

August 3, 2026

The Honorable Chuck Grassley
Chairman
Committee on the Judiciary
United States Senate

The Honorable Dick Durbin
Ranking Member
Committee on the Judiciary
United States Senate

cc: Members of the Committee on the Judiciary, United States Senate

**Re: Nomination of D. Adam Candeub to serve as Assistant Attorney General for the Antitrust Division,
U.S. Department of Justice**

Dear Chairman Grassley and Ranking Member Durbin,

The Little Tech Association (LTA) is a coalition of over 200 founders, investors, and digital innovators, dedicated to ensuring the digital economy is open and competitive. LTA supports the nomination of D. Adam Candeub to serve as Assistant Attorney General for the Antitrust Division. His body of work reflects a serious and long-standing engagement with the specific ways dominant platforms foreclose competition — a matter of the utmost concern to LTA's member companies and, we would posit, America's economy writ large.

In particular, we appreciate Mr. Candeub's thinking on the use of behavioral economics in antitrust analysis.¹ Mr. Candeub recognized early what many enforcers have missed. Starting in 2014, he drew on behavioral economics to explain how a dominant search engine can steer users toward its own co-owned services and quietly raise the cost of switching — conduct that appears unremarkable in any single transaction but compounds into durable exclusion. In part due to the incorporation of behavioral lenses in their own analysis, federal courts have since found unlawful monopolization in both online search and advertising technology. An enforcer who presciently understands that the most effective anticompetitive conduct is rarely the most conspicuous is well suited to lead the Division.

The same instinct animates his critique of antitrust's narrow focus on price. In recent writings Mr. Candeub has affirmed his belief in the consumer welfare standard while faulting the courts for fixating on price to the exclusion of privacy and other non-monetary values — a limitation he described as bad for antitrust. That fixation is especially costly in digital markets, where dominant firms extract value not in dollars but in data, defaults, mandated payment rails, and degraded quality. Enforcement focused only upon price increases will miss most of what founders actually encounter.

It is all the more important that the Antitrust Division have principled, clear-eyed, and Senate-confirmed leadership at this moment given recent reports of a potential settlement in the 2024 Apple smartphone monopolization case. A resolution that leaves the underlying conduct intact — the restrictions on super apps, cloud gaming, third-party messaging, smartwatches, and digital wallets — would deliver little to the developers and device makers whose businesses depend on that platform. Decisions of this consequence

¹ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2414179

for the competitive landscape should be made by confirmed leadership answerable to the Senate, with the clarity and independence the Division's work demands.

We urge the Committee to advance this nomination promptly, and we will be following the Division's work closely on behalf of our members.

Respectfully submitted,

A handwritten signature in black ink that reads "Harrison Godfrey". The script is fluid and cursive, with the first letters of each word being capitalized and prominent.

Harrison T. Godfrey
Executive Director
Little Tech Association
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