Apr 21, 2022
Rep. Payne, Donald M., Jr. [D-NJ-10]	D · NJ		Jun 9, 2022
Rep. Watson Coleman, Bonnie [D-NJ-12]	D · NJ		Jun 17, 2022
Rep. Chu, Judy [D-CA-27]	D · CA		Jul 19, 2022
Rep. DeSaulnier, Mark [D-CA-11]	D · CA		Sep 2, 2022
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Sep 28, 2022

## Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported By	Dec 21, 2022

## Subjects & Policy Tags

### Policy Area:

Commerce

## Related Bills

Bill	Relationship	Last Action
117 S 2992	Related bill	<b>Mar 2, 2022:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 301.

## Summary (as of Dec 21, 2022)

### American Choice and Innovation Online Act

This bill prohibits certain large online platforms from engaging in specified acts, including giving preference to their own products on the platform, excluding or disadvantaging competing products from another business on the platform, or discriminating 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 or 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, conflicts of interest, a private right of action, and the forfeit of profits for repeat offenders.

## Actions Timeline

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- **Dec 21, 2022:** Reported (Amended) by the Committee on Judiciary. H. Rept. 117-655.
- **Dec 21, 2022:** Placed on the Union Calendar, Calendar No. 475.
- **Jun 24, 2021:** Committee Consideration and Mark-up Session Held.
- **Jun 24, 2021:** Ordered to be Reported (Amended).
- **Jun 23, 2021:** Committee Consideration and Mark-up Session Held.
- **Jun 11, 2021:** Introduced in House
- **Jun 11, 2021:** Referred to the House Committee on the Judiciary.