

S 2710

Open App Markets Act

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Aug 11, 2021

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 275.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 275. (Feb 17, 2022)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/2710>

Sponsor

Name: Sen. Blumenthal, Richard [D-CT]

Party: Democratic • **State:** CT • **Chamber:** Senate

Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blackburn, Marsha [R-TN]	R · TN		Aug 11, 2021
Sen. Klobuchar, Amy [D-MN]	D · MN		Aug 11, 2021
Sen. Rubio, Marco [R-FL]	R · FL		Sep 13, 2021
Sen. Lummis, Cynthia M. [R-WY]	R · WY		Sep 14, 2021
Sen. Booker, Cory A. [D-NJ]	D · NJ		Nov 4, 2021
Sen. Graham, Lindsey [R-SC]	R · SC		Nov 4, 2021
Sen. Hirono, Mazie K. [D-HI]	D · HI		Dec 16, 2021
Sen. Kennedy, John [R-LA]	R · LA		Dec 16, 2021
Sen. Hawley, Josh [R-MO]	R · MO		Jan 5, 2022
Sen. Durbin, Richard J. [D-IL]	D · IL		Jan 12, 2022
Sen. Daines, Steve [R-MT]	R · MT		Jun 13, 2022
Sen. Warren, Elizabeth [D-MA]	D · MA		Jun 21, 2022
Sen. Reed, Jack [D-RI]	D · RI		Jul 28, 2022
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jul 28, 2022

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Feb 17, 2022

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
117 HR 7030	Related bill	Nov 1, 2022: Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.
117 HR 5017	Identical bill	Aug 13, 2021: Referred to the House Committee on Energy and Commerce.

Summary (as of Feb 17, 2022)

Open App Markets Act

This bill establishes rules related to the operation of an app store by a covered company (i.e., the owner or controller of an app store with more than 50 million U.S. users).

An app is a software application or electronic service that may be run or directed by a user on a computer or mobile device. An app store is a publicly available website, software application, or other electronic service that distributes apps from third-party developers to users.

The bill prohibits a covered company from (1) requiring developers to use an in-app payment system owned or controlled by the company as a condition of distribution or accessibility, (2) requiring that pricing or conditions of sale be equal to or more favorable on its app store than another app store, or (3) taking punitive action against a developer for using or offering different pricing terms or conditions of sale through another in-app payment system or on another app store.

A covered company may not interfere with legitimate business communications between developers and users, use non-public business information from a third-party app to compete with the app, or unreasonably prefer or rank its own apps (or those of its business partners) over other apps.

The bill provides for enforcement of its provisions by the Federal Trade Commission and the Department of Justice, as well as through suits brought by developers that are injured by reason of anything prohibited by this bill.

Actions Timeline

- **Feb 17, 2022:** Committee on the Judiciary. Reported by Senator Durbin with an amendment in the nature of a substitute. Without written report.
- **Feb 17, 2022:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 275.
- **Feb 3, 2022:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Aug 11, 2021:** Introduced in Senate
- **Aug 11, 2021:** Read twice and referred to the Committee on the Judiciary.