



July 22, 2026

The Honorable Gus Bilirakis
Chairman
Subcommittee on Commerce,
Manufacturing, and Trade
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce,
Manufacturing, and Trade
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Re: Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace — Opposition to H.R. 3209, the App Store Freedom Act

Dear Chairman Bilirakis and Ranking Member Schakowsky:

On behalf of TechNet, we write to express our strong opposition to H.R. 3209, the *App Store Freedom Act*, and request that this letter be included in the record of the Subcommittee's July 22, 2026 hearing, *Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace*.¹ While we share the goal of a competitive and consumer-friendly digital marketplace, this legislation would do the opposite and implement a European style regulatory regime like the *Digital Markets Act*.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes over 100 dynamic American businesses ranging from startups to the most iconic companies in the world and represents over five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance.

TechNet has consistently opposed federal proposals that would force dominant app stores to permit sideloading and third-party app stores, including previous iterations of this legislation like the *Open App Markets Act* and the *American Innovation and Choice Online Act*. Although the *App Store Freedom Act* is framed as a competition measure, it would replicate the same core harms we have warned against for years:

¹*App Store Freedom Act*, H.R. 3209, 119th Cong. (2025); see Press Release, Rep. Kat Cammack, Rep. Cammack Introduces App Store Freedom Act To Promote Competition & Protect Consumers (May 6, 2025), <https://cammack.house.gov/media/press-releases/rep-cammack-introduces-app-store-freedom-act-promote-competition-protect>; Press Release, H. Comm. on Energy & Commerce, Chairmen Guthrie and Bilirakis Announce Hearing on Legislation to Strengthen Consumer Product and Service Protections (July 15, 2026), <https://energycommerce.house.gov/posts/chairmen-guthrie-and-bilirakis-announce-hearing-on-legislation-to-strengthen-consumer-product-and-service-protections>.

weaker security, greater exposure of Americans' data, and a competitive advantage handed to foreign firms.

These mandates carry serious national security consequences. As TechNet previously stated when the *Open App Markets Act* advanced through the Senate Judiciary Committee in 2022, "The *Open App Markets Act* would give China a competitive advantage over American businesses. The bill would hold U.S. companies that employ thousands of American workers to a higher standard than we hold Chinese companies. It would also require transferring data of American consumers to these Chinese companies."² Members of both parties have echoed these concerns, with Senator John Cornyn (R-TX) warning of "the harm of foreign and bad faith domestic actors to try and gain access to Americans' phones and computers under the guise of open development," and then Senator Dianne Feinstein (D-CA) stressing the need for "sufficient protections for cybersecurity and user privacy."³ H.R. 3209 raises the identical risks.

The bill would also weaken consumer protection at the moment this Subcommittee is working to strengthen them. By compelling platforms to allow app distribution outside their curated stores, H.R. 3209 would bypass the security review and vetting that shields users from malware, fraud, and scams — the same harms that other bills before the Subcommittee aim to combat. Rather than mandating changes that expose consumers' data, Congress should enact a strong national data privacy and security standard that protects Americans without compromising the trusted app ecosystems they rely on every day.

As mentioned above, H.R. 3209 would disadvantage American innovators by holding U.S. companies to obligations not imposed on their foreign competitors, echoing the discriminatory approach of the European Union's *Digital Markets Act*. At a time when American technology leadership is a strategic national asset, Congress should avoid legislation that erodes the security and competitiveness of the U.S. innovation economy.

For these reasons, we respectfully urge the Subcommittee **not** to advance the *App Store Freedom Act*. TechNet stands ready to serve as a resource as the Subcommittee considers these important issues. Thank you for your consideration.

Sincerely,



Linda Moore
President and CEO

²Press Release, TechNet, *The Open App Markets Act Will Give China a Competitive Advantage, Put Americans' Data at Risk* (Feb. 3, 2022), <https://www.technet.org/media/the-open-app-markets-act-will-give-china-a-competitive-advantage-put-americans-data-at-risk/>.

³*Id.*