

December 21, 2023

Hon. Dick Durbin, Chair  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Hon. Amy Klobuchar, Chair  
Subcommittee on Competition Policy, Antitrust, and Consumer Rights  
United States Senate  
Washington, DC 20510

Dear Senators:

We write to once again call your attention to Apple's anticompetitive behavior. According to news reports, Apple is attempting to squash efforts to streamline messaging between Apple and Android devices. Chatting between different platforms should be easy and secure, yet Apple has [blocked a new message service](#), namely 'Beeper Mini,' from operating on its devices, in what may be an effort to protect its own profits and kill competitors. We believe this kind of monopolistic behavior warrants a hearing and an investigation.

At issue is the ability of iPhone users and non-iPhone users (such as Android users) to communicate with each other safely and securely. The tech start-up Beeper, which runs Beeper Mini, reverse engineered Apple's iMessage protocol to allow Android users, whose messages to iPhones are usually delivered via SMS or a "green bubble," to have "blue bubble," or iMessage, conversations with Apple device users. For many years, users and Apple's competitors, including Google, have [raised concerns](#) about the disparity in how Apple devices treat messages between two iPhone users vs. one iPhone user and an Android user.

This disparity is not merely superficial; "blue bubble" messages are secure and encrypted; "green bubble" SMS messages are not. As CNET [reported](#): "Apple's iMessage continues to reserve encryption and other features for iPhones to the detriment of all mobile phone users."

Beeper seemed to deliver a solution that would end this disparity, allowing Android users finally to send "blue bubble" messages. However, [less than a week after its launch](#), Apple has reportedly blocked the service from working – raising serious questions about whether Apple is putting its monopolistic business practices ahead of consumer privacy and security.

Apple has in the past been accused of maintaining its "blue bubble" exclusivity as a way of "[peer pressuring](#)" consumers (particularly teenage consumers) into using iPhones instead of Androids. The Wall Street Journal ominously [reported](#), "Teens Dread the Green Text Bubble."

The Journal further reported: “The cultivation of iMessage is consistent with Apple’s broader strategy to tie its hardware, software and services together in a self-reinforcing world – dubbed the walled garden – that encourages people to pay the premium for its relatively expensive gadgets and remain loyal to its brand. That strategy has drawn scrutiny from critics and lawmakers as part of a larger examination of how all tech giants operate. Their core question: Do Apple and other tech companies create products that consumers simply find indispensable, or are they building near-monopolies that unfairly stifle competition?”

Of course, you are well aware of Apple’s long history of anticompetitive behavior, including within its app store duopoly alongside Google, its cornering of the tap-and-pay domestic wallet market, and the billions in payments it receives from Google to allow Google to maintain search dominance.

Apple’s continued squashing of competitors and protection of its own monopoly power are to the detriment of user security, user privacy, and the online marketplace. For these reasons, we request that you hold a hearing and launch an investigation into Apple’s most recent actions.

Thank you again for your leadership on reining in Big Tech and on competition issues.

Sincerely,

Blue Future  
Demand Progress  
Democracy for America Advocacy Fund  
Electronic Frontier Foundation  
Fight for the Future  
The Freedom BLOC  
Main Street Alliance  
NextGen Competition  
Other 98%  
Our Revolution  
Progress America  
Revolving Door Project  
RootsAction.org  
Social Security Works  
Tech Oversight Project  
Ultraviolet