

July 28, 2022

Chair Lina Khan
Commissioner Noah Phillips
Commissioner Rebecca Slaughter
Commissioner Christine Wilson
Commissioner Alvaro Bedoya

Federal Trade Commission
600 Pennsylvania Ave., N.W.
Washington, D.C. 20580

Dear Chair Khan and Commissioners Phillips, Slaughter, Wilson, and Bedoya:

On July 21, news broke that Amazon had agreed to purchase the medical company 1Life Healthcare, which offers primary care services under its One Medical brand.¹ I realize that the FTC is currently engaged in numerous efforts to combat America's accelerating economic concentration and the power of tech behemoths. Nevertheless, I urge you to prioritize a searching review of this particular transaction.

This particular acquisition, if allowed to proceed, would represent an alarming new direction for a company that already wields far too much power. Most importantly, this acquisition would provide Amazon with access to enormous tranches of patient data. While HIPAA and other privacy laws exist to thwart the worst potential abuses, loopholes exist in every legal framework. Scenarios once written off as scaremongering fictions are now a very real possibility. For instance, if an individual is diagnosed with high blood pressure by a One Medical doctor, will he later be advertised over-the-counter blood pressure medications whenever he shops at Whole Foods Market? Promoting wellness is one thing; dystopian corporate "nudging" is quite another.

This acquisition also further reinforces Amazon's market power—despite, no doubt, the company's protestations to the contrary. It doesn't matter if the primary care market *as such* is presently competitive: by having its hand in dozens of smaller markets, Amazon positions itself to eventually emerge as the dominant player in each, as cross-subsidization allows Amazon to offer services at a loss and data-driven network effects allow Amazon to market at a level its competitors cannot match. A market might be competitive now, but a few years after Amazon gets involved, it won't be.

Americans' privacy and safety are now on the line in a wholly new way. Amazon shouldn't be allowed to buy its way into this industry.

As you conduct your review, Amazon should be pressed to answer the following questions:

¹ <https://www.wsj.com/articles/amazon-to-buy-one-medical-for-3-9-billion-11658408934?mod=e2tw>

- Why did Amazon decide to pursue this acquisition in the first place?
- What, if any, firewalls does Amazon intend to establish between patient data and retail customer data?
- What products does Amazon intend to develop in the wake of this acquisition?
- Given Amazon's strength across numerous other markets, if the transaction goes forward, what steps is Amazon likely to subsequently take to expand One Medical's operations and undercut competitor providers?

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Josh Hawley
United States Senator