June 18, 2021

The Honorable Amy Klobuchar  The Honorable David N. Cicilline
Chair  Chair
Subcommittee on Competition  Subcommittee on Antitrust,
Policy, Antitrust, & Consumer  Commercial and Administrative
Rights  Law
425 Dirksen Senate Office Bldg.  2233 Rayburn House Office Bldg.
Washington, DC 20510  Washington, D.C. 20515

The Honorable Michael Lee  The Honorable Ken Buck
Ranking Member  Ranking Member
Subcommittee on Competition  Subcommittee on Antitrust,
Policy, Antitrust, & Consumer  Commercial and Administrative
Rights  Law
361A Russell Senate Office Bldg.  2455 Rayburn House Office Bldg.
Washington, DC 20510  Washington, D.C. 20515

Re: Support for the State Antitrust Enforcement Venue Act of 2021

Dear Chairs Klobuchar and Cicilline and Ranking Members Lee and Buck:

We write to express our strong support for the State Antitrust Enforcement Venue Act of 2021; H.R. 3460, S.1787. State attorneys general around the country are actively pursuing significant antitrust enforcement actions on behalf of consumers in their respective states. Although these law enforcement actions are brought in the public interest, they may be subject to transfer to a multidistrict litigation at the behest of defendants, where the cases are typically postponed and may be joined with numerous other lawsuits brought by private plaintiffs. Enforcement actions filed by the Department of Justice or the Federal Trade Commission on behalf of the United States, however, cannot be transferred to a multidistrict litigation. 28 U.S.C. § 1407(g). Federal enforcers are entitled to select and remain in their preferred venue and pursue relief without undue delay and distractions caused by the particularized interests of private plaintiffs. State antitrust enforcement actions should be extended the same protections from transfer as those brought on behalf of the United States.
As Congress has recognized, the states play an essential role in the enforcement of competition laws in the United States. States should accordingly be on equal footing with federal enforcers in deciding where, when, and how to prosecute cases. We appreciate your sponsorship of the State Antitrust Enforcement Venue Act of 2021 and advocate for its passage as soon as possible so that our citizens can benefit from more efficient, effective, and timely adjudication of antitrust actions.

Sincerely,

Phil Weiser  
Colorado Attorney General

Jeff Landry  
Louisiana Attorney General

Treg R. Taylor  
Alaska Attorney General

Rob Bonta  
California Attorney General

Karl A. Racine  
District of Columbia Attorney General

Christopher M. Carr  
Georgia Attorney General

Clare E. Connors  
Hawaii Attorney General

William Tong  
Connecticut Attorney General

Ken Paxton  
Texas Attorney General

Leslie Rutledge  
Arkansas Attorney General

Kathleen Jennings  
Delaware Attorney General

Ashley Moody  
Florida Attorney General

Leevin Taitano Camacho  
Guam Attorney General

Lawrence Wasden  
Idaho Attorney General
Letitia James
New York Attorney General

Josh Stein
North Carolina Attorney General

Wayne Stenehjem
North Dakota Attorney General

Edward Manibusan
Northern Mariana Islands Attorney General

Dave Yost
Ohio Attorney General

Dawn Cash
Oklahoma Acting Attorney General

Ellen F. Rosenblum
Oregon Attorney General

Josh Shapiro
Pennsylvania Attorney General

Domingo Emanuelli-Hernández
Puerto Rico Attorney General

Peter F. Neronha
Rhode Island Attorney General

Alan Wilson
South Carolina Attorney General

Jason R. Ravnsborg
South Dakota Attorney General

Herbert H. Slatery III
Tennessee Attorney General

Sean Reyes
Utah Attorney General

T.J. Donovan
Vermont Attorney General

Mark R. Herring
Virginia Attorney General

Robert W. Ferguson
Washington Attorney General

Patrick Morrisey
West Virginia Attorney General
Joshua L. Kaul  
Wisconsin Attorney General

Bridget Hill  
Wyoming Attorney General