

Advocacy Work January 1, 2024 to June 30, 2024

***Summary:** ABA's Advocacy Division's key focus in the 3rd quarter FY2024 was the FTC's suit versus Amazon and working toward a legislative solution regarding frivolous ADA Compliance lawsuits, as well as the Credit Card Competition Act. This update does NOT include ABA's free expression work. To view ABFE's quarterly update, [click here](#).*

ABA's ADVOCACY WORK

3rd quarter FY 2024

3rd Quarter Summation. Joining the FTC's suit against Amazon and working toward a legislative solution regarding ADA website compliance were the focal points of ABA's third quarter advocacy efforts. In May, ABA filed a motion to intervene in the FTC's lawsuit against Amazon, but the request was denied. In late June, ABA appealed the denial.

Legislative Outreach. Overall, Advocacy totaled 35 legislative actions in the third quarter, including 2 campaigns, 22 email outreaches to lawmakers, two submitted testimonies, and five meetings with lawmakers. Key topics for advocacy included swipe fees, DEIA, and debit cards.

Frivolous ADA Lawsuits. During the quarter, a number of ABA member bookstores were hit with meritless lawsuits stating that their websites were not compliant with ADA regulations. This spurred the Advocacy division to seek legislative solutions to this issue, which included two emails to Kristen Clarke, Assistant Attorney General, Civil Rights Division, U.S. Department of Justice and reaching out to the NY State Bar Association, and working to build a coalition of associations that are experiencing the same issue. Sent several email blasts to state and federal lawmakers regarding this issue. Drafted legislation and met with several state and federal lawmakers regarding the issue, with success: Democratic Delegate Joe Vogel plans to introduce legislation in the Maryland legislature in the fall, and U.S. Senator Ted Budd's office met with the Advocacy division and said he plans to introduce a bill to deal with meritless lawsuits.

Mastercard/Visa Settlement. ABA's Advocacy division submitted a comment in opposition to the Mastercard/Visa settlement. The court did indeed reject the settlement and referenced ABA's comments in its decision.

Debit Cards. Submitted a comment to the Federal Reserve regarding its proposed reduction to debit card fees. The comment, while thanking the Fed for wanting to lower debit card interchange fees, urged the Fed to lower them further and oppose efforts by banks, which were asking the Fed not to lower them as much as proposed. Also opposed legislative attempts to delay the Fed's implementation of lower interchange fees for debit cards.

Credit Card Competition Act. Continued to advocate in support of the Credit Card Competition Act, meeting with the Merchants Payments Coalition on a biweekly basis to plot strategy.

Children's Institute. Advocacy attended Children's Institute where David Grogan met with bookstore members to discuss advocacy and free expression efforts..

Small Business Rising. Advocacy participated in regular meetings with [Small Business Rising](#), a coalition of independent organizations working in support of stronger antitrust enforcement in the face of Amazon's anticompetitive behavior.

2nd quarter FY 2024

2nd Quarter Summation. The Credit Card Competition Act and antitrust were the focal points of ABA's second quarter advocacy efforts. In late January, Advocacy and 20 independent booksellers traveled to Washington, D.C., in support of the Credit Card Competition Act. ABA also led a coalition effort to call attention to Amazon's partnership with the Small Business Administration.

Legislative Outreach. Overall, Advocacy totaled 32 legislative actions in the second quarter, including 5 campaigns, 14 email outreaches to lawmakers, 1 submitted testimony, and 12 meetings with lawmakers. Key topics for advocacy included swipe fees, DEI, and antitrust.

Credit Card Competition Act. In January, 20 independent bookstore members joined with ABA's Advocacy division and hundreds of other small businesses at a Lobby Day in support of the Credit Card Competition Act. At the event, booksellers met with staff from eight senate offices to discuss how the rising cost of swipe fees are negatively impacting bookstores.

SBA: Dump Amazon Day of Action. Due to a lack of response from SBA, ABA led a social media campaign, "SBA: Dump Amazon," on March 20. Eleven partners from the Small Business Rising coalition and 169 booksellers joined the campaign to protest Amazon's problematic co-sponsorship of National Small Business Week. The campaign spurred hundreds of posts to social media, which were in turn shared by customers.

Winter Institute. Advocacy attended Winter Institute where both David Grogan and Philomena Polefrone met with bookstore members to discuss advocacy and free expression efforts. This also included an in-person meeting between Sen. Sherrod Brown's Cincinnati office and six booksellers in support of the Credit Card Competition Act organized by the Advocacy division.

Small Business Rising. Advocacy participated in regular meetings with [Small Business Rising](#), a coalition of independent organizations working in support of stronger antitrust enforcement in the face of Amazon's anticompetitive behavior.

1st quarter FY 2024

1st Quarter Summation. Antitrust and swipe fee reform was once again a big part of our focus for the first quarter advocacy efforts. Advocacy participated in two more Fly-Ins in Washington, D.C., in support of the Credit Card Competition Act (in addition to the Fly-In held in September). ABA also worked with coalitions to discuss the best response to Amazon's co-sponsorship of National Small Business Week, and met with NSBW decision-makers to urge them to drop Amazon as a co-sponsor of the event.

Legislative Outreach. Overall, Advocacy totaled 28 legislative actions in the first quarter, including three campaigns, four email outreaches to state lawmakers (this does not include emails to schedule meetings), and 21 meetings with lawmakers, most of which were in-person in Washington, D.C. The bulk of the advocacy outreach in Q1 was regarding swipe fees.

Credit Card Competition Act. In October and November, ABA's Advocacy division attended Fly-Ins in support of the Credit Card Competition Act. At each event, they met with staff from approximately seven senate offices to discuss how the rising cost of swipe fees are negatively impacting bookstores.

SBA Meeting. Virtual meeting with Terry Sutherland, Deputy Associate Administrator, SBA, and Jill Jill Devriendt, Director of Strategic Alliances, Office of Communications and Public Liaison (OCPL), SBA, to discuss Amazon's problematic co-sponsorship of National Small Business Week. Terry Sutherland was incredulous that Amazon was bad for small businesses and both confirmed that Amazon would remain a sponsor of NSBW.

Planned Social Media Campaign. Worked with Small Business Rising to develop a campaign regarding National Small Business Week, which should launch in January.

House Report on Corporate Concentration Cites ABA Research. U.S. House of Representatives Small Business Committee Ranking Member Nydia M. Velázquez (D-NY) released a [report](#) examining "the impact of increased corporate concentration and a consistent decline in competition in the American economy on US small businesses." The report cites ABA's white paper, [American Monopoly: Amazon's Anti-Competitive Behavior Is in Violation of Antitrust Laws](#), authored by Molly Bond and David Grogan. The House report surveyed decades of antitrust policies, the threat increased economic concentration poses to entrepreneurs, and proposed policy solutions to ensure a level playing field for small firms.

Letter to SBA. As part of Small Business Rising, wrote to the Small Business Administration regarding corporate sponsorships for National Small Business Week. The letter, which was covered in Politico, urges the agency to enlist partners who are aligned with its mission to help Americans start, grow, and build resilient businesses, not mega-corporations that use their power and dominance in the market to stifle competition from smaller competitors.

NEIBA Trade Show. Advocacy attended the NEIBA fall trade show to meet with booksellers and to discuss advocacy issues.

Small Business Rising. Participated in regular meetings with [Small Business Rising](#), a coalition of independent organizations working in support of stronger antitrust enforcement in the face of Amazon's anticompetitive behavior.

LIG Partnership. Provided booksellers with regular updates and emails during the Open Enrollment period, offering information on ABA's health insurance partnership with LIG Solutions.