



Insight

Evaluating the App Store Freedom Act

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Executive Summary

- In response to concerns about competition in online app stores, Rep. Kat Cammack (R-FL) introduced the App Store Freedom Act of 2025, which would prohibit a variety of practices alleged to be unfair or deceptive that limit freedom of choice in the app store marketplace.
- The bill, which follows the *Apple v. Epic Games* ruling – in which a court found against Apple for its app store practices – targets app stores with more than 100 million users, would give consumers more payment options outside of app stores, limit commissions on in-app purchases, and require app store providers to share data with app developers to combat anti-competitive practices.
- The bill presents security concerns since it would allow users to download unvetted apps through third-party stores, while codifying the criminalization of certain conduct, in keeping with recent legal precedent.

Introduction

In response to concerns about competition in online app stores, Representative Kat Cammack (R-FL) introduced the App Store Freedom Act of 2025, which aims to remove Apple and Google App Stores' restrictions on consumers and give more freedom to users and app developers using their services. Specifically, the bill would require app store providers to allow users to choose a third-party app store as default, install third-party apps, and delete pre-installed apps. It would also remove limitations on communication between developers and users, in-app purchasing, and commissions on payments outside of default systems – changes the bill's sponsor says would decrease anti-competitive practices. Rep. Cammack argues the bill would allow users more choice in operating their app store

software, decrease in-app purchase prices, and allow clear communication with app developers. To enforce the bill's provisions, app store providers would be made open to civil litigation by the Federal Trade Commission (FTC) and state attorneys general.

While the bill does contain some unique provisions on app store policing, the need for such legislation is questionable considering much of the conduct covered by it significantly overlaps, for example, with the payment and communication-limiting conduct found illegal in the *Apple v. Epic Games* ruling, which determined that Apple was required to allow developers to use third-party payment options and communicate directly with users. At the same time, the bill raises concerns about users' safety and could possibly lead to an influx of fraudulent apps, stolen data, and unverified third-party app store providers.

The bill is part of a larger effort to regulate app stores following the *Apple v. Epic Games* ruling that removed limitations on third-party payments on the Apple App Store. Other notable bills that would mandate that app stores change their practices include the [Open App Markets Act](#), re-introduced in May, which would require app store operators to allow third-party applications into the store and limit the usefulness of the search functionality. Notably, many of this bill's key provisions overlap with the App Store Freedom Act on third-party applications. Additionally, the [App Store Accountability Act](#), re-introduced in June, would require app store operators to verify users' ages and require parents to consent for minors to use the store.

This insight explains the key provisions of the App Store Freedom Act, discusses it in the context of the *Apple v. Epic* court ruling, and walks through security concerns with the bill's provisions that should be considered.

App Store Freedom Act

The App Store Freedom Act applies to app store providers with more than 100 million U.S. users - namely, Apple and Google. The bill aims to protect the competitive app market by enacting sweeping changes to in-app functioning, user permissions, and open access. The bill would require app store providers to allow users to choose a third-party app or app store as default, install apps outside of the app store, and delete or hide pre-installed apps. Currently, Apple users cannot change their default app store from Apple App Store, can only install apps through Apple App Store, and cannot delete pre-installed apps that come with their new iPhones. Additionally, the bill would remove limitations on communication between developers and users as well as on in-app purchasing, and limit commissions on payments outside of the default systems to decrease anti-competition practices.

A covered company would be required to provide app developers with access to interfaces,

hardware, and software features of its operating system, as well as sufficient documentation and development information, on the same terms as the company or its business partner. The company would also need to comply with the requirements if it licenses any intellectual property needed for app development or limits the available features to non-intellectual property rights. Currently, the Apple App Store is considered a “walled garden” as it operates on and within its own ecosystem of vetted apps, payment methods, and information. The bill would create exceptions to the open app development requirement, however, for known threat agents (e.g., app store providers would not be required to provide information if an app comes from a known scam company).

If an app store violates any provision of the bill, it could incur penalties from the FTC and could be held civilly liable for up to \$1 million per violation. The bill would allow the attorney general, an “official” (not defined in the bill), or state agency to bring a civil action on behalf of its residents, if they provide enough evidence that the interest of residents has been threatened or negatively affected by app store owner practices.

Apple v. Epic: Is Legislative Reform Necessary?

While the App Store Freedom Act’s reforms are intended to protect competition in application markets, much of the conduct covered by the act has already been found to violate existing antitrust laws. For example, in *Apple v. Epic Games*, a case over anti-steering practices in the Apple App Store – among them a 15-30 percent commission on all purchases – the Ninth Circuit Court of Appeals found Apple illegally blocked developers from communicating with users in apps and introducing non-Apple payment methods. The court ruled that Apple must allow third-party payment methods, an injunction Apple later violated by allowing outside payments but imposing a 27-percent commission on them, according to a May 2025 ruling.

Despite the potential overlap between standing antitrust law and the App Store Freedom Act’s provisions, the legislation could allow regulators to address anticompetitive conduct more quickly and make it easier to bring cases against app store operators. For example, the act would allow the FTC to circumvent existing anti-competition investigations and procedures in bringing complaints and seeking remedies, significantly decreasing the length of proceedings. *Apple v. Epic* has stretched over four years, requiring significant monetary and staffing commitments.

This expediency would come with a cost, however. Existing antitrust law requires plaintiffs to show that a firm has the power to control prices and exclude competition, and that such conduct was anticompetitive rather than just the product of vigorous competition. Often, what appears to be anticompetitive behavior can in fact be quite beneficial for consumers.

For example, if a firm has rules against third-party payments in their app store to ensure that customers' data remains secure, it can use that as a selling point against rival app stores. Similarly, the decision of a device manufacturer to make a particular app store the default store allows these manufacturers to provide a device that is ready to operate right out of the box - a benefit for consumers. While undoubtedly allowing the FTC to resolve antitrust disputes quickly has benefits, it would come with costs that lawmakers should fully consider.

Security Concerns

Beyond the competitive consideration, the bill also raises broader security concerns legislations should consider. Specifically, the Apple "walled garden" also provides significant security to its users, as the company has the power to vet app developers and ensure that users are not downloading fraudulent apps. Similarly, providing payments through Apple and limiting communication between users and app developers allows for more secure operations. The App Store Freedom Act's open app development provision could result in a significant influx of fraudulent apps, stolen data, and unverified third-party app store providers.

Conclusion

The App Store Freedom Act would limit the decision power of large app store providers on commissions, in-app payment options, and communication methods, while allowing more decision freedom for its users.

The bill raises significant concerns about user security, however, by potentially allowing an influx of fraudulent behavior in app stores by restricting firms' pro-consumer behaviors that are often deemed anticompetitive. As Congress debates this and similar legislation, it should carefully consider the full scope of potential impacts on both app stores and users.