



January 20, 2022

The Honorable Dick Durbin
Chair
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Chuck Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Durbin and Ranking Member Grassley,

On behalf of the American Hotel & Lodging Association (AHLA), I am writing to urge the Committee to favorably report S.2992, *The American Innovation and Choice Online Act*. This piece of legislation is a critical step forward to reign in anticompetitive behavior by dominant technology platforms.

AHLA is the sole national association representing the more than 61,000 hotel properties in the U.S. along with all other segments of the American hotel industry. The lodging industry is heavily fragmented, with the vast majority of hotels owned by small business franchisees who operate separate from their franchisor company. Small businesses make up sixty-one percent of domestic hotels.

Online searches and reservations are critical tools for the hotel business, with greater than half of all hotel bookings being made online. The search providers' platforms are perceived by customers and participating businesses as a free marketplace that simply aggregates products and services. In reality, dominant technology companies give their own paid advertising products and services preferential treatment and placement within their platforms to ensure that, despite the specifics of what a consumer may be searching for, they will likely be steered down a booking path that benefits the search provider.

The self-preferencing of paid travel search tools prevents hotels and other travel providers from competing on the merits based on their product offerings and the alignment with the consumer's search. In turn, this forces them to participate in a paid advertising hierarchy, which both unfairly manipulates the marketplace and deceives customers seeking particular services. Ultimately, this process raises costs across the industry to the benefit of search providers and detriment to the consumer.

This critical piece of legislation would help create a more level playing where search companies are unable to preference their own products and services over what a consumer actually wants to find. That would create more robust competition in the online travel search marketplace, leading to a better consumer experience.

Dominant technology companies have continued to place their thumbs on the scale in the digital marketplace, making it difficult for Main Street businesses to compete fairly. We encourage the Committee to act now and favorably report out S.2992, *the American Innovation and Choice Online Act*.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Crawford".

Brian Crawford
Executive Vice President of Government Affairs