

February 1, 2022

Senator Dick Durbin,
Chair, Senate Judiciary Committee
425 Dirksen Senate Building
Washington, D.C. 20510

Senator Chuck Grassley
Ranking Member, Senate Judiciary Committee
Ranking Member, Senate Judiciary Committee
135 Hart Senate Building
Washington, D.C. 20510

Representative Jerrold Nadler
Chair, House Judiciary Committee
2132 Rayburn House Building
Washington, D.C. 20515

Representative Jim Jordan
Ranking Member, House Judiciary Committee
2056 Rayburn Building
Washington, D.C. 20515

Dear Chair Durbin, Ranking Member Grassley, Chair Nadler, and Ranking Member Jordan,

We write to you as a broad coalition of organizations committed to reining in monopoly power in the technology industry. As you know, Big Tech giants Apple and Google have monopolized the app distribution market in recent years and engaged in a number of predatory, anti-competitive practices. We urge you to support and move forward the bipartisan Open App Markets Act legislation, introduced as S. 2710 and H.R. 5017 in the Senate and House, respectively, to curb these sorts of abusive behavior by Apple and Google.

By blocking payments competition through their position as digital gatekeepers, Apple and Google have been able to charge developers as much as 30 percent on revenue generated from digital transactions. The Open App Markets Act would curtail Apple and Google's monopolistic behavior by facilitating greater payment choice for consumers and undercutting the extraction of predatory transaction fees. When corporate giants take almost a third of the transaction revenue from app developers, it hinders innovation and drives up costs for consumers. This kind of unfair extraction is possible only in a broken market free of meaningful competition.

The Open App Markets Act would also challenge Google and Apple's monopoly power by prohibiting the self-preferencing of in-house apps in searches. If this legislation does not pass, Big Tech giants will continue favoring their own apps in the app stores they administer, and small developers will continue to lack access to a level playing field. Furthermore, this legislation would ban the practice of app stores requiring developers to share non-public data with platforms as prerequisites for app store access.

To date, the House and Senate versions of the Open App Markets Act each have received bipartisan support. Even in a divided Washington, it's clear that members of Congress on both sides of the aisle can agree on stopping some of the largest corporations on Earth from unfairly harming smaller competitors and consumers. Just last month, despite millions of lobbying dollars by monopolists spent to influence lawmakers, a bipartisan group of Senators approved another important antitrust bill aimed at big tech. By passing the Open App Markets Act and allowing small developers to flourish, Congress will help foster innovation in the tech industry, a boon to consumers and small business alike.

Sincerely,

Accountable Tech
American Economic Liberties Project
Center for Digital Democracy
Committee to Support the Antitrust Laws
Demand Progress
Farm Action
Groundwork Action
Institute for Local Self-Reliance
Our Revolution
Public Citizen
Public Knowledge
Small Business Majority
Tech Oversight Project