

March 5th, 2020

The Honorable David N. Cicilline

Chairman, House Judiciary Subcommittee  
on Antitrust, Commercial, and  
Administrative Law

2141 Rayburn House Office Building  
Washington, DC 20515

The Honorable Ken Buck

Ranking Member, House Judiciary  
Subcommittee on Antitrust, Commercial,  
and Administrative Law

2141 Rayburn House Office Building  
Washington, D.C. 20515



Founded in January 2012, the  
Developers Alliance is a global  
industry association that  
supports software developers as  
entrepreneurs, innovators, and  
creators.

[DevelopersAlliance.org](https://DevelopersAlliance.org)

[policy@developersalliance.org](mailto:policy@developersalliance.org)

**Dear Chairman Cicilline and Ranking Member Buck:**

On behalf of all developers, we commend your committee's initiative for tackling the complex issue of addressing competition policies as they pertain to the technology industry. The Developers Alliance supports developers and the app ecosystem by promoting innovation and growth through collaboration, networking, and education; highlighting resources and support that enable developers to advance in their areas of expertise; and advocating for policies that promote developers' interests. As such, we appreciate the subcommittee's efforts to address gatekeeper concerns and remove barriers to entry in the technology space, as we too believe that all developer led companies should have the ability to build successful companies in a fair ecosystem that supports and contributes to a thriving American economy.

We previously wrote to your committee in December 2020 in conjunction with other industry organizations to address our concerns as members of the startup ecosystem. We noted then, and still believe, that focusing on policy proposals exclusively aimed at abuses by "big tech," while not bearing in mind the impacts on smaller firms, may inadvertently harm innovation and competition in technology-driven industries. While we acknowledge there are developers that face challenges due to big tech's policies, we'd like to draw your attention to the millions more developers that agree part of their success is due to the resources and framework these 'big tech' companies have built and allowed for use by developers at large.

We appreciate your committee for bringing in technology companies to explain how they are impacted by industry regulations, and believe future hearings should further invite more developer-focused groups and individuals to express their concerns. The developer ecosystem is highly competitive, with millions of developers competing for market success alongside dozens of platforms competing with each other. We ask you to bear in mind however that a handful of companies claiming competitive harm do not represent the developer community's experience overall. There are millions of developers in the U.S. Like Americans in general, they have a broad range of opinions — including on how well the digital economy works for them.

While developers are generally content with the current ecosystem, many developers feel that big tech treats them as less than partners or customers given the nature of their working relationship — we believe this is an area that should be worked on. Developers



however would much rather prefer mechanisms that encourage industry-led changes in this area, rather than blanket regulations that seek to penalize industry giants without regard for developer needs. Industry codes of conduct, independent ombudsmen, and a revitalized FTC would all be welcome steps as long as developers had a voice in the outcomes. Developers benefit from many resources big tech companies provide, and use them to grow their businesses. They oppose any changes that would block resources or the ability of developer-led companies to be acquired if it suits their business needs and desires.

In any proposed reforms, industry transparency and accountability should be paramount. We believe that any major industry changes require a comprehensive assessment of the impact of the workers and consumers across the technology spectrum. There is presently no academic consensus on digital economy competition, and in fact competition seems fierce inside our industry. Given the unique nature and novelty of the industry we ask that policy makers acknowledge this lack of precedent and understanding rather than push forward narratives that may hamper long term developer success by citing alleged violations as “undebatable” facts. Our organization is presently working to engage developers to find more detailed information on how competition policy impacts their work. We look forward to sharing this information with your team in the coming weeks so that we can better assist any proposed reforms to this sector.

Thank you for your leadership on these issues and we look forward to working with your offices in the coming months on competition reform.

Sincerely,

Bruce Gustafson

CEO, Developers Alliance

Sarah Richard

Policy Counsel, Developers Alliance