



April 3, 2026

**VIA Electronic Mail**

The Honorable Charles E. Grassley  
Chairman, Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Jim Jordan  
Chairman, Committee on the Judiciary  
United States House of Representatives  
2138 Rayburn House Building  
Washington, DC 20515

**RE: Request for Investigation into Apple and OpenAI's Anticompetitive  
Conduct and Its Threat to Free Speech**

Dear Chairmen Grassley and Jordan,

The American people benefit from competition, a free market, and maximal choice. These concepts underpin the United States' adoption of robust antitrust protections in federal law. And today, in a rapidly evolving technological landscape where generative artificial intelligence ("AI") products are increasingly integrated into more aspects of daily life for the American people, this remains true. But unlike ordinary market dominance and anti-competitive behavior by large corporations that manufacture commodities or provide particular services, anticompetitive behavior by corporations in the AI sector has the very real potential to shape the minds and worldviews of individual Americans in a way never before possible.

Because we are an organization that strongly believes in the values of free speech, free inquiry, and merit-based principles, we are concerned about the potential for exploitative, biased AI products to be forced upon the American people through anti-competitive distribution channels. Accordingly, America First Legal Foundation ("AFL") requests that your committees investigate the exclusive arrangement between Apple Inc. and OpenAI that made ChatGPT the sole generative AI chatbot integrated into the iPhone and other Apple products. This arrangement constitutes

potential textbook exclusive dealing between two monopolists that, worse, further suppresses competing political viewpoints.

Under Senate Rule XXV, the Senate Committee on the Judiciary is assigned jurisdiction over the protection of trade and commerce against unlawful restraints and monopolies.<sup>1</sup> Under House Rule X, the House Committee on the Judiciary has parallel jurisdiction over the protection of trade and commerce against unlawful restraints and monopolies.<sup>2</sup>

As generative AI becomes the dominant medium through which Americans access information, summarize news, draft communications, and form political judgments, having a single AI chatbot baked into the nation’s most-used smartphone raises serious questions about who controls the information that millions of Americans receive each day. The Apple-OpenAI arrangement practically ensures that, from an ease-of-use perspective, the only AI chatbot available to most American smartphone users exhibits systemic left-wing political bias.<sup>3</sup> Given your committees’ jurisdiction over antitrust law, we respectfully request that you investigate this conduct and consider whether legislative remedies are warranted.

## **I. The Apple-OpenAI Exclusive Arrangement is Anticompetitive**

In June 2024, Apple announced a partnership with OpenAI to integrate ChatGPT directly into iOS, iPadOS, and macOS, making it the exclusive AI chatbot accessible through Apple’s Siri voice assistant and other iPhone features.<sup>4</sup> In response, competitors X and xAI sued Apple and OpenAI (“complaint”), contending that the companies executed an anticompetitive agreement under which, when an iPhone user invokes Siri for AI-powered tasks—drafting an email, summarizing a document, analyzing a photograph—the user has no choice but to interact with ChatGPT.<sup>5</sup>

Under this arrangement, Apple has refused to provide equivalent integration to any of ChatGPT’s competitors, including xAI’s Grok.<sup>6</sup> The complaint alleges, for purposes

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<sup>1</sup> Senate Rule XXV, cl. 1(m)(1), no. 16, <https://perma.cc/7PPZ-TCHV>.

<sup>2</sup> House Rule X, cl. 1(1), no. 16, <https://perma.cc/59U5-JAC8>.

<sup>3</sup> Fabio Y.S. Motoki *et al.*, *Assessing Political Bias and Value Misalignment in Generative Artificial Intelligence*, 230 J. ECON. BEHAVIOR & ORG. 1 (2025), <https://perma.cc/664L-4Z53> (“ChatGPT displays political leanings when generating text and images” and “repeatedly refused to generate content representing certain mainstream perspectives”) (hereinafter “Bias Article”).

<sup>4</sup> Maya Derrick, *Why Elon Musk is Challenging Apple’s OpenAI AI Partnership*, TECHNOLOGY MAGAZINE (Aug. 27, 2025), <https://perma.cc/RW3S-ZYUF>.

<sup>5</sup> *Id.* See also Complaint, X Corp. and X.AI LLC v. *Apple Inc. et al.*, Case No. 4:25-cv-00914 (N.D. TX Aug. 25, 2025), ¶ 74 (“As a result of the Apple-OpenAI deal, ChatGPT is not just the default—it is the only generative AI chatbot with a first-party integration into Apple’s smartphones. As reflected in Figure 1, this means that iPhone users who want to use a generative AI chatbot for certain tasks on their iPhones can use only ChatGPT”) (hereinafter “X Complaint”).

<sup>6</sup> X Complaint, *supra* note 5 at ¶ 78.

of your Committees’ jurisdiction, violations of Sections 1 and 2 of the Sherman Antitrust Act and seeks injunctive relief and over \$1 billion in damages.<sup>7</sup>

Apple and OpenAI’s agreement is a stark example of exclusive dealing between two dominant market participants. Apple controls nearly 70 percent of the U.S. smartphone market<sup>8</sup>—akin to an arrangement the Department of Justice characterized as monopolistic in a 2024 antitrust complaint.<sup>9</sup> OpenAI, in turn, allegedly controls at least 80 percent of the U.S. generative AI chatbot market through ChatGPT.<sup>10</sup> The complaint argues that by denying competitors access to the billions of user prompts generated by the hundreds of millions of iPhones, the Apple and OpenAI agreement prevented competitors from accessing data that could train and improve their models.<sup>11</sup>

The arrangement reflects the exercise of entrenched market power to stop competition. Such exclusive dealing between two dominant firms in adjacent markets is precisely the conduct that the Sherman Act was designed to address.

While Apple has recently signaled plans to open Siri to third-party AI extensions in iOS 27—potentially allowing users to integrate and direct queries to competitors, this development does not fully moot the competitive and expressive harms already inflicted by years of exclusivity. The proposed changes, announced amid mounting pressure and litigation, arrive after OpenAI has enjoyed prolonged privileged access to Apple’s vast user base and data flows. Congressional investigation remains essential to examine the full scope of past conduct, ensure any new framework delivers genuine, non-discriminatory competition without continued gatekeeping or favoritism by Apple, and assess whether broader legislative guardrails are needed to prevent dominant platforms from curating the AI tools that shape public discourse.

## II. The Apple-OpenAI Arrangement Threatens Free Speech

The injury caused by the Apple-OpenAI arrangement is not merely economic. AI chatbots are rapidly becoming one of the most consequential media through which Americans receive and process information, form political opinions, and engage with public affairs.<sup>12</sup> By forcing hundreds of millions of iPhone users into a single AI

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<sup>7</sup> *Id.* at ¶¶ 181-250.

<sup>8</sup> Counterpoint, *Q4 2025: Apple Share Grows to Historic Levels as US Smartphone Market Up 1% YoY* (Feb. 2, 2026), <https://perma.cc/2B8P-6QQ9>.

<sup>9</sup> X Complaint, *supra* note 5 at ¶ 65 (“[F]or years [Apple] effectively blocked app developers from developing super apps and denied its users access to certain functionalities offered by those apps—conduct that the U.S. Department of Justice (the “DOJ”) recently alleged to be anticompetitive in a lawsuit filed in the District of New Jersey that has survived a motion to dismiss.”)

<sup>10</sup> *Id.* at ¶¶ 42–55.

<sup>11</sup> *Id.* at ¶ 77.

<sup>12</sup> John Bailey and Julia Torres, *AI Chatbots Are Reshaping Political Persuasion*, AEIDEAS (Dec. 22, 2025), <https://perma.cc/WLJ5-K7DG>.

chatbot, the Apple-OpenAI arrangement threatens the diversity of viewpoints that free expression requires.

This is especially the case given the growing body of peer-reviewed academic research documenting that OpenAI’s ChatGPT exhibits a systematic left-leaning political bias. A 2025 study published in the *Journal of Economic Behavior and Organization* found that ChatGPT displays significant political leanings when generating text and images, and that it has “repeatedly refused to generate content representing certain mainstream perspectives,” citing purported concerns over misinformation and bias.<sup>13</sup> The Brookings Institution, hardly a conservative outlet, found that ChatGPT provides “consistent—and often left-leaning—answers on political/social issues.”<sup>14</sup> OpenAI’s models “had the most intensely perceived left-leaning slant — four times greater than perceptions of Google[.]”<sup>15</sup> University of Washington researchers have shown that even brief interactions with a biased AI chatbot measurably shift users’ political views—signaling the high stakes of chatbot ideological bias.<sup>16</sup> Additional studies reaffirm the findings of bias in ChatGPT: “14 of the 15 instruments diagnose ChatGPT answers to their questions as manifesting a preference for left-leaning viewpoints.”<sup>17</sup>

This Administration has already exposed how Apple has demonstrated hostility to conservative viewpoints on its own platforms. The Federal Trade Commission, under Chairman Andrew Ferguson, sent Apple a formal warning letter documenting independent reports that *Apple News* has “systematically promoted news articles from left-wing news outlets and suppressed news articles from more conservative publications.”<sup>18</sup> The Apple-OpenAI exclusive arrangement, viewed through this lens, is not merely an antitrust problem. The arrangement allows Apple and OpenAI to unduly shape political speech in a manner that would make authoritarian regimes jealous. Not all threats to individual liberty come from the government.

### III. Request

The Apple-OpenAI arrangement represents a consequential threat to competitive AI markets and free expression. Two of the most powerful technology companies in the

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<sup>13</sup> Bias Article, *supra* note 3.

<sup>14</sup> Jeremy Baum and John Villasenor, *The Politics of AI: ChatGPT and Political Bias*, Brookings (May 8, 2023), <https://perma.cc/XQ8Q-YTNA>.

<sup>15</sup> Sara Harrison, *Popular AI Models Show Partisan Bias When Asked to Talk Politics*, STANFORD GSB INSIGHTS (May 21, 2025), <https://perma.cc/6S7D-2GGA>.

<sup>16</sup> Stefan Milne, *With Just a Few Messages, Biased AI Chatbots Swayed People’s Political Views*, UNIV. OF WASHINGTON NEWS (Aug. 6, 2025), <https://perma.cc/RUB6-F9RT>.

<sup>17</sup> David Rozado, *The Political Biases of ChatGPT*, 12 SOC. SCI. (Mar. 2, 2023), <https://perma.cc/Q8A9-XJB2>; Jerome Rutinowski, *The Self-Perception and Political Biases of ChatGPT*, 2024 HUM. BEHAVIOR & EMERGING TECHS. (Jan. 22, 2024), <https://perma.cc/BZ6F-P55V>.

<sup>18</sup> Letter from Andrew Ferguson (Chairman, Federal Trade Commission) to Apple Inc. <https://perma.cc/VV46-GMPG>.

world have agreed that the nation's dominant smartphone will carry only one AI chatbot—a chatbot with documented left-leaning political preferences.

Congressional oversight is needed to examine the harms stemming from the combination of a smartphone monopoly with a generative AI monopoly, operating through exclusive dealing, to create a single, ideologically biased AI chatbot. The Committees are uniquely positioned to shed light on these issues and to consider whether the existing statutory framework is adequate to address them. We urge you to investigate these matters.

Sincerely,

/s/ Gene Hamilton

President

America First Legal Foundation