

**TESTIMONY OF THE  
FEDERAL TRADE COMMISSION**

**Before the  
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

**UNITED STATES SENATE**

**WASHINGTON, D.C**

**APRIL 15, 2026**

## **I. INTRODUCTION**

Chairman Cruz, Ranking Member Cantwell, and members of the Committee, the Federal Trade Commission (“FTC” or “Commission”) is pleased to appear before you today to discuss our contributions to the Trump-Vance Administration’s achievements in protecting U.S. consumers and promoting competition.

Since the very first day of this administration, the Trump-Vance FTC has sought to stay true to the agency’s storied roots. Vigorous enforcement of the law is our focus. Congress established the FTC to be a cop on the beat for our markets. We don’t get to pick and choose what laws we like and what laws we don’t. We enforce the laws that the people, through their representatives in Congress, have enacted to best promote competition and fairness. We investigate wrongdoing and, if we believe violations of the law are taking place, we bring lawsuits. We seek to protect competition and combat fraud through vigilance, fair and thorough investigations, and, ultimately, litigation. The FTC is here to defend our free enterprise system and make it work for everyone. We strive to protect Americans from unfairness and deception in their everyday lives—whenever they shop for groceries, go to the hospital, or speak online.

The FTC is the only federal agency directed by law both to protect consumers and promote competition in most sectors of the economy. This work is carried out by four FTC components: the Bureau of Consumer Protection (“BCP”); the Bureau of Competition (“BC”); the Office of Policy Planning (“OPP”); and the Bureau of Economics (“BE”), which supports the work of BCP, BC, and OPP. The FTC’s jurisdiction extends to issues such as children’s privacy, consumer fraud, mergers and acquisitions, and anticompetitive conduct by companies. We enforce the law across a range of sectors, including healthcare, consumer goods, and high technology.

Over the last 15 months, the Trump-Vance FTC has often served as the tip of the spear for the Trump-Vance Administration’s pro-consumer, pro-innovation priorities. President Trump has directed executive branch agencies to take actions that increase transparency and lower prices for hard-working Americans, whether it be at the pharmacy, in the housing market, or when purchasing live event tickets. We’re proud to have played our part in doing just that. Of course, each case the FTC wins is a testament to our tireless civilian workforce and their outstanding talent and commitment to public service. This small agency consistently delivers big results for the American people.

Our testimony today highlights some of the agency’s major recent activities and initiatives. First, we want to share an update regarding a major legislative accomplishment of this Committee.

## **II. TAKE IT DOWN ACT**

On May 19, 2025, President Trump signed the Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks Act—or the TAKE IT

DOWN Act—into law.<sup>1</sup> This law represents a critical step in combatting online predators and protecting the victims of online abuse and exploitation, and the Commission is deeply thankful to the First Lady, Chairman Cruz, and Senator Klobuchar for their leadership in enacting this law.

As you know, the TAKE IT DOWN Act granted the Department of Justice and the Commission separate enforcement authorities. The Commission will be responsible for enforcing the section of the law that requires covered platforms to provide a process through which victims can ask platforms to remove certain nonconsensual sexual content, which platforms would then be required to do within 48 hours of receiving the request. Covered platforms are required to comply with these requirements starting May 19, 2026.

The TAKE IT DOWN Act is a high priority for this Administration and the Commission, and Commission staff has been working diligently to ensure the Commission will be prepared to enforce the law on day one. The Commission has, for example, been building a complaint-intake site devoted solely to consumer complaints about covered platforms' noncompliance with the TAKE IT DOWN Act. That site reflects the input of extensive user reviews and relevant stakeholders and will be ready on day one of when the Commission's enforcement authority goes into effect. The Commission is also actively seeking relevant personnel with the background and skills necessary to support its enforcement efforts under the TAKE IT DOWN Act. We additionally plan to provide public education on consumers' rights under the TAKE IT DOWN Act and the Commission's role in enforcing those rights. And we are working to set up necessary infrastructure and security guardrails to protect victims and their data in anticipation of the sensitive nature of the information and images that victims may need to share as part of the Commission's enforcement actions under the TAKE IT DOWN Act.

### **III. CONSUMER PROTECTION MISSION**

As the nation's consumer protection agency, the FTC has a broad mandate to protect Americans from unfair or deceptive acts or practices. Among other mandates, the FTC works to fight deception and related harms affecting consumers, including children, workers, older adults, servicemembers, and small businesses. During the Trump-Vance Administration, the FTC will continue to focus its resources and efforts on fighting fraud; promoting price transparency; putting a stop to deceptive online practices and subscriptions that quietly drain consumers' wallets; enabling consumers to access reasonably priced tickets by enforcing the BOTS Act; protecting children and teens online; addressing unlawful conduct related to privacy and data security while promoting data-driven innovation; and enforcing the laws in ways that benefit American workers, domestic manufacturers, and small businesses.

#### **A. Protecting All Consumers from Fraud and Deceptive Business Practices**

The FTC is undertaking robust enforcement efforts to address fraud and deceptive business practices.

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<sup>1</sup> TAKE IT DOWN Act, Pub. L. No. 119-12, 139 STAT. 55 (2025).

## 1. Reducing Robocalls

In FY 2025, the FTC received more than 2.6 million complaints about unwanted calls, including nearly 1.1 million reports about robocalls.<sup>2</sup> The Commission uses every tool at its disposal to combat these calls. Over the years, the FTC has filed 175 enforcement actions against 575 companies and 449 individuals alleged to be responsible for billions of unwanted or deceptive telemarketing calls to consumers. The Commission has shut down violators' businesses and collected nearly \$400 million from them in civil penalties and equitable monetary relief for consumers.<sup>3</sup>

This past year, the Commission took action against lead generators that allegedly deceived consumers seeking comprehensive health plans, overwhelming them with unwanted robocalls and leading them to purchase plans that did not deliver the promised coverage. The FTC reached settlements with two such lead generators, banning them from further engaging in deceptive telemarketing practices and requiring them to pay a combined \$145 million to redress deceived consumers.<sup>4</sup>

The number of complaints the Commission has received regarding unwanted calls is down more than 52 percent from 2021.<sup>5</sup> Although robocalls remain an ongoing problem, the FTC's robust enforcement efforts have gone a long way to improving quality of life for Americans who want an end to vexatious calls.

## 2. Combatting Fraud Targeting Older Americans

Protecting older consumers is one of the Commission's top priorities. The agency does so through aggressive law enforcement actions, innovative education and outreach campaigns, extensive research, and collaboration with partners and stakeholders.

The Commission's primary tool is law enforcement. The FTC has brought a number of actions against companies for allegedly facilitating or engaging in illegal practices that

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<sup>2</sup> Fed. Trade Comm'n, Do Not Call Registry Data Book 2025 (Dec. 2025), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/DNC-Data-Book-2025.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/DNC-Data-Book-2025.pdf).

<sup>3</sup> Press Release, Fed. Trade Comm'n, FTC, State of Nevada Sue to Stop Tax Debt Relief Scammers from Falsely Impersonating the Government, Making False Claims and Threats to Consumers (Oct. 17, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/10/ftc-nevada-sue-tax-debt-relief-scammers-falsely-impersonating-government> (freezing the defendants' assets and prohibiting their deceptive practices); Press Release, Fed. Trade Comm'n, Operators of Student Loan Forgiveness Scam Will Be Permanently Banned from Debt Relief Industry, Ordered to Turn Over Assets (Sept. 11, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/operators-student-loan-forgiveness-scam-will-be-permanently-banned-debt-relief-industry-ordered-turn> (banning defendants from telemarketing and ordering them to pay a \$1.5 million monetary judgment).

<sup>4</sup> Press Release, Fed. Trade Comm'n, Assurance IQ and MediaAlpha to Pay a Total of \$145 Million to Settle FTC Charges That They Misled Consumers Seeking Health Insurance, <https://www.ftc.gov/news-events/news/press-releases/2025/08/assurance-iq-mediaalpha-pay-total-145-million-settle-ftc-charges-they-misled-consumers-seeking>.

<sup>5</sup> Compare Fed. Trade Comm'n, Do Not Call Registry Data Book 2025 at 6 (Dec. 2025), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/DNC-Data-Book-2025.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/DNC-Data-Book-2025.pdf), with Fed. Trade Comm'n, Do Not Call Registry Data Book 2021 at 6 (Nov. 2021), [https://www.ftc.gov/system/files/documents/reports/national-do-not-call-registry-data-book-fiscal-year-2021/dnc\\_data\\_book\\_2021.pdf](https://www.ftc.gov/system/files/documents/reports/national-do-not-call-registry-data-book-fiscal-year-2021/dnc_data_book_2021.pdf).

disproportionately impact older adults, such as tech support scams<sup>6</sup> and deceptive financing practices.<sup>7</sup> For example, the Commission sued seven companies and three individuals for an alleged debt relief scam that primarily targeted older Americans. According to the complaint, the defendants impersonated banks, credit card issuers, and government agencies to mislead consumers into paying for the alleged debt relief services, falsely claiming that they could reduce consumers' debt by up to 75% or more. At the Commission's request, the court entered a temporary restraining order to halt defendants' scheme,<sup>8</sup> and, as part of a final settlement, the individual defendants agreed to turn over assets valued at roughly \$12.8 million to redress consumers. Commission staff is also currently seeking a default judgment allowing the Commission to recover the companies' frozen assets, valued at \$6.2 million.

Consumer education and outreach is another vital component of the agency's mission to help protect older adults from fraud. The centerpiece of this work is the Pass It On campaign,<sup>9</sup> which provides easily digestible materials and information about how to spot common scams (e.g., grandparent scams, romance scams, identity theft) and actionable advice on what to do if you are being targeted for a scam, and encourages consumers to pass on the information. The materials respect older adults' lifetime of experience and encourages them to share what they know in their community. Since its original launch in 2014, the agency has distributed nearly 24 million Pass It On materials nationwide. Numerous members of Congress have ordered copies of Pass It On to help their constituents spot and avoid scams, and the campaign has served as the basis for many members' town hall meetings.

And the Commission also coordinates with various stakeholders across government, industry, and consumer advocacy organizations in its efforts to protect older adults from scams. For example, the Commission has expanded its staff's participation in the Department of Justice's (DOJ) Elder Justice Working Group. Last year, the Commission completed its work under the Stop Senior Scams Act, which instructed the Commission to create an Advisory Group focused on addressing scams targeting older Americans. The Advisory Group issued best practices addressing gift card fraud and examples of information sharing mechanisms for combatting fraud.<sup>10</sup> The Advisory Group made these resources—along with the resources it previously published—publicly available to assist industry and others to prevent scams from

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<sup>6</sup> Press Release, Fed. Trade Comm'n, Paddle Will Pay \$5 Million to Settle FTC Allegations of Unfair Payment Processing Practices and Facilitators of Deceptive Tech Support Schemes (June 16, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/06/paddle-will-pay-5-million-settle-ftc-allegations-unfair-payment-processing-practices-facilitation>.

<sup>7</sup> Press Release, Fed. Trade Comm'n, FTC Halts Illegal Debt-Relief Operation that Falsely Impersonated Businesses and Government, Harming Consumers (July 21, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/07/ftc-halts-illegal-debt-relief-operation-falsely-impersonated-businesses-government-harming-consumers>.

<sup>8</sup> *Id.*

<sup>9</sup> See Fed. Trade Comm'n, Consumer Advice: Pass It On, <http://www.ftc.gov/PassItOn>.

<sup>10</sup> See Press Release, Fed. Trade Comm'n, FTC Convenes Advisory Group to Fight Scams Against Older Adults Second Scams Against Older Adults Advisory Group Meeting (Mar. 7, 2024), <https://www.ftc.gov/news-events/news/press-releases/2024/03/ftc-convenes-advisory-group-fight-scams-against-older-adults>; see also Fed. Trade Comm'n, Consumer Advice: Addressing Scams Affecting Older Adults, <https://www.ftc.gov/olderadults>.

impacting older adults.<sup>11</sup> The Commission’s annual report to Congress describes in detail its work on behalf of older adults.<sup>12</sup>

We are also excited to announce that the Commission is launching an enhanced partnership with the Office for Victims of Crime, within the DOJ’s Office of Justice Programs. As of this month, older Americans who call the FTC to report significant fraud will be connected immediately and directly with DOJ’s National Elder Fraud Hotline, where they will be assigned a case manager who can report the fraud to appropriate federal, state, and local authorities, and provide resources as needed. The earlier scams are reported, especially within the first two to three days, the greater the likelihood of recovering losses. That is the primary goal of this new partnership. Once we identify an older American who has been a victim of fraud, we are immediately connecting the victim with the Elder Fraud Hotline. The Commission will also be providing a similar service to older Americans who report fraud through our website, [reportfraud.ftc.gov](https://reportfraud.ftc.gov), so that, with our partners at DOJ, we can provide immediate support to older victims of fraud.

### **3. Protecting Servicemembers and Veterans**

Combatting fraud targeted at servicemembers and veterans is another top priority of the Trump-Vance FTC. For example, in March 2025, the Commission returned over \$15.5 million to consumers, including servicemembers and their spouses, allegedly misled by deceptive ads from the online career-training company Career Step. The deceptive ads, including through military-focused publications such as *Military.com*, falsely touted inflated employment outcomes, job placement, and partnerships with prominent companies.<sup>13</sup> The stipulated order also required the company to pay \$27.8 million in debt cancellation.<sup>14</sup> To combat fraud against older veterans and other Americans, the Commission filed suit in July 2025 against an alleged debt relief scheme that falsely impersonated banks and government agencies.<sup>15</sup>

This month, the FTC and the Maryland Attorney General’s Office secured a stipulated order in its litigation against Lindsay Automotive Group—resolving allegations that Lindsay’s dealerships systematically deceived and overcharged consumers in the purchase or lease of

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<sup>11</sup> *Id.*

<sup>12</sup> Press Release, Fed. Trade Comm’n, FTC Issues Annual Report to Congress on Agency’s Actions to Protect Older Adults (Dec. 1, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/ftc-issues-annual-report-congress-agencys-actions-protect-older-adults>.

<sup>13</sup> Press Release, Fed. Trade Comm’n, FTC Sends More Than \$15.5 Million in Refunds to Consumers Affected by Career Step’s Deceptive Job Placement and Employer Partnerships Claims (Mar. 12, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/03/ftc-sends-more-155-million-refunds-consumers-affected-career-steps-deceptive-job-placement-employer>.

<sup>14</sup> *Id.*

<sup>15</sup> Press Release, Fed. Trade Comm’n, FTC Halts Illegal Debt-Relief Operation that Falsely Impersonated Businesses and Government, Harming Consumers (July 21, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/07/ftc-halts-illegal-debt-relief-operation-falsely-impersonated-businesses-government-harming-consumers>.

motor vehicles.<sup>16</sup> The complaint alleges that Lindsay touted deceptively low prices and then charged the vast majority of consumers hundreds to thousands of dollars more at the dealership, before taking into account the unwanted add-ons. The complaint also alleges that Lindsay deceptively told consumers they had to finance through the dealership to get the advertised price instead of the financing the consumers already had, including military consumers who had financing from their military branch’s credit union.<sup>17</sup> Over \$75 million in charges may be eligible for refunds, which, along with the civil penalty, will be administered by our state co-plaintiff.<sup>18</sup> Until recently, the FTC had been relying on Section 13(b) of the FTC Act to obtain the overwhelming majority of consumer redress in FTC fraud cases for the last forty years.<sup>19</sup> But the Supreme Court’s unanimous decision in *AMG Capital Management v. FTC* correctly recognized that Section 13(b) does not authorize the Commission to obtain money for consumers for violations of Section 5.<sup>20</sup> As this Commission has previously explained, “Congress can fix that problem [by] enact[ing] legislation authorizing the FTC to obtain equitable monetary redress for consumers along the same lines that it did many times with great success before *AMG Capital Management*. By doing so, Congress would give the Commission one of the most powerful anti-fraud tools available—restoring to injured consumers what was taken from them by deceit, omission, or unfair conduct, as well as requiring wrongdoers to return the profits they earned by breaking the law.”<sup>21</sup>

The Commission’s efforts to protect military and veteran communities includes a vigorous, long-standing educational campaign,<sup>22</sup> which the FTC created and manages with its partners, including the Financial Readiness program within the Department of War’s (DOW) Office of Military Compensation and Financial Readiness. The FTC regularly engages in national-level outreach to get anti-scam messaging to servicemembers, veterans, and their families. In collaboration with the American Forces Network,<sup>23</sup> for example, the Commission films public service announcements featuring Commissioner Mark Meador and distributes them

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<sup>16</sup> Press Release, Fed. Trade Comm’n, FTC, Maryland Attorney General Secure Full Refunds and Additional Penalties Against Lindsay Auto Group for Deceptive Pricing Practices and Unwanted Add-Ons (Apr. 2, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/04/ftc-maryland-attorney-general-secure-full-refunds-additional-penalties-against-lindsay-auto-group>.

<sup>17</sup> *Id.*

<sup>18</sup> See Concurring Statement of Chairman Andrew N. Ferguson, Joined By Commissioner Mark R. Meador at 3, *Lindsay Automotive Grp.*, Matter No. X250021 (Apr. 2, 2026).

<sup>19</sup> *Id.*

<sup>20</sup> *Id.* (citing that decision).

<sup>21</sup> *Id.*; see also The FTC’s Efforts in the Greater Fight Against Ransomware and Cyber-Related Attacks at 33-34 (Jan. 30, 2026), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/p035303ransomwarereport2025.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/p035303ransomwarereport2025.pdf).

<sup>22</sup> See, e.g., MilitaryConsumer.gov (launched by FTC and operated in cooperation with Department of War’s Office of Military Compensation and Financial Readiness); Consumer Alert, Fed. Trade Comm’n, Welcome to Military Consumer Month 2025 (June 27, 2025), <https://www.militaryconsumer.gov/blog/welcome-military-consumer-month-2025>.

<sup>23</sup> See U.S. Dep’t of War Info. Activity, Amer. Forces Network, <https://www.dma.mil/Services/Outreach/Pacom/afn/>.

to U.S. military installations in 170 countries worldwide.<sup>24</sup> The agency also participates in ongoing interagency efforts, for example, the Veterans Scam and Fraud Evasion (VSAFE) working group, led by the Department of Veterans Affairs,<sup>25</sup> and the FTC- and DOW-led Military Consumer Month, held each July.<sup>26</sup>

#### 4. Preventing Financial Misconduct

The Commission takes a two-pronged approach to stopping financial misconduct that costs consumers millions of dollars. First, the Commission continues its longstanding work to identify and stop scams targeting Americans. For example, in the past year, the FTC pursued over a dozen federal court actions against companies that allegedly: made false promises regarding credit repair and student loan and other debt relief services;<sup>27</sup> collected on phantom debts;<sup>28</sup> and deceptively marketed cash advances, small business financing, auto financing, fuel cards, and a bill payment platform.<sup>29</sup> In *Blackstone Legal*, the FTC sued a phantom debt collection

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<sup>24</sup> See, e.g., Fed. Trade Comm'n, *Banking Scams Targeting Our Military Members with Commissioner Mark Meador* (YouTube, Dec. 9, 2025), <https://www.youtube.com/watch?v=KsMUFrGiK3k> (also available at <https://www.ftc.gov/media/banking-scams-targeting-our-military-members-commissioner-mark-meador>).

<sup>25</sup> For example, see VSAFE.gov, a government-wide website designed to protect veterans, servicemembers, and families from fraud and scams, launched in 2024 by VSAFE Interagency Policy Council). The work continues, particularly in light of H.R. 1663, the VSAFE Act of 2025, to combat scams targeting veterans and encourage coordination with agencies such as the FTC, passed the House, and was received by the Senate in January 2026. Press Release, House Comm. on Veterans' Affairs, *House Passes Crucial Veteran Scam and Fraud Safety Bill* (Jan. 20, 2026), <https://veterans.house.gov/news/documentsingle.aspx?DocumentID=7842>.

<sup>26</sup> See MCM 2025 Digital Toolkit, <https://www.militaryconsumer.gov/MCM2025>.

<sup>27</sup> Press Release, Fed. Trade Comm'n, *FTC Halts Illegal Debt-Relief Operation that Falsely Impersonated Businesses and the Government, Harming Consumers* (July 21, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/07/ftc-halts-illegal-debt-relief-operation-falsely-impersonated-businesses-government-harming-consumers>; Press Release, Fed. Trade Comm'n, *Operators of Student Loan Forgiveness Scam Will Be Permanently Banned from Debt Relief Industry, Ordered to Turn Over Assets* (Sept. 11, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/operators-student-loan-forgiveness-scam-will-be-permanently-banned-debt-relief-industry-ordered-turn>; Press Release, Fed. Trade Comm'n, *Student Loan Fraudsters Permanently Banned From Debt Relief Industry and Required to Turn Over All Assets as Result of FTC Action* (May 15, 2025) <https://www.ftc.gov/news-events/news/press-releases/2025/05/student-loan-fraudsters-permanently-banned-debt-relief-industry-required-turn-over-all-assets-result>; Order, *United States v. Turbo Solutions Inc. (d/b/a Alex Miller Credit Repair)*, 4:24-cv-2451 (S.D. Tex. Mar. 14, 2025) (banning defendants from credit repair industry and ordering them to pay \$9.4 million in consumer redress and a \$10 million civil penalty in case filed by DOJ on behalf of the FTC).

<sup>28</sup> Press Release, Fed. Trade Comm'n, *FTC to Ban Debt Collector Who Allegedly Coerced Consumers into Paying Debt They Didn't Owe* (May 1, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/05/ftc-ban-debt-collector-who-allegedly-coerced-consumers-paying-debt-they-didnt-owe>; Press Release, Fed. Trade Comm'n, *FTC Action Leads to Court Order Halting Phantom Debt Collection Scheme That Took Millions from Consumers and Threatened Consumers' Credit, Homes, and Employment* (Mar. 3, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/06/phantom-debt-collectors-face-permanent-ban-result-ftc-lawsuit>.

<sup>29</sup> Press Release, Fed. Trade Comm'n, *Cash Advance Company Cleo AI Agrees to Pay \$17 Million As Result of FTC Lawsuit Charging It Deceives Consumers* (Mar. 27, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/03/cash-advance-company-cleo-ai-agrees-pay-17-million-result-ftc-lawsuit-charging-it-deceives-consumers>; Press Release, Fed Trade Comm'n, *Seek Capital and CEO are Permanently Banned from Providing Business Financing, Other Services to Settle FTC Allegations* (Nov. 17, 2025), <https://www.ftc.gov/news->

operation that allegedly threatened consumers with legal action, wage garnishment, negative impacts to consumers' credit, and arrest if they did not pay on fake debts.<sup>30</sup> At the Commission's request, the court entered a temporary restraining order that immediately halted the defendants' operations, and, as part of a final settlement, the defendants are now banned from the debt collection industry.<sup>31</sup> In Panda Benefits Services, the Commission obtained a partially suspended \$16.7 million judgment and a debt relief ban against an operation that allegedly deceived consumers burdened with student loan debt into paying hundreds to thousands of dollars in illegal fees toward fake student loan forgiveness.<sup>32</sup>

Second, the Commission is challenging financial service providers that allow dishonest merchants to obtain payments from consumers unlawfully. By holding payment processors accountable for facilitating consumer fraud and imposing guardrails through federal court orders, our enforcement actions help protect U.S. consumers and the integrity and security of the U.S. payment systems from fraudsters. For example, in June 2025, the FTC sued Paddle, an international payment processor that allegedly used its access to the U.S. financial system to bring in and process payments for overseas tech support scams targeting American consumers.<sup>33</sup> Our settlement with Paddle enjoins it from onboarding certain high-risk merchants and requires enhanced due diligence of its existing clients. Paddle also paid \$5 million to be used for redress to consumers targeted by a tech support scam that Paddle allegedly facilitated.<sup>34</sup>

## 5. Promoting Price Transparency

Consistent with the Trump-Vance Administration's emphasis on reducing the cost of living, the Commission works to promote pricing transparency for consumers through both enforcement actions and rulemaking. The Commission is making clear to companies that Section

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events/news/press-releases/2025/11/seek-capital-ceo-are-permanently-banned-providing-business-financing-other-services-settle-ftc; 1st Motion for Entry of Stipulated Orders, *FTC v. Chase Nissan LLC*, 3:24-cv-12, Dkt. 223 (D. Conn. Sept. 5, 2025) (prohibiting settling defendants from making misrepresentations in the sale, financing, or lease of motor vehicles); *FTC v. Corpay Inc.*, 164 F.4th 807 (11th Cir. 2026) (affirming summary judgment against company for deceptively marketing fuel cards and engaging in unauthorized billing); *FTC v. Doxo, Inc.*, 771 F. Supp. 3d 1162 (W.D. Wash. 2025) (denying defendants' motion to dismiss in action alleging defendants impersonated consumers' billers and collected consumer payments in excess of what consumers owed).

<sup>30</sup> Press Release, Fed. Trade Comm'n, FTC Action Leads to Court Order Halting Phantom Debt Collection Scheme That Took Millions from Consumers and Threatened Consumers' Credit, Homes, and Employment (Mar. 3, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/03/ftc-action-leads-court-order-halting-phantom-debt-collection-scheme-took-millions-consumers>.

<sup>31</sup> Press Release, Fed. Trade Comm'n, Phantom Debt Collectors to Face Permanent Ban as a Result of FTC Lawsuit (June 16, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/06/phantom-debt-collectors-face-permanent-ban-result-ftc-lawsuit>.

<sup>32</sup> Press Release, Fed. Trade Comm'n, Student Loan Fraudsters Permanently Banned From Debt Relief Industry and Required to Turn Over All Assets as Result of FTC Action (May 15, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/05/student-loan-fraudsters-permanently-banned-debt-relief-industry-required-turn-over-all-assets-result>.

<sup>33</sup> Press Release, Fed. Trade Comm'n, Paddle Will Pay \$5 Million to Settle FTC Allegations of Unfair Payment-Processing Practices and Facilitation of Deceptive Tech-Support Schemes (June 16, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/06/paddle-will-pay-5-million-settle-ftc-allegations-unfair-payment-processing-practices-facilitation>.

<sup>34</sup> *Id.*

5 of the FTC Act requires companies to (1) refrain from misleading consumers about fees or charges and (2) clearly and conspicuously disclose upfront the total price consumers will pay for goods and services. No consumer should be surprised, after the fact, about the total cost of the goods and services they purchase.

The Commission has brought several significant enforcement actions promoting price transparency. For example, the Commission obtained an order against the largest residential rental property owner and manager in the United States, Greystar, for allegedly misrepresenting the true cost of renting a property and for excluding mandatory, fixed fees from the advertised rent.<sup>35</sup> Greystar was ordered to change its fee practices to advertise prominently the total rent including all mandatory fees, make certain clear and conspicuous disclosures about all fees, and stop misrepresenting the total rent and other fees. Greystar was also ordered to pay over \$24 million, including \$23 million in consumer redress.

Similarly, in a recent action against Instacart, the Commission obtained an order against the company for allegedly falsely advertising “free delivery,” falsely promising consumers a “100% satisfaction guarantee,” and failing to disclose the terms of its Instacart+ membership service clearly and conspicuously before enrolling consumers in paid subscriptions.<sup>36</sup> Instacart paid \$60 million in refunds to consumers who were allegedly wrongfully charged for paid subscriptions without their express informed consent.

In addition to housing and groceries, the Commission has prioritized price transparency in healthcare. On February 4, 2026, the Commission secured a landmark settlement with one of the nation’s largest pharmacy benefit managers (PBMs), Express Scripts, Inc., and its affiliated entities (collectively, “ESI”) regarding their business practices related to prescription drugs, including insulin. The settlement resolved the Commission’s lawsuit against ESI, which alleged two counts of unfair practices as well as one count of unfair competition under Section 5. Pursuant to that settlement, ESI agreed to fundamental changes to its business practices that increase price transparency and are expected to drive down patients’ out-of-pocket costs for drugs like insulin by up to \$7 billion over 10 years. First, ESI must ensure that patients’ out-of-pocket expenses, like deductibles and coinsurance, are based on the drug’s post-rebate net cost, rather than its artificially inflated list price.<sup>37</sup> Patients will benefit from these rebates at the point of sale, when they buy their prescriptions at the pharmacy counter. ESI must also make additional drug-cost disclosures to plan sponsors and provide all information necessary to comply with the Transparency in Coverage regulations from CMS, Labor, and Treasury, so that

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<sup>35</sup> Press Release, Fed. Trade Comm’n. Greystar Agrees to Pay \$24 Million and Stop Deceptive Advertising Practices as a Result of FTC and Colorado Lawsuit Alleging the Firm Deceived Consumers About Rent Prices (Dec. 2, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/greystar-agrees-pay-24-million-stop-deceptive-advertising-practices-result-ftc-colorado-lawsuit>.

<sup>36</sup> Press Release, Fed. Trade Comm’n, Instacart to Pay \$60 Million in Consumer Refunds to Settle FTC Lawsuit Over Allegations it Engaged in Deceptive Tactics (Dec. 18, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/instacart-pay-60-million-consumer-refunds-settle-ftc-lawsuit-over-allegations-it-engaged-deceptive>.

<sup>37</sup> Press Release, Fed. Trade Comm’n, FTC Secures Landmark Settlement with Express Scripts to Lower Drug Costs for American Patients (Feb. 4, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/02/ftc-secures-landmark-settlement-express-scripts-lower-drug-costs-american-patients>.

insurers have the pharmacy data they need to publish required transparent price information.<sup>38</sup> The settlement also requires ESI to transparently disclose any payments it makes to consultants, brokerages, or other middlemen that are also working for employers, which will discourage conflicts of interest on the part of the consultants and limit the consultants' ability to "steer" employers to plans with higher costs.<sup>39</sup> ESI is further required to transition its standard offering to retail community pharmacies to a more transparent model that will compensate retail pharmacies based on the actual acquisition cost for a drug product plus a dispensing fee, along with additional compensation for non-dispensing services.<sup>40</sup> ESI must also ensure that patients receive the benefit of TrumpRx's direct-to-consumer pricing by providing covered access to TrumpRx as part of its standard offering upon relevant legal and regulatory changes.<sup>41</sup>

A number of recently promulgated and newly proposed Commission rules are targeted at promoting price transparency. In May 2025, the Commission's Rule on Unfair or Deceptive Fees went into effect.<sup>42</sup> The Rule requires businesses that offer, display, or advertise the price of live-event tickets and short-term lodging to tell consumers the total, all-inclusive price up front. Since the effective date, the Commission has seen significant change for consumers in these two industries. The Commission has also solicited public comment on the need for a new rule to prevent the imposition of deceptive or unfair fees on renters seeking long-term housing options. On March 12, 2026, the Commission issued an Advanced Notice of Proposed Rulemaking ("ANPRM"), to explore whether a rule codifying prohibitions against, or limitations on, certain kinds of prevalent unfair or deceptive rental fee practices could reduce the cost of housing for Americans, protect consumers, foster competition, and bring greater price transparency and efficiency to the marketplace.<sup>43</sup>

## **6. Fighting Opioid Addiction Recovery Fraud and Other Health-Related Misconduct**

The FTC employs the authority Congress gave us in the Opioid Addiction Recovery Fraud Prevention Act ("OARFPA") to stop companies from exploiting Americans struggling with substance use disorders. The Commission has brought multiple OARFPA actions challenging deceptive claims for products and services purporting to treat or cure substance use disorders. For example, in June 2025, the Commission obtained a partially suspended \$7 million civil penalty judgment against Evoke Wellness, a substance use disorder treatment clinic, and its officers, for allegedly using a combination of deceptive Google ads and telemarketing to deceive

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<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> Press Release, Fed. Trade Comm'n, FTC Rule on Unfair or Deceptive Fees to Take Effect on May 12, 2025 (May 5, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/05/ftc-rule-unfair-or-deceptive-fees-take-effect-may-12-2025>.

<sup>43</sup> Press Release, Fed. Trade Comm'n, FTC Seeks Public Comment on a Proposed Rulemaking Regarding Unfair or Deceptive Rental Housing Fee Practices (Mar. 12, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/03/ftc-seeks-public-comment-proposed-rulemaking-regarding-unfair-or-deceptive-rental-housing-fee>.

consumers into choosing the Evoke treatment clinic over the clinics those consumers searched for on Google.<sup>44</sup>

Also in 2025, the Commission filed suit against Mercury Marketing, alleging the company, along with seven other corporate defendants and four individual defendants, impersonated substance use disorder treatment clinics in Google search ads and telemarketing calls to deceptively route consumers trying to call those treatment clinics to defendants' own clinics.<sup>45</sup> The Commission obtained a \$1 million partially suspended judgment against two defendants involved in the telemarketing operation in September 2025.<sup>46</sup> and obtained an over \$14 million partially suspended judgment against the remaining defendants in February 2026.<sup>47</sup> These enforcement efforts have been underscored by the creation and distribution, including through an advertising campaign, of a video to help consumers identify search result scams when looking for treatment.<sup>48</sup>

The FTC has also used its authorities to put an end to a variety of other deceptive health products or services claims. For example, this month, the Commission alleged that TruHeight and its principals made false and unsubstantiated claims that their dietary supplements would make children and teenagers grow taller.<sup>49</sup> The Commission's complaint also alleged that the respondents used fake consumer reviews to deceive children and their families.<sup>50</sup> Under the order settling these allegations, the respondents will pay \$750,000 for consumer redress and will be prohibited from making these claims and using fake reviews in the future.<sup>51</sup> In December 2025, the FTC secured a \$175,000 civil penalty and an order barring Gravity Defyer and its

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<sup>44</sup> Press Release, Fed. Trade Comm'n, Evoke Wellness to Pay \$1.9 Million to Settle FTC Claims That They Misled Consumers Seeking Substance Use Disorder Treatment (June 10, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/06/evoke-wellness-pay-19-million-settle-ftc-claims-they-misled-consumers-seeking-substance-use-disorder>.

<sup>45</sup> Press Release, Fed. Trade Comm'n, FTC Sues to Stop Mercury Marketing and Others from Deceptively Advertising Substance Use Disorder Treatment Clinics (June 24, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/06/ftc-sues-stop-mercury-marketing-others-deceptively-advertising-substance-use-disorder-treatment>.

<sup>46</sup> Stipulated Order for Permanent Inj., Civil Penalty J. & Other Relief Against Jennifer Russ & JLux Consulting LLC, *FTC v. Mercury Mktg.*, No. 1:25-cv-02021-MJM (D. Md. Sept. 24, 2025), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/MercuryMarketing-Final-StipulatedOrder-RussJLux.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/MercuryMarketing-Final-StipulatedOrder-RussJLux.pdf).

<sup>47</sup> Stipulated Order for Permanent Inj., Civil Penalty J. & Other Relief Against Behavioral Healthcare Group of America, LLC, JHEL Holdings, LLC, Malibu Detox LLC, and Robby Stempler, *FTC v. Mercury Mktg.*, No. 1:25-cv-02021-MJM 9 (D. Md. Feb.27, 2026).

<sup>48</sup> Fed. Trade Comm'n, Avoiding Search Result Scams in Treating Opioid Addiction or Dependence (Youtube, June 5, 2025), <https://www.youtube.com/watch?v=iXjT1elh2IA>.

<sup>49</sup> Press Release, Fed. Trade Comm'n, FTC Takes Action Against TruHeight for Deceptive and Unsubstantiated Advertising of Supposed Height-Enhancing Supplements for Kids and Teens (Apr. 13, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/04/ftc-takes-action-against-truheight-deceptive-unsubstantiated-advertising-supposed-height-enhancing>.

<sup>50</sup> *Id.*

<sup>51</sup> *Id.*

owner from making allegedly deceptive pain-relief claims about its footwear.<sup>52</sup> Also in December 2025, the FTC obtained an order, including a \$150,000 money judgment to refund consumers, against NextMed and its principals for allegedly deceptive and unsubstantiated claims related to its marketing of GLP-1 weight-loss programs.<sup>53</sup> As previously mentioned, the Commission also took action last year against lead generators that deceived consumers seeking comprehensive health plans, leading them to purchase plans that did not deliver the promised coverage.<sup>54</sup> To settle that action, those lead generators agreed to pay the Commission \$145 million.<sup>55</sup>

And, on July 9, 2025, the Commission hosted doctors, medical ethicists, whistleblowers, detransitioners, and detransitioners' parents for a workshop exploring "the Dangers of 'Gender-Affirming Care' for Minors." The workshop was designed to help the FTC "understand whether consumers are being or have been exposed to false or unsupported claims about 'gender-affirming care' and to gauge the harms consumers may be experiencing."<sup>56</sup> Afterward, the Commission put out a public request for information to the same end.<sup>57</sup> Following these efforts, the Commission sent civil investigative demands to various organizations whose missions involve the promotion of such medical interventions.<sup>58</sup> Those demands have been challenged and are the subjects of ongoing litigation.<sup>59</sup>

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<sup>52</sup> Press Release, Fed. Trade Comm'n, FTC Secures Court Order Barring Gravity Defyer and its Owner from Making Unsupported Pain-Relief Claims to Market Company's Footwear, (Feb. 20, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/02/ftc-secures-court-order-barring-gravity-defyer-its-owner-making-unsupported-pain-relief-claims>.

<sup>53</sup> Press Release, Fed. Trade Comm'n, FTC Approves Final Order against Telehealth Provider NextMed Over Charges It Used Deceptive Advertising Claims to Sell GLP-1 Weight-Loss Programs (Dec. 2, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/ftc-approves-final-order-against-telehealth-provider-nextmed-over-charges-it-used-deceptive>.

<sup>54</sup> Press Release, Fed. Trade Comm'n, Assurance IQ and MediaAlpha to Pay a Total of \$145 Million to Settle FTC Charges That They Misled Consumers Seeking Health Insurance, <https://www.ftc.gov/news-events/news/press-releases/2025/08/assurance-iq-mediaalpha-pay-total-145-million-settle-ftc-charges-they-misled-consumers-seeking>.

<sup>55</sup> *Id.*

<sup>56</sup> Event, The Dangers of "Gender-Affirming Care" for Minors, FTC (July 9, 2025), <https://www.ftc.gov/news-events/events/2025/07/dangers-gender-affirming-care-minors>.

<sup>57</sup> FTC Requests Public Comment Regarding "Gender-Affirming Care" for Minors, FTC (July 28, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/07/ftc-requests-public-comment-regarding-gender-affirming-care-minors>.

<sup>58</sup> See Order Denying Petition to Quash Civil Investigative Demands, In the Matter of Civil Investigative Demand to World Professional Association for Transgender Health Dated January 16, 2026, Matter No. P264800 (Mar. 23, 2026); Order Denying Petition to Quash Civil Investigative Demands, In the Matter of Civil Investigative Demand to Endocrine Society Dated January 15, 2026, Matter No. P264800 (Mar. 23, 2026); Order Denying Petition to Quash Civil Investigative Demands, In the Matter of Civil Investigative Demand to American Academy of Pediatrics Dated January 15, 2026, Matter No. P264800 (Mar. 23, 2026).

<sup>59</sup> Nate Raymond, Medical Groups Sue Over US FTC Launching Gender-Affirming Care Probe, Reuters (Feb. 17, 2026), <https://www.reuters.com/legal/government/pediatricians-group-sues-over-us-ftc-launching-gender-affirming-care-probe-2026-02-17/>.

## 7. Halting Deceptive Billing and Cancellation Practices

The Commission leverages all existing legal authorities, including Section 5 of the FTC Act and Restore Online Shoppers' Confidence Act ("ROSCA"),<sup>60</sup> to protect Americans from unlawful subscription practices. The FTC's enforcement priorities in this space are clear: ensuring that consumers can make informed decisions about whether to enroll in a subscription and can easily cancel the subscriptions they no longer want. Achieving these objectives protects consumers and also fosters fair competition. When cancellation is burdensome or subscriptions are obtained through deception, honest sellers lose the chance to compete on the merits of price, quality, and innovation. Stopping these unlawful practices is critical to preserving consumer autonomy and market integrity—and to executing our Congressional directive faithfully.

Over the past year, the FTC has brought multiple enforcement actions to stop unlawful subscription practices and obtained meaningful relief for consumers through settlements. For example, in September 2025, the FTC obtained a historic settlement with Amazon to resolve multi-year litigation over Amazon Prime subscription practices.<sup>61</sup> The Commission alleged that Amazon enrolled millions of consumers in Prime without their express informed consent and made the cancellation process deliberately difficult, forcing millions of consumers to keep unwanted Prime subscriptions. During trial, the Commission reached a settlement with Amazon that included a \$1 billion civil penalty for alleged ROSCA violations—the largest civil penalty judgment in an FTC consumer protection "rule" violation case; and \$1.5 billion in consumer refunds to an estimated 35 million injured consumers—the second-highest consumer redress award in the FTC's history; and meaningful injunctive relief to stop unlawful subscription practices.<sup>62</sup> The Commission has also recently settled enforcement actions against digital dating company Match Group<sup>63</sup> and educational technology company Chegg,<sup>64</sup> obtaining millions of dollars in consumer redress.

Where the Commission cannot reach a settlement that benefits consumers, the Commission seeks to hold sellers accountable through litigation for unlawful subscription practices. For example, the Commission has brought lawsuits regarding unlawful subscription

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<sup>60</sup>15 U.S.C. § 8403.

<sup>61</sup> Press Release, Fed. Trade Comm'n, *FTC Secures Historic \$2.5 Billion Settlement Against Amazon* (Sept. 25, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-secures-historic-25-billion-settlement-against-amazon>.

<sup>62</sup> *Id.*

<sup>63</sup> Press Release, Fed. Trade Comm'n, *Match Group Agrees to Pay \$14 Million, Permanently Stop Deceptive Advertising, Cancellation, and Billing Practices to Resolve FTC Charges* (Aug. 12, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/08/match-group-agrees-pay-14-million-permanently-stop-deceptive-advertising-cancellation-billing>.

<sup>64</sup> Press Release, Fed. Trade Comm'n, *Ed Tech Provider Chegg to Pay \$7.5 Million to Settle FTC Allegations Concerning Unlawful Cancellation Practices* (Sept. 15, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/ed-tech-provider-chegg-pay-75-million-settle-ftc-allegations-concerning-unlawful-cancellation>.

practices against, among others, Uber,<sup>65</sup> LA Fitness,<sup>66</sup> IML/IYOVIA,<sup>67</sup> and JustAnswer.<sup>68</sup> The complaint against Uber, for example, alleges that the company enrolled consumers in its Uber One plan without their consent, misrepresented promised savings, and buried key details in fine print. The Commission further alleges that Uber made cancellation unreasonably difficult, requiring consumers to navigate up to 23 screens and take as many as 32 actions. At the end of 2025, 21 states and the District of Columbia joined the Commission in filing an amended complaint seeking civil penalties.<sup>69</sup>

Finally, on March 11, 2026, the Commission announced an Advance Notice of Proposed Rulemaking concerning the FTC’s Rule Concerning the Use of Prenotification Negative Option Plans, commonly known as the Negative Option Rule.<sup>70</sup>

## **8. Promoting Innovation and Addressing Fraud in New Fields**

The Commission is also committed to fostering American innovation by ensuring our enforcement does not impede it. Nowhere is that more important than in the burgeoning area of artificial intelligence (AI). For any new marketplace, confidence in new products or services is critical to foster broad adoption. Consistent with America’s AI Action Plan,<sup>71</sup> rather than burdening innovation by regulation, the Trump-Vance FTC is encouraging growth in the AI market by targeting bad actors who undermine innovation through deception.

The Commission’s recent actions illustrate this pro-growth approach. In our action against Air.AI, the complaint alleged that the defendants advertised their flagship feature as “conversational AI,” claiming it could replace human customer service representatives and, in

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<sup>65</sup> Press Release, Fed. Trade Comm’n, FTC Takes Action Against Uber for Deceptive Billing and Cancellation Practices (Apr. 21, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/04/ftc-takes-action-against-uber-deceptive-billing-cancellation-practices>.

<sup>66</sup> Press Release, Fed. Trade Comm’n, FTC Sues LA Fitness for Making it Difficult for Consumers to Cancel Gym Memberships (Aug. 20, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/08/ftc-sues-la-fitness-making-it-difficult-consumers-cancel-gym-memberships>.

<sup>67</sup> Press Release, Fed. Trade Comm’n, FTC, State of Nevada Take Action Against IM Mastery Academy for Deceiving Consumers (May 1, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/05/ftc-state-nevada-take-action-against-im-mastery-academy-deceiving-consumers>.

<sup>68</sup> Press Release, Fed. Trade Comm’n, FTC Sues JustAnswer for Deceiving Consumers into Enrolling in a Costly Recurring Monthly Subscription (Jan. 13, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/01/ftc-sues-justanswer-deceiving-consumers-enrolling-costly-recurring-monthly-subscription>.

<sup>69</sup> Press Release, Fed. Trade Comm’n, FTC and States File Amended Complaint Against Uber for Deceptive Billing and Cancellation Practices (Dec. 15, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/ftc-states-file-amended-complaint-against-uber-deceptive-billing-cancellation-practices>.

<sup>70</sup> Press Release, Fed. Trade Comm’n, FTC Seeks Public Comment in Response to Advance Notice of Proposed Rulemaking Regarding Negative Option Marketing Practices (Mar. 11, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/03/ftc-seeks-public-comment-response-advance-notice-proposed-rulemaking-regarding-negative-option>.

<sup>71</sup> Press Release, White House, White House Unveils America’s AI Action Plan (July 23, 2025), <https://www.whitehouse.gov/articles/2025/07/white-house-unveils-americas-ai-action-plan/> (hereinafter “AI Action Plan”).

combination with other services, make business owners significant sums of money.<sup>72</sup> The lawsuit alleged, however, that consumers did not earn the promised profits or even recoup the money they paid to defendants. The order settling the Commission’s allegations bans the defendants from marketing business opportunities and imposes a monetary judgment of \$18 million, partly suspended based on an inability to pay.<sup>73</sup>

In an action against Workado, the Commission alleged that the company marketed its product to consumers to determine whether written content was developed using AI or written by a human being, saying its product could detect—with nearly 99% accuracy—whether AI was behind a particular piece of writing.<sup>74</sup> According to the complaint, Workado claimed its AI Content Detector was developed using a wide range of material, including blog posts and Wikipedia. In fact, the complaint alleged, the model powering the AI Content Detector was trained to classify only academic content effectively. As a result, the complaint alleged, the product’s true accuracy was no better than a coin flip. The Commission’s order against Workado prohibits the company from making any representations about the effectiveness of any AI content detection product unless they are not misleading, and the company has competent and reliable evidence to support the representations at the time they are made.

The Commission has also recently obtained multiple settlements banning the operators of business opportunity scams that made AI-related claims from future involvement in business opportunities. In the case against FBA Machine, the FTC obtained a permanent ban on selling business opportunities against the defendants who operated the enterprise, a scheme that allegedly took more than \$15 million from consumers by falsely promising that consumers would make guaranteed income through online storefronts utilizing AI-powered software.<sup>75</sup> The FTC obtained a similar ban in the case against the individuals and companies behind Ascend Ecom, an online business opportunity scheme, which the Commission alleged had falsely claimed to provide “cutting edge” AI-powered tools that would help consumers quickly earn thousands of dollars a month in passive income by opening online storefronts—defrauding consumers out of at least \$25 million.<sup>76</sup> The FTC also obtained such a ban against the operators of Ecommerce Empire Builders, another business opportunity scheme, which the FTC charged

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<sup>72</sup> Press Release, Fed. Trade Comm’n, FTC Sues to Stop Air AI from Using Deceptive Claims about Business Growth, Earnings Potential, and Refund Guarantees to Bilk Millions from Small Businesses (Aug. 25, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/08/ftc-sues-stop-air-ai-using-deceptive-claims-about-business-growth-earnings-potential-refund>.

<sup>73</sup> Press Release, Fed. Trade Comm’n, Air AI and its Owners will be Banned from Marketing Business Opportunities to Settle FTC Charges the Company Misled Many Entrepreneurs and Small Businesses (Mar. 24, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/03/air-ai-its-owners-will-be-banned-marketing-business-opportunities-settle-ftc-charges-company-misled>.

<sup>74</sup> Press Release, Fed. Trade Comm’n, FTC Order Requires Workado to Back Up Artificial Intelligence Detection Claims (Apr. 28, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/04/ftc-order-requires-workado-back-artificial-intelligence-detection-claims>.

<sup>75</sup> Press Release, Fed. Trade Comm’n, FTC Obtains Permanent Ban of E-Commerce Business Opportunity Scheme Operator (July 30, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/07/ftc-obtains-permanent-ban-e-commerce-business-opportunity-scheme-operator>.

<sup>76</sup> Press Release, Fed. Trade Comm’n, FTC Case Leads to Order Banning Ascend Ecom and Its Owners from Business Opportunity Marketing (June 23, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/06/ftc-case-leads-order-banning-ascend-ecom-its-owners-business-opportunity-marketing>.

with falsely claiming to help consumers build an “AI-powered Ecommerce Empire” by participating in nearly \$2,000 training programs or by buying a “done for you” online storefront for tens of thousands of dollars.<sup>77</sup>

In another case, the Commission charged DoNotPay—a company that promoted its online subscription service as “the world’s first robot lawyer”—with deceptively promising that its service would allow consumers to “sue for assault without a lawyer” and “generate perfectly valid legal documents in no time.” The FTC finalized an order requiring DoNotPay to pay \$193,000 in monetary relief and notify consumers who subscribed to the service about the FTC settlement. The order also prohibits DoNotPay from advertising that its service performs like a real lawyer unless it has sufficient evidence to back up that claim.<sup>78</sup>

To promote innovation consistent with the AI Action Plan, the Commission recently re-opened and set aside its 2024 order against Rytr LLC.<sup>79</sup> The Commission’s original complaint, from which the Chairman dissented as a Commissioner (along with former Commissioner Holyoak), alleged that Rytr’s service provided the means and instrumentalities for others to deceive consumers, and that it unfairly could generate large numbers of reviews without regard for accuracy. The Commission’s re-opening order states that neither theory was grounded in the law. The Commission had previously only alleged means and instrumentalities where the defendant knew or had reason to know that the person to whom it provided the product service would use it to violate Section 5. But the complaint did not allege such knowledge or constructive knowledge. With respect to its unfairness count, the complaint failed to allege facts sufficient to support a likelihood of injury and failed to account for obvious countervailing benefits. Setting aside the order is part of the Commission’s efforts to reassure the nascent AI industry that the Commission has turned the page on needlessly burdening lawful innovation.

## **9. Battling Unfair Ticket Practices**

The Trump-Vance Administration is committed to protecting consumers from unfair ticketing practices that price fans out of enjoying live entertainment, such as exorbitant scalping and hidden fees. In 2016, Congress passed the BOTS Act, which prohibits the circumvention of ticket issuers’ security measures or purchasing rules. In the face of pervasive BOTS Act violations to the detriment of consumers, President Trump issued an Executive Order on March 31 of last year, noting that:

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<sup>77</sup> Press Release, Fed. Trade Comm’n, FTC Action Ends Ecommerce Empire Builders Online Business Opportunity Scam (May 9, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/05/ftc-action-ends-ecommerce-empire-builders-online-business-opportunity-scam>.

<sup>78</sup> Press Release, Fed. Trade Comm’n, FTC Finalizes Order with DoNotPay That Prohibits Deceptive ‘AI Lawyer’ Claims, Imposes Monetary Relief, and Requires Notice to Past Subscribers (Feb. 11, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/02/ftc-finalizes-order-donotpay-prohibits-deceptive-ai-lawyer-claims-imposes-monetary-relief-requires>.

<sup>79</sup> Press Release, Fed. Trade Comm’n, FTC Reopens and Sets Aside Rytr Final Order in Response to the Trump Administration’s AI Action Plan (Dec. 22, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/ftc-reopens-sets-aside-rytr-final-order-response-trump-administrations-ai-action-plan>.

America's live concert and entertainment industry is the envy of the world. But it has become blighted by unscrupulous middlemen who sit at the intersection between artists and fans and impose egregious fees while providing minimal value. Ticket scalpers use bots and other unfair means to acquire large quantities of face-value tickets and then re-sell them at an enormous markup on the secondary market, price-gouging consumers and depriving fans of the opportunity to see their favorite artists without incurring extraordinary expenses.<sup>80</sup>

President Trump has directed the FTC "to rigorously enforce the [BOTS Act],"<sup>81</sup> leading to two groundbreaking BOTS Act enforcement actions, the fourth and fifth such enforcement actions.<sup>82</sup>

First, in August 2025, the FTC filed a complaint alleging, among other things, that ticket broker Key Investment Group, and associated entities and individuals (collectively, KIG), had consistently violated the BOTS Act, purchasing "at least 379,776 tickets in just over a year from Ticketmaster at a cost of nearly \$57 million."<sup>83</sup> KIG unlawfully obtained these tickets, the FTC alleges, by using various methods to circumvent technological and other measures that Ticketmaster had implemented to enforce ticket purchasing limits and online ticket purchasing order rules. The FTC's enforcement action against KIG is ongoing.

Second, in September 2025, the Commission sued Ticketmaster and its parent company, Live Nation Entertainment, for violating the BOTS Act and other laws.<sup>84</sup> The FTC alleges that Ticketmaster has for years sold tickets on the secondary market that it knew or should have known were illegally acquired by scalpers on the primary market through circumvention of measures Ticketmaster used to enforce ticket purchasing limits. Ticketmaster has turned a blind eye toward scalpers that circumvent its ticket control measures because, the FTC alleges, it is profitable for the company to do so. Ticketmaster has moved to dismiss the FTC's case, and that motion is before the court.

Outside of its recent enforcement actions against KIG and Ticketmaster, the FTC continues to monitor the market for BOTS Act violations and for violations of the Rule on Unfair

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<sup>80</sup> Exec. Order No. 14254, 90 Fed. Reg. 14699 (Mar. 31, 2025), <https://www.federalregister.gov/documents/2025/04/03/2025-05906/combating-unfair-practices-in-the-live-entertainment-market>).

<sup>81</sup> *Id.*

<sup>82</sup> The FTC brought its first three BOTS Act cases in January 2021. *See* Press Release, Fed. Trade Comm'n, FTC Brings First-Ever Cases Under the BOTS Act (Jan. 22, 2021), <https://www.ftc.gov/news-events/news/press-releases/2021/01/ftc-brings-first-ever-cases-under-the-bots-act> | Federal Trade Commission.

<sup>83</sup> Press Release, Fed. Trade Comm'n, FTC Takes Action Against Ticket Resellers for Using Illegal Tactics to Bypass Ticket Limit Protections in Violation of Better Online Ticket Sales Act (Aug. 18, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/08/ftc-takes-action-against-ticket-resellers-using-illegal-tactics-bypass-ticket-limit-protections>.

<sup>84</sup> Press Release, Fed. Trade Comm'n, FTC Sues Live Nation and Ticketmaster for Engaging in Illegal Ticket Resale Tactics and Deceiving Artists and Consumers about Price and Ticket Limits (Sep. 18, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-sues-live-nation-ticketmaster-engaging-illegal-ticket-resale-tactics-deceiving-artists-consumers>.

or Deceptive Fees,<sup>85</sup> which applies to live-event ticketing. In addition, on May 7, 2025, the Commission, jointly with the Department of Justice Antitrust Division, issued a Request for Information (RFI) seeking public input on unfair and anticompetitive practices and conduct in the live concert and entertainment industry. The RFI sought to identify unfair ticketing practices and assess the competitive effects of state and federal regulations across the live entertainment marketplace, including the secondary ticketing market. In May 2025, the FTC issued a warning letter to ticket reseller, StubHub Holdings Inc. The letter stated that the FTC had identified ticket prices that did not include all mandatory fees and charges and that the excluded charges, such as fulfillment fees and service fees, did not appear to be covered by any permissible exemption. Subsequently, in April 2026, the FTC announced a settlement with StubHub resolving allegations that the company violated Section 5 and intentionally failed to comply with the Unfair & Deceptive Fees Rule.<sup>86</sup> The proposed order contains injunctive relief prohibiting the conduct alleged in the complaint, including reasonable fencing-in relief, and a \$10 million judgment for consumer redress covering three days of alleged violations.<sup>87</sup>

## 10. Providing Consumer and Business Education

Part of the FTC's consumer protection mission is to educate consumers, help people avoid scams and fraud, and provide guidance that gives businesses clarity and certainty about their compliance obligations.<sup>88</sup> By raising awareness of scam trends and delivering practical, user-friendly educational resources and information, the FTC seeks to help the American people spot, avoid, and report fraud. As part of this educational outreach, the agency publishes information on spotting and avoiding common scams, online safety for parents and children, recovering from identity theft, as well as resources for small business owners.<sup>89</sup> The impact of these efforts enhances the agency's law enforcement mission, as evidenced by consumers who report spotting and avoiding fraud after seeing FTC messaging.<sup>90</sup> Because fraud can affect anyone, the agency strives to reach all consumers through its relationships with trusted partners.

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<sup>85</sup> 16 C.F.R. Part 464.

<sup>86</sup> Press Release, Fed. Trade Comm'n, StubHub Refunding \$10 Million in Fees to Consumers After Deceptive Ticket Pricing (Apr. 9, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/04/stubhub-refunding-10-million-fees-consumers-after-deceptive-ticket-pricing>.

<sup>87</sup> *Id.*

<sup>88</sup> *See, e.g.*, Business Alert, Fed. Trade Comm'n, Did your business receive a CID? The FTC means business (Mar. 10, 2025), <https://www.ftc.gov/business-guidance/blog/2025/03/did-your-business-receive-cid-ftc-means-business>; Business Alert, Fed. Trade Comm'n, A warning letter (or ten) for businesses: comply with the FTC's Consumer Review Rule (Dec. 22, 2025), <https://www.ftc.gov/business-guidance/blog/2025/12/warning-letter-or-ten-businesses-comply-ftcs-consumer-review-rule>; Business Alert, Fed. Trade Comm'n, Small Business? Know how to stop a would-be impersonator (Sept. 29, 2025), <https://www.ftc.gov/business-guidance/blog/2025/09/small-business-know-how-stop-would-be-business-impersonator>.

<sup>89</sup> *See* FTC materials at <https://consumer.ftc.gov/>, <https://consumer.gov/>, and <https://www.ftc.gov/business-guidance/small-businesses>.

<sup>90</sup> *See* Consumer Alert, Fed. Trade Comm'n, Getting the word out about FTC imposter scams (Mar. 26, 2025), <https://consumer.ftc.gov/consumer-alerts/2025/03/getting-word-out-about-ftc-imposter-scams>.

These efforts include community media telebriefings, in-person roundtables, and media campaigns.<sup>91</sup>

## **B. Enforcement Against Unlawful Data Security and Privacy Practices**

In addition to the general protections of consumer privacy and data security in Section 5 of the FTC Act,<sup>92</sup> the Commission enforces several sector-specific laws and rules that touch on privacy and data security, such as: the Children’s Online Privacy Protection Act (COPPA) and the COPPA Rule; the Fair Credit Reporting Act (FCRA); the Protecting Americans’ Data from Foreign Adversaries Act (PADFAA); the Gramm-Leach-Bliley (GLB) Act, the GLB Act Privacy Rule, and the Safeguards Rule; the Health Breach Notification Rule; the Controlling the Assault of Non-Solicited Pornography and Marketing (CAN-SPAM) Act; and the Telemarketing Sales Rule (TSR).<sup>93</sup> The Commission has brought privacy-related enforcement actions for more than three decades, settling more than 100 privacy cases and more than 170 TSR and CAN-SPAM cases. In addition to enforcement actions, the Commission has sought to increase understanding of emerging issues and technologies by holding workshops in which stakeholders share different perspectives and by conducting market studies under Section 6(b) of the FTC Act. The Commission also educates businesses and consumers on data security and privacy issues.

### **1. Protecting Consumers from Unlawful Privacy Practices**

The modern economy relies on the collection and transfer of vast amounts of data, creating both benefits and risks for consumers. To promote empirical work on these costs and benefits for consumers, the Commission hosted a workshop in February 2026 on consumer injuries and benefits in the data-driven economy.<sup>94</sup> The empirical approach highlighted in this workshop, which built on the work begun under the first Trump administration,<sup>95</sup> will continue

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<sup>91</sup> See Consumer Alert, Fed. Trade Comm’n, It’s time to start planning for NCPW 2026 (Feb. 4, 2026), <https://consumer.ftc.gov/consumer-alerts/2026/02/its-time-start-planning-ncpw-2026>; Consumer Alert, Fed. Trade Comm’n, This Identity Theft Awareness Week, find tools and events just for you (Jan. 16, 2026), <https://consumer.ftc.gov/consumer-alerts/2026/01/identity-theft-awareness-week-find-tools-and-events-just-you>; Events, Fed. Trade Comm’n, Consumer Protection and Older Adults Roundtable (July 31, 2025), <https://www.ftc.gov/news-events/events/2025/07/consumer-protection-older-adults-roundtable>; Business Blog, Fed. Trade Comm’n, Looking for an Employer Identification Number (EIN)? The FTC warns businesses and consumers to watch out for IRS imposters (Apr. 1, 2025), <https://www.ftc.gov/business-guidance/blog/2025/04/looking-employer-identification-number-ein-ftc-warns-businesses-consumers-watch-out-irs-imposters>.

<sup>92</sup> The Commission supports congressional efforts to create baseline privacy legislation that protects Americans online.

<sup>93</sup> COPPA, 15 U.S.C. §§ 6501-6506; COPPA Rule, 16 C.F.R. Part 312; FCRA, 15 U.S.C. §§ 1681-1681x; PADFAA Pub. L. No. 118–50, div. I (2024); GLBA, Pub. L. No. 106-102, 113 Stat. 1338, codified in relevant part primarily at 15 U.S.C. §§ 6801-6809, §§ 6821-6827; GLB Privacy Rule, 16 C.F.R. Part 313; GLB Safeguards Rule, 16 C.F.R. Part 314; CAN-SPAM, 15 U.S.C §§ 7701-7713; TSR, 16 C.F.R. Part 310.

<sup>94</sup> Press Release, Fed. Trade Comm’n, FTC to Host Workshop on Consumer Injuries and Benefits in the Data-Driven Economy (Jan. 8, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/01/ftc-host-workshop-consumer-injuries-benefits-data-driven-economy>.

<sup>95</sup> Fed. Trade Comm’n, Informational Injury Workshop (Dec. 12, 2017), <https://www.ftc.gov/news-events/events/2017/12/informational-injury-workshop>.

to inform the Commission's efforts to promote innovation while simultaneously protecting consumers from harmful privacy practices.

On the enforcement front, the Commission has focused on instances where deception or harm is clearly present. In March 2026, the FTC announced a settlement involving Humor Rainbow, Inc. d/b/a OkCupid and its sister entity Match Group Americas, LLC ("Match").<sup>96</sup> The FTC's complaint alleges that OkCupid and Match violated Section 5 of the FTC Act by deceiving consumers about OkCupid's sharing of consumers' personal information with an unrelated third party. In contravention of OkCupid's privacy policies, OkCupid shared millions of user photos, demographic information, and location information with the third party. The settlement prevents OkCupid and Match from misrepresenting how they collect, use, and disclose consumer information.

In January 2026, the Commission finalized an order with General Motors and OnStar settling allegations that they collected, used, and sold consumers' precise geolocation data and driving behavior data from millions of vehicles without adequately notifying consumers and obtaining their affirmative consent.<sup>97</sup> The Commission's order prohibits General Motors LLC, General Motors Holdings LLC, and OnStar, LLC, which are owned by General Motors Company, from sharing certain consumer data with consumer reporting agencies. They also are required to take steps to provide greater transparency and choice to consumers over the collection, use, and disclosure of their connected vehicle data.

In February 2026, the FTC notified the court that it had reached a proposed settlement, pending Commission approval, of its litigation against data broker Kochava Inc. The Commission's complaint alleged the data broker compiled consumers' geolocation data and then sold it to customers in a format that makes it easy to track consumers' visits to sensitive locations, such as doctors' offices, houses of worship, and temporary shelters for domestic violence survivors.

In addition, in February 2026, the FTC sent letters<sup>98</sup> to 13 data brokers warning them of their responsibility to comply with PADFAA, which prohibits data brokers from selling, releasing, disclosing, or providing access to personally identifiable sensitive data about Americans to any foreign adversary, including North Korea, China, Russia, and Iran, or any entity controlled by those countries. These letters sent a message to all data brokers to be aware of the law's requirements and ensure they are not engaging in practices that violate it.

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<sup>96</sup> Press Release, Fed. Trade Comm'n, FTC Takes Action Against Match and OkCupid for Deceiving Users by Sharing Personal Data with Third Party (Mar. 30, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/03/ftc-takes-action-against-match-okcupid-deceiving-users-sharing-personal-data-third-party>.

<sup>97</sup> Press Release, Fed. Trade Comm'n, FTC Finalizes Order Settling Allegations that GM and OnStar Collected and Sold Geolocation Data Without Consumers' Informed Consent (Jan. 14, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/01/ftc-finalizes-order-settling-allegations-gm-onstar-collected-sold-geolocation-data-without-consumers>.

<sup>98</sup> Press Release, Fed. Trade Comm'n, FTC Reminds Data Brokers of Their Obligations to Comply with PADFAA (Feb. 9, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/02/ftc-reminds-data-brokers-their-obligations-comply-padfaa>.

## 2. Protecting Children and Teens

The collection, aggregation, disclosure, and retention of personal information pose real danger to children. A quarter-century ago, Congress passed COPPA and directed the Commission to promulgate regulations.<sup>99</sup> COPPA and the COPPA Rule apply to operators of websites and online services directed to, or with actual knowledge of the collection of personal information from, children under the age of thirteen.<sup>100</sup> The Rule requires such operators to, among other things, provide direct and online notices to parents and obtain verifiable parental consent before collecting, using, or disclosing personal information from children under the age of thirteen.<sup>101</sup>

The FTC has brought several significant COPPA enforcement actions over the past year. First, in September 2025, the Commission filed a lawsuit against Iconic Hearts, makers of the Sendit anonymous messaging app. The Commission alleged that the company violated the COPPA Rule by collecting personal information from children without notifying parents or obtaining their consent.<sup>102</sup> This matter is currently in litigation in the Central District of California. Also in September 2025, the Commission alleged that Apitor, the maker of an internet-connected robot toy and related app, violated the COPPA Rule by allowing a Chinese third party to collect children's geolocation data without notifying parents of that third-party collection and obtaining their consent.<sup>103</sup> The Commission's settlement order requires Apitor to ensure that any third-party software it uses is in compliance with the COPPA Rule, pay a \$500,000 penalty (suspended because of the company's inability to pay), and delete any personal information the company collected in violation of COPPA unless it notifies parents and obtains their consent.

In a third September 2025 action, the Commission alleged that Disney Worldwide Services, Inc., and Disney Entertainment Operations LLC (collectively, Disney) violated the COPPA Rule by failing to properly label certain videos it uploaded to YouTube, resulting in YouTube collecting personal information from children without notifying parents or obtaining their consent.<sup>104</sup> The complaint alleged that mislabeling allowed Disney, through YouTube, to collect personal data from children under 13 viewing child-directed videos and use that data for targeted advertising to children. According to the complaint, the mislabeling also exposed

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<sup>99</sup> 15 U.S.C. § 6502(b)(1).

<sup>100</sup> 15 U.S.C. § 6502(a)(1); 16 C.F.R. § 312.3.

<sup>101</sup> 16 C.F.R. §§ 312.4, 312.5.

<sup>102</sup> Press Release, Fed. Trade Comm'n, FTC Alleges Sendit App and its CEO Unlawfully Collected Personal Data from Children, Deceived Users About Messages, Subscription Memberships (Sept. 29, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-alleges-sendit-app-its-ceo-unlawfully-collected-personal-data-children-deceived-users-about>.

<sup>103</sup> Press Release, Fed. Trade Comm'n, FTC Takes Action Against Robot Toy Maker for Allowing Collection of Children's Data without Parental Consent (Sept. 3, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-takes-action-against-robot-toy-maker-allowing-collection-childrens-data-without-parental-consent>.

<sup>104</sup> Press Release, Fed. Trade Comm'n, Disney to Pay \$10 Million to Settle FTC Allegations the Company Enabled the Unlawful Collection of Children's Personal Data (Sept. 2, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/disney-pay-10-million-settle-ftc-allegations-company-enabled-unlawful-collection-childrens-personal>.

children to age-inappropriate YouTube features like autoplay to videos not “Made for Kids.” The Commission’s order imposed a \$10 million penalty and required Disney to review every video published to YouTube to ensure it is properly labeled as made for kids. The order permits Disney to sunset this review program if YouTube implements age verification technology that can ensure COPPA compliance.<sup>105</sup> In this way, our order ensures that Disney will follow the law while incentivizing the development and adoption of innovative technological changes that inherently protect children to the same degree that active compliance with the order does.

The Commission is doing additional work to incentivize the adoption of age verification technologies. In January 2026, the Commission held a workshop on age verification technologies, which highlighted the important role these technologies can play in protecting kids online.<sup>106</sup> Following that workshop, the Commission issued an enforcement policy statement under the COPPA Rule to provide operators with regulatory clarity about the circumstances under which they can retain data exclusively for the purpose of age verification, consistent with COPPA.<sup>107</sup>

In addition to this COPPA-related work, the Commission has used its authority under Section 5 of the FTC Act to protect children and teens online. In September 2025, the Commission and the state of Utah settled an action against Aylo and affiliated companies, the operators of Pornhub and other pornographic sites.<sup>108</sup> The Commission’s complaint alleged that the defendants deceived users by doing little to block tens of thousands of videos and photos featuring child sexual abuse material (CSAM) and nonconsensual material (NCM) despite claiming that this content was “strictly prohibited.” It also alleged that defendants’ conduct harmed users by exposing them to CSAM and NCM, and was thus unfair. The settlement order requires them to pay a \$5 million penalty to the state of Utah.

Even more significantly, it requires them to establish a “CSAM and NCM Prevention Program” to prevent the distribution of CSAM and NCM on their websites.<sup>109</sup> Under that Program, Aylo and affiliated companies must allow anyone to report actual or suspected CSAM and NCM on their websites, including Pornhub, and “promptly suspend and, where appropriate, remove the reported content.”<sup>110</sup> They must also, among other requirements, “review *all* user-uploaded content before publication to verify that each depicted individual is an adult who consented to the production and publication of the content” as well as allow individuals depicted

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<sup>105</sup> *Id.*

<sup>106</sup> Press Release, Fed. Trade Comm’n, FTC Announces Workshop on Age Verification Technologies (Dec. 8, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/ftc-announces-workshop-age-verification-technologies>.

<sup>107</sup> Press Release, Fed. Trade Comm’n, FTC Issues COPPA Policy Statement to Incentivize the Use of Age Verification Technologies to Protect Children Online (Feb. 25, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/02/ftc-issues-coppa-policy-statement-incentivize-use-age-verification-technologies-protect-children>.

<sup>108</sup> Statement of Chairman Andrew N. Ferguson, Joined by Commissioner Melissa Holyoak and Commissioner Mark R. Meador on *FTC and Utah Division of Consumer Protection v. Aylo Group Ltd. et al.*, Matter No. 2123033 (Sept. 3, 2025), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/2025.09.03-2123033-pornhub-mindgeek-ferguson-holyoak-meador-statement.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/2025.09.03-2123033-pornhub-mindgeek-ferguson-holyoak-meador-statement.pdf).

<sup>109</sup> *Id.* at 7.

<sup>110</sup> *Ibid.*

in published content to “withdraw consent and have the content removed.”<sup>111</sup> The requirement to remove CSAM and NCM even extends to Aylo users’ comments or direct messages that “encourage or solicit CSAM or NCM, or encourage or engage in child abuse or non-consensual sexual activities.”<sup>112</sup> And the order requires Aylo and affiliated companies “to post a notice of this matter,” including the allegations raised by the Commission and Utah and the settlement’s terms, “to *all* of its sites ... for a period of two years.”<sup>113</sup>

As AI technologies develop, it is important to ensure that the U.S. maintains its role as a global leader in AI. At the same time, the Commission must understand the impact these technologies may have on children. For this reason, in September 2025, the Commission issued orders under Section 6(b) of the FTC Act, which authorizes the Commission to conduct studies, to seven companies that have developed and released AI-powered chatbots: Alphabet, Character Technologies, Instagram, Meta Platforms, OpenAI, Snap, and X.AI.<sup>114</sup> The Commission is seeking to understand how companies that provide consumer-facing AI-powered chatbots evaluate and monitor the potentially negative impacts of the technology on children and teens, including what steps companies have taken (1) to evaluate the safety of their chatbots when acting as companions, (2) to limit the potential negative effects on children and teens, and (3) to apprise users and parents of the risks associated with the products. The Commission’s study will help better understand how AI firms develop and provide their products.

The agency’s enforcement and policy work to protect children and teens is also supported by robust educational efforts. In that vein, the FTC has recently provided guidance to parents seeking to protect children’s devices and their personal information,<sup>115</sup> and is, through our free educational program, “Youville,” helping kids ages 8-12 apply analytical skills to privacy, online safety, scams, and more.<sup>116</sup>

### 3. Strengthening Data Security

The Commission has brought approximately 90 data security cases based upon alleged violations of Section 5 of the FTC Act and other applicable laws that the Commission

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<sup>111</sup> *Id.* (emphasis added).

<sup>112</sup> *Id.*

<sup>113</sup> *Id.* (emphasis added).

<sup>114</sup> Press Release, Fed. Trade Comm’n, FTC Launches Inquiry into AI Chatbots Acting as Companions (Sept. 11, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-launches-inquiry-ai-chatbots-acting-companions>.

<sup>115</sup> See Consumer Alert, Fed. Trade Comm’n, Help kids protect their devices (Nov. 24, 2025), <https://consumer.ftc.gov/consumer-alerts/2025/11/help-kids-protect-their-devices>; Consumer Alert, Fed. Trade Comm’n, Parents versus kids challenge: Who knows more about protecting personal information? (Aug. 2, 2026), <https://consumer.ftc.gov/consumer-alerts/2025/08/parents-versus-kids-challenge-who-knows-more-about-protecting-personal-information>. See also Consumer Alert, Fed. Trade Comm’n, Parents: Talking to your kids about text scams (Mar. 31, 2025), <https://consumer.ftc.gov/consumer-alerts/2025/03/parents-talking-your-kids-about-text-scams>.

<sup>116</sup> See Youville, <https://consumer.ftc.gov/features/youville>.

enforces.<sup>117</sup> In May 2025, the Commission finalized an administrative order against GoDaddy and its subsidiary, GoDaddy.com, alleging that they failed to protect their web hosting services from unauthorized access, resulting in harm to their small-business customers and their customers' customers.<sup>118</sup> In December 2025, the FTC announced a proposed settlement with Illusory Systems Inc. (d/b/a Nomad), resolving deception and unfairness allegations that Illusory failed to implement adequate data security measures, leading to a major security breach in which hackers stole \$186 million from consumers. In the complaint, the FTC alleged, among other things, that Illusory prominently touted its security in its advertising, claiming that it offered "security-first" services, when in fact, the company failed to live up to these promises by failing to: use secure coding practices; implement processes for receiving and addressing vulnerability reports and responding to security incidents; and utilize widely known technologies that might have helped mitigate consumer losses. The order prohibits the company from making misrepresentations about its security practices and requires the company to implement a comprehensive security program. The company must also return all recovered money that has not already been returned to consumers.

As with privacy enforcement, the Commission's data security efforts also prioritize protecting the most vulnerable among us, particularly children and teens. For example, in December 2025, the Commission announced a proposed settlement of a data security action against educational technology provider Illuminate Education.<sup>119</sup> The Commission alleged that Illuminate misrepresented to schools how well it secured students' personal information, saying it protected "your data like it's our own." The complaint alleged that Illuminate failed to provide reasonable security by, for example, not addressing security problems its vendors flagged for over a year, failing to control access to students' personal information, and failing to notify school districts when students' information was breached, in some cases, for nearly two years. According to the complaint, Illuminate's failings allowed an attacker to steal the personal data of more than 10 million students using a former employee's login. The Commission's proposed order requires Illuminate to delete personal data it no longer needs, publicly post and follow a data retention schedule, and implement a comprehensive information security program and have it assessed every two years.

In addition to bringing enforcement actions, the FTC is putting companies on notice of their legal obligations related to data security. In August 2025, Chairman Ferguson sent letters to more than a dozen prominent technology companies that provide cloud computing, data security, social media, messaging and other services reminding them of their obligations to protect the

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<sup>117</sup> The Commission's recent report to Congress detailing the agency's efforts to fight against ransomware and other cyberattacks highlights some of our recent work. *See* Press Release, Fed. Trade Comm'n, FTC Issues Second Report to Congress on its Work to Fight Ransomware and other Cyberattacks (Feb. 6, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/02/ftc-issues-second-report-congress-its-work-fight-ransomware-other-cyberattacks>.

<sup>118</sup> Press Release, Fed. Trade Comm'n, FTC Finalizes Order with GoDaddy Over Data Security Failures (May 21, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/05/ftc-finalizes-order-godaddy-over-data-security-failures>.

<sup>119</sup> Press Release, Fed. Trade Comm'n, FTC Takes Action Against Education Technology Provider for Failing to Secure Students' Personal Data (Dec. 1, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/ftc-takes-action-against-education-technology-provider-failing-secure-students-personal-data>.

privacy and data security of American consumers despite pressure from foreign governments to weaken such protections. The letters also warned that censoring Americans at the behest of foreign powers might violate the law.<sup>120</sup>

### **C. Protecting Workers, Entrepreneurs, and Small Businesses**

American workers and small businesses are consumers too, and the Commission is taking a comprehensive approach—through enforcement and advocacy—to ensure that they are not held back by unfair or deceptive acts or practices. Last February, the FTC launched a joint Labor Task Force across its bureaus and offices to protect American Workers.<sup>121</sup> The Task Force is prioritizing rooting out and prosecuting deceptive, unfair, and anticompetitive labor-market practices.<sup>122</sup>

#### **1. Protecting Workers and Businesses from Unfair or Deceptive Acts or Practices**

The Commission’s remit includes enforcement against wrongful practices that harm American workers. For example, the Commission has brought actions against marketers allegedly making misleading earnings claims to prospective workers. In May 2025, the Commission and the state of Nevada sued several entities and individuals to stop an allegedly wide-ranging investment training and business venture scam that bilked consumers out of more than \$1.2 billion worldwide.<sup>123</sup> Several of the defendants have agreed to settle the FTC’s allegations, with orders imposing millions of dollars in monetary judgments and prohibiting the defendants from engaging in certain unscrupulous practices, including making misleading earnings claims.<sup>124</sup> Litigation remains ongoing against several others.

In another example, the Commission recently approved a \$100 million settlement with Walmart to resolve allegations that it was deceiving drivers about earnings they could receive

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<sup>120</sup> Press Release, Fed. Trade Comm’n, FTC Chairman Ferguson Warns Companies Against Censoring or Weakening the Data Security of Americans at the Behest of Foreign Powers (Apr. 21, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/08/ftc-chairman-ferguson-warns-companies-against-censoring-or-weakening-data-security-americans-behest>.

<sup>121</sup> Press Release, Fed. Trade Comm’n, FTC Launches Joint Labor Task Force to Protect American Workers (Feb. 26, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/02/ftc-launches-joint-labor-task-force-protect-american-workers>.

<sup>122</sup> *Id.* (“The task force will focus on, for example, prioritizing investigations and prosecutions of deceptive, unfair, or anticompetitive labor market conduct and coordinating all such actions across the Bureaus, creating information-sharing protocols across the FTC’s Bureaus and offices to exchange best practices for uncovering and investigating such conduct, and promoting research regarding harmful labor market practices to inform the FTC and the public.”).

<sup>123</sup> Press Release, Fed. Trade Comm’n, FTC, State of Nevada Take Action Against IM Mastery Academy for Deceiving Consumers (May 1, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/05/ftc-state-nevada-take-action-against-im-mastery-academy-deceiving-consumers>.

<sup>124</sup> Press Release, Fed. Trade Comm’n, Three Defendants in the IM Mastery Academy Scheme Agree to Pay \$2.5 Million to Settle FTC Allegations (Aug. 7, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/08/three-defendants-im-mastery-academy-scheme-agree-pay-25-million-settle-ftc-allegations>; Press Release, Fed. Trade Comm’n, Defendants in IM Mastery Academy Scheme to Pay \$10.5 Million to Settle FTC Allegations (Sept. 4, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/defendants-im-mastery-academy-scheme-pay-105-million-settle-ftc-allegations>.

delivering goods for its Spark Driver delivery service.<sup>125</sup> The complaint alleges that Walmart violated Section 5 of the FTC Act and the Gramm-Leach-Bliley Act by failing to consistently pay promised base pay, tips, and incentive payments to drivers for delivery jobs they completed on Walmart's Spark Driver platform.<sup>126</sup> The settlement bars bait-and-switch pay practices and requires greater accountability and transparency concerning driver earnings.

In addition, in August 2025, the Commission settled matters involving alleged violations of the FTC's Business Opportunity Rule. In August 2025, the Commission settled with the remaining defendant in its case against Ganadores, an alleged business opportunity scam, and related entities for allegedly making false or unsubstantiated earnings claims in selling real estate and ecommerce business opportunities.<sup>127</sup> The order permanently bans the defendant from marketing or selling any business coaching on e-commerce or real estate, requires him to back up claims he makes about how much consumers can earn using any product or service that he markets or sells, and imposes a monetary judgment of more than \$20 million.<sup>128</sup> The Commission's complaint alleges the defendants made false or unsubstantiated claims that small businesses and entrepreneurs who purchase defendants' services will or are likely to make substantial earnings, and that defendants failed to comply with the FTC's Business Opportunity Rule. In January 2026, the Commission secured settlements against all remaining defendants in another case involving alleged violations of the Business Opportunity Rule, where the defendants allegedly took in nearly \$50 million by deceptively advertising and selling various programs that would supposedly help consumers start an online business and earn substantial income, which rarely transpired. Proceeds from the court-ordered liquidation will be put toward refunding consumer victims.<sup>129</sup>

The Commission has also sought to protect workers from illegal investment or money making schemes that deprive them of hard-earned income. In January 2026, the court granted the FTC's and the Florida Attorney General's motion for a default judgment in our action against RivX, affiliated companies, and an individual. That action alleged that the RivX defendants defrauded consumers out of millions of dollars with deceptive promises of trucking industry

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<sup>125</sup> Press Release, Fed. Trade Comm'n, Walmart Agrees to \$100 Million Judgment to Settle FTC, States' Charges Over Deceptive Earnings Claims Related to the Company's Spark Driver Delivery Service (Feb. 26, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/02/walmart-agrees-100-million-judgment-settle-ftc-states-charges-over-deceptive-earnings-claims-related>; *see also* Statement of Chairman Andrew N. Ferguson, Joined by Comm'r Mark R. Meador, *In the Matter of Walmart Spark Driver*, Matter No. 2323055 (Feb. 26, 2026).

<sup>126</sup> The FTC brought this action with eleven state partners.

<sup>127</sup> Press Release, Fed. Trade Comm'n, Operator of Ganadores Ecommerce and Real Estate Business Opportunity Scam Faces Lifetime Ban as a Result of FTC Action (June 20, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/06/operator-ganadores-ecommerce-real-estate-business-opportunity-scam-faces-lifetime-ban-result-ftc>.

<sup>128</sup> *Id.*

<sup>129</sup> Press Release, Fed. Trade Comm'n, FTC Secures Settlement Banning Growth Cave Defendants from Marketing and Selling Business Opportunities and Credit Repair Programs (Jan. 27, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/01/ftc-secures-settlement-banning-growth-cave-defendants-marketing-selling-business-opportunities>.

investment opportunities.<sup>130</sup> The court banned the RivX defendants from offering business or investment opportunities and entered an \$8.39 million judgment against them. In April 2026, the Commission voted to accept a proposed administrative settlement with Publishing.com, LLC and its founders. The complaint alleges that Publishing.com falsely claimed that consumers were likely to earn substantial income by using the company’s self-publishing programs and services to publish e-books and audiobooks online. Under the proposed order, Publishing.com and its founders will pay \$1.5 million and will be prohibited from making misleading or unsubstantiated earnings claims. The proposed order also prohibits other conduct alleged in the complaint, including misrepresentations regarding endorsements, reviews, and the terms and conditions for refunds or cancellation.<sup>131</sup>

In April 2026, the Commission voted to approve settlements in two actions affecting workers who participate in multi-level marketing (MLM). One of the complaints allege that a high-ranking MLM participant used false or baseless earnings claims to recruit new members to join the MLMs. Under that proposed order, the MLM participant will be prohibited from making misleading or unsubstantiated earnings claims, and they will be required to provide evidence substantiating earnings claims upon request to any individual who expresses an interest in becoming a participant. In the second complaint, the Commission alleged that Forever Living Products International, LLC, a large multi-level marketer, and two of its senior executives also made false or baseless earnings claims to recruit new members. Under the Commission’s proposed order, the defendants will be prohibited from making misleading or unsubstantiated earnings claims, and will be required to provide U.S. consumers, upon request, evidence substantiating earnings claims.

Finally, the Commission protects workers who are franchisees. The Commission recently approved a complaint and stipulated order with Xponential Fitness, Inc., a franchisor of several brands of fitness studios, including Pure Barre, Club Pilates, and Yoga Six. The complaint alleges that, over several years, Xponential misrepresented important terms to induce prospective franchisees to enter into long-term franchise agreements with significant financial consequences. Most troublingly, the complaint alleges that Xponential represented that franchisees typically opened their studios within six months of signing their franchise agreement, when in reality Xponential’s own data, securities filings, and investor presentations showed that studios did not typically open within one year. Under the proposed order, Xponential will be prohibited from misrepresenting material facts regarding the franchise opportunity and will pay \$17 million—the

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<sup>130</sup> Press Release, Fed. Trade Comm’n, Federal Court Permanently Shuts Down Deceptive Trucking Business Opportunity (Jan. 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/01/federal-court-permanently-shuts-down-deceptive-trucking-business-opportunity>.

<sup>131</sup> Press Release, Fed. Trade Comm’n, Publishing.com to Pay \$1.5 Million for Misleading Consumers About How Much Income They Could Earn Using the Company’s Products and Services (Apr. 13, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/04/publishingcom-pay-15-million-misleading-consumers-about-how-much-income-they-could-earn-using>.

most the Commission has ever collected in a case brought under the Franchise Rule, and a sum that we will return to harmed franchisees.<sup>132</sup>

## 2. Ensuring Domestic Manufacturers Can Compete Fairly

The FTC is responsible for enforcing multiple laws and rules that address false, misleading, or unsubstantiated “Made in the USA” or country-of-origin claims, including Section 5 of the FTC Act,<sup>133</sup> the Made in USA Labeling Rule,<sup>134</sup> and other laws and rules addressing specific product categories (*e.g.*, textile, wool, and fur products) that require disclosures about the country where the product was processed or manufactured.<sup>135</sup> In March 2026, the President issued an Executive Order on Ensuring Truthful Advertising of Products Claiming to Be Made in America, which reinforces the federal government’s commitment to preventing deceptive or unsubstantiated U.S.-origin claims and supports the Commission’s ongoing efforts to protect consumers and honest American manufacturers.

Our enforcement priorities are twofold: (1) to protect Americans from deceptive “Made in the USA” advertising, thereby giving Americans confidence that their purchase of “Made in the USA” products supports American workers, manufacturing, and communities; and (2) to ensure that American businesses, who have made the necessary investments in domestic manufacturing, can compete fairly with other sellers by truthfully advertising their products as “Made in the USA.” It is important that we help American businesses showcase that their products are made by American workers and that American manufacturing is an engine of American innovation, job creation, and economic growth.

The Commission assiduously pursues its statutory mandate to protect Americans from deceptive “Made in the USA” and domestic origin claims. This month, the Commission secured the largest ever consumer redress award for an alleged Made in the USA violation as part of a proposed settlement with TouchTunes Music Company, LLC. The settlement resolves allegations that it deceptively claimed its electronic dartboards were “Made in the USA” even though essential components were imported from other countries. The proposed stipulated order, *inter alia*, would prohibit the defendant from making U.S. origin claims without adequate substantiation, from making misleading or unsubstantiated country-of-origin claims, and require \$625,000 in consumer redress.

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<sup>132</sup> Press Release, Fed. Trade Comm’n, FTC Secures Settlement Against Xponential Fitness for Franchise Rule Violations (Mar. 18, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/03/ftc-secures-settlement-against-xponential-fitness-franchise-rule-violations>. Importantly, this matter was “not a part of a crusade against the franchise industry,” which is “a hugely important part of the American economy.” Statement of Chairman Andrew N. Ferguson, *In the Matter of Xponential*, Matter No. 2423026, at 3 (Mar. 18, 2026). It is because this industry is so important that the Commission must protect honest and fair dealing within it. *Id.*

<sup>133</sup> 15 U.S.C. § 45; *see also* 15 U.S.C. § 45a.

<sup>134</sup> 16 C.F.R. Part 323. The Rule, which has been in effect since August 2021, prohibits the labeling of any product as “Made in the United States” unless (1) the final assembly or processing of the product occurs in the United States, (2) all significant processing that goes into the product occurs in the United States, and (3) all or virtually all ingredients or components of the product are made and sourced in the United States. *Id.*

<sup>135</sup> *See, e.g.*, Rules and Regulations under the Wool Products Labeling Act of 1939, 16 CFR Part 300; Rules and Regulations under the Textile Fiber Products Identification Act, 16 CFR Part 303; and Rule and Regulations Under Fur Products Labeling Act, 16 CFR Part 301.

In July 2025, Chairman Ferguson issued a proclamation designating July as “Made in the USA Month” at the Commission.<sup>136</sup> Commission staff also sent warning letters to a flag and flagpole retailer, a footwear manufacturer, an adult care company, and a sports equipment manufacturer regarding their unqualified “Made in the USA” representations about products that may be wholly imported.<sup>137</sup> In addition, the Director of the Bureau of Consumer Protection sent letters to Amazon and Walmart regarding third-party sellers on those online platforms who may be making deceptive “Made in the USA” claims about their products.<sup>138</sup> Since then, the FTC continues to build off the momentum generated during Made in the USA Month. In addition to the TouchTunes settlement, Commission staff is issuing closing letters to two businesses after counseling them into compliance with the Made in the USA standard.

#### IV. COMPETITION MISSION

The FTC seeks to protect the American public from harmful monopolies, collusion, and consolidation by effectively and efficiently using the resources that Congress has provided. Antitrust law enforcement is critical to ensuring that markets serving Americans remain robustly competitive to deliver lower pricing, increased innovation, better quality products, higher wages, and other significant and tangible benefits. Vigorous antitrust law enforcement is also critical to growing a dynamic economy. Recent history has shown how Americans lose when markets become more consolidated and less competitive, and the Bureau of Competition serves as the bulwark against consolidated markets by reviewing mergers and acquisitions and addressing anticompetitive conduct. The Commission will continue to investigate and act where competitive problems emerge.

A primary tool that the agency uses to identify and investigate potentially anticompetitive transactions is reviewing proposed transactions reported to the antitrust agencies under the Hart-Scott-Rodino Act (HSR), 15 U.S.C. §18a. The Commission, however, will not stand in the way of benign transactions. Unlike the previous administration, the Trump-Vance Commission has resumed granting early termination for deals that pose no risk to competition. The Commission has no interest in obstructing or delaying mergers and acquisitions that do not present competition issues.

Injecting and preserving competition in American healthcare markets is a critical focus of the Commission. Our healthcare markets are often mired in complexity, misaligned incentives, and pricing structures that are opaque by design. The Commission is committed to using all of the tools at its disposal to ensure healthcare is available, affordable, and effective for the American people. And in this last year we have delivered concrete results. To give just two examples, in the *Edwards* case the Commission succeeded in blocking an anticompetitive merger

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<sup>136</sup> Press Release, Fed. Trade Comm’n, Federal Trade Commission Chairman Andrew N. Ferguson Issues Statement on ‘Made in the USA’ Month (July 1, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/07/federal-trade-commission-chairman-andrew-n-ferguson-issues-statement-made-usa-month>.

<sup>137</sup> Press Release, Fed. Trade Comm’n, Federal Trade Commission Warns Companies to Comply with ‘Made in USA’ Requirements (July 8, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/07/federal-trade-commission-warns-companies-comply-made-usa-requirements> (referencing warning letters to Americana Liberty, Oak Street Manufacturing, LLC, Pro Sports Group LLC, and USA Big Mountain Paper Inc.).

<sup>138</sup> *See id.*

of the only two firms in the FDA approval pipeline for an innovative medical device used to treat aortic regurgitation, a deadly heart disease.<sup>139</sup> In the recently announced settlement with Express Scripts, one of the largest PBMs, the Commission injected transparency, competition, and aligned incentives in one of the most challenging areas of the healthcare industry.<sup>140</sup>

Building on these results, the Commission recently launched a healthcare task force, combining the resources and efforts of the Commission’s various bureaus and offices to “take a coordinated, integrated approach to healthcare enforcement and advocacy.”<sup>141</sup> Specifically, it will “identify and lead targeted enforcement and advocacy initiatives focused on key priorities within the healthcare space,” “devis[ing] coherent agency-wide strategies on new and nascent investigations, institut[ing] a proactive and strategic approach to identifying amicus and statement of interest opportunities and conduct[ing] ongoing horizon-scanning exercises to identify emerging issues and new priority areas for enforcement and advocacy.”<sup>142</sup> This task force will deliver on President Trump’s directive to make healthcare “more competitive, innovative, affordable, and higher quality.”<sup>143</sup>

Protecting workers from anticompetitive, onerous, and stifling labor practices, such as overbroad or unreasonable noncompete agreements, no-hire provisions, and DEI collusion, is a renewed focus of the Commission. For too long, the antitrust agencies ignored harm to workers stemming from anticompetitive conduct and mergers and acquisitions. Depriving individuals of opportunities to flourish, to make the most of their talent, and to profit from their skills and hard work improperly restricts and inhibits the American workforce. We have an obligation to investigate, root out, and deter these practices wherever possible when they violate the antitrust laws. As part of this invigorated effort at the Commission, and as described above, the FTC Chairman has created a Joint Labor Task Force to protect American workers by gathering information, coordinating resources, initiating new investigations, engaging in public-facing advocacy work, and resolving labor-related antitrust disputes—whether through litigation or settlement.<sup>144</sup>

Since January 2025, the Commission has been busy and diligent in enforcing the antitrust laws to the benefit of consumers across the nation. Our investigations, litigations, settlements, and other actions have positively affected Americans in national and local markets, and we will

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<sup>139</sup> See *FTC v. Edwards Lifesciences Corp.*, 2026 WL 228723 (D.D.C. Jan. 9, 2026).

<sup>140</sup> Press Release, Fed. Trade Comm’n, FTC Secures Landmark Settlement with Express Scripts to Lower Drug Costs for American Patients (Feb. 4, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/02/ftc-secures-landmark-settlement-express-scripts-lower-drug-costs-american-patients>.

<sup>141</sup> Memorandum from Andrew N. Ferguson, Chairman, to Daniel Guernara, Director, Bureau of Competition, et al., *Directive Regarding Healthcare Task Force*, at 2 (Mar. 20, 2026), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/Memorandum-Ferguson-re-Healthcare-Task-Force.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/Memorandum-Ferguson-re-Healthcare-Task-Force.pdf).

<sup>142</sup> *Id.*

<sup>143</sup> Exec. Order No. 142218 (Feb. 25, 2025), <https://www.whitehouse.gov/presidential-actions/2025/02/making-america-healthy-again-by-empowering-patients-with-clear-accurate-and-actionable-healthcare-pricing-information/>.

<sup>144</sup> Press Release, Fed. Trade Comm’n, FTC Launches Joint Labor Task Force to Protect American Workers (Feb. 26, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/02/ftc-launches-joint-labor-task-force-protect-american-workers>.

continue this important work. Below, we describe some of the Commission’s public achievements and highlights.

### **A. Merger Reporting Form and Instructions**

As mentioned, the Commission reviews proposed deals that are reported under HSR. HSR forbids merging firms from consummating their merger until some period after notifying the Commission and the Department of Justice Antitrust Division. Obviously, the antitrust agencies need information about the proposed transactions to review them. So Congress gave the Commission authority to promulgate rules governing HSR notification requirements.<sup>145</sup> In October 2024, the Commission voted to update the HSR notification form requirements and instructions and these updates went into effect on February 10, 2025.<sup>146</sup> Among other updates, the updated form also incorporated congressionally mandated foreign subsidy disclosure obligations to help address influences that distort the competitive process and are “particularly problematic when granted by countries or entities that constitute a strategic or economic threat to United States interests.”<sup>147</sup>

The updated form was in place for over a year. On February 12, 2026, a federal district court vacated the updated form, and the U.S. Court of Appeals for the Fifth Circuit subsequently denied the FTC’s motion to stay the district court’s vacatur pending appeal. Therefore, the district court’s order is effective and the antitrust agencies are accepting HSR filings using the form and instructions that were in place before February 10, 2025.<sup>148</sup>

When the Commission voted to adopt the updated form, then-Commissioner, now Chairman Ferguson stated that the revisions included “some important, lawful updates” to allow the federal antitrust agencies to fulfill “Congress’s mandate to conduct premerger review,” and that post-promulgation “experience almost certainly will reveal that the Final Rule can be improved.”<sup>149</sup> The Commission continues to believe that the information required by the prior, nearly 50-year-old form was insufficient to review modern mergers and acquisitions. And regardless of the outcome of the pending appeal, the Commission is considering engaging in a new rulemaking process.

To that end, last month, the Commission and the Department of Justice Antitrust Division

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<sup>145</sup> See *Pharm. Rsch. & Mfrs. of Am. v. FTC*, 790 F.3d 198, 208 (D.C. Cir. 2015) (“There is no doubt that the Commission’s action was taken pursuant to express delegations of authority. The Act grants the FTC the authority to act by rulemaking.” (citing 15 U.S.C. § 18a)).

<sup>146</sup> Press Release, Fed. Trade Comm’n, FTC Finalizes Changes to Premerger Notification Form (Oct. 10, 2024), <https://www.ftc.gov/news-events/news/press-releases/2024/10/ftc-finalizes-changes-premerger-notification-form>.

<sup>147</sup> Merger Filing Modernization Act of 2022, Title II, Pub. L. 117-329, Div. GG, sec. 201(a)(1) at 3826, 136 Stat. 4459.

<sup>148</sup> As of the date of this testimony, the agency continues to accept HSR filings made pursuant to the February 10, 2025, Form and Instructions should filers voluntarily decide to submit them. Filers should continue to monitor the PNO website for further guidance.

<sup>149</sup> Concurring Statement of Comm’r Andrew N. Ferguson, In re Amendments to the Premerger Notification and Report Form and Instructions, and the Hart-Scott-Rodino Rule 16 C.F.R. Parts 801 and 803, Matter No. P239300, at 1, 14 (Oct. 10, 2024).

issued a Request for Information (RFI), calling on the public—including consumers, legal practitioners, industry representatives, workers, businesses, startups, potential market entrants, investors, and academics—to comment on the updated form for potential areas of improvement.<sup>150</sup> The antitrust agencies seek to understand, with the benefit of over a year’s worth of experience with the updated form, whether the updated form’s requirements effectively fulfill their intended purpose, i.e., to enable the antitrust agencies to identify potentially anticompetitive mergers more efficiently and to determine more quickly whether a deal would require the issuance of Second Requests to conduct an in-depth antitrust investigation.<sup>151</sup> The antitrust agencies also want to ensure that the requirements of the updated form do not impose burdens on filers that outweigh the usefulness of the information provided to the antitrust agencies. The RFI also seeks input on whether additional modifications to the updated form may be warranted to address developments affecting the HSR review process that have emerged over the past year.

The antitrust agencies’ goal is to reduce the burden for non-problematic transactions while also making necessary updates informed by lessons learned from the recent implementation of the updated form.

## **B. Merger Litigations**

We are always willing to settle cases and save government resources when doing so will benefit American consumers and competition. At the same time, we are not afraid to vigorously litigate cases—all the way through trial—when warranted.

In August 2025, the FTC moved to block medical device supplier Edwards Lifesciences Corp.’s proposed acquisition of JenaValve Technology, Inc. After a hearing in November, a federal court issued a preliminary injunction preventing the parties from completing their transaction.<sup>152</sup> The parties abandoned the transaction in response to the court’s order.<sup>153</sup> The FTC’s complaint alleged that JenaValve is on the verge of receiving FDA approval for the first transcatheter aortic valve replacement devices (TAVR-AR devices) to treat a potentially fatal heart condition called aortic regurgitation. More than eight million Americans suffer from this condition, which currently can only be safely and effectively treated through open-heart surgery.<sup>154</sup> The FTC’s complaint further alleged that, twenty-four hours before Edwards inked its deal with JenaValve, Edwards closed on a separate transaction to purchase JC Medical, the

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<sup>150</sup> Press Release, Fed. Trade Comm’n, Federal Trade Commission and Department of Justice Seek Public Comment on the Premerger Notification and Report Form (Mar. 25, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/03/federal-trade-commission-department-justice-seek-public-comment-premerger-notification-report-form>.

<sup>151</sup> *Id.*

<sup>152</sup> See *FTC v. Edwards Lifesciences Corp.*, 2026 WL 228723 (D.D.C. Jan. 9, 2026).

<sup>153</sup> Press Release, Fed. Trade Comm’n, Statement on FTC Victory Halting Anticompetitive Medical Device Deal (Jan. 12, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/01/statement-ftc-victory-halting-anticompetitive-medical-device-deal>.

<sup>154</sup> Press Release, Fed. Trade Comm’n, FTC Challenges Anticompetitive Medical Device Deal (Aug. 6, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/08/ftc-challenges-anticompetitive-medical-device-deal>.

company next closest to FDA approval for a TAVR-AR device.<sup>155</sup> Edwards' proposed acquisition of JenaValve would have combined the only two companies in the United States with ongoing clinical trials for a TAVR-AR device. According to the complaint, the proposed acquisition threatened to reduce competition in the market, which likely would have reduced innovation, diminished product quality, and increased prices for consumers.<sup>156</sup>

In another medical device matter, the FTC sued to block GTCR BC Holdings, LLC's acquisition of Surmodics, Inc. in March 2025. GTCR currently owns a majority stake in Biocoat, Inc., one of the largest providers of outsourced hydrophilic coatings, second only to Surmodics. The FTC charged that the proposed acquisition would create a combined company controlling more than 50% of the market for outsourced hydrophilic coatings, which medical device manufacturers use in devices such as catheters and guidewires.<sup>157</sup> According to the complaint, GTCR's acquisition of Surmodics would lead to a highly concentrated market and eliminate significant head-to-head competition between Biocoat, Inc., and Surmodics, changing the competitive dynamics that have spurred lower prices, higher quality coatings, and product innovation.<sup>158</sup> Although the court ultimately issued an unfavorable decision for the Commission, the complaint prompted the defendants to execute a divestiture of a portion of its coatings, restoring some measure of competition to the market. Though not an ideal outcome, we still managed to procure a better outcome for consumers than they would have received absent a lawsuit.<sup>159</sup>

In December 2025, the Commission sued for a permanent injunction in federal court to block Henkel AG & Co. KGaA's \$725 million acquisition of Liquid Nails, which would combine the two main competitors of construction adhesives sold at retail stores like The Home Depot, Lowe's, Ace Hardware, and others.<sup>160</sup> Henkel's Loctite brand construction adhesives compete fiercely with Liquid Nails on price, quality, and innovation, all of which benefit homebuilders and Americans seeking or needing home improvement projects.<sup>161</sup> The Commission's challenge to the combination targeted exactly the type of anticompetitive behavior that the antitrust laws were written to address, and preserving this competition will have an immediate impact on millions of Americans seeking these products at home improvement retail stores. The matter is pending in the Southern District of New York and trial is set to begin in July 2026.

### C. Conduct Litigations

The Commission's enforcement action against the three largest PBMs and their affiliated group purchasing organizations (GPOs) remains ongoing with respect to Caremark Rx and

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<sup>155</sup> *Id.*

<sup>156</sup> *Id.*

<sup>157</sup> Press Release, Fed. Trade Comm'n, FTC Challenges Medical Device Coatings Deal (Mar. 6, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/03/ftc-challenges-medical-device-coatings-deal>.

<sup>158</sup> *Id.*

<sup>159</sup> *FTC v. GTCR, LLC*, 25-cv-02391, Dkt. 445 (Nov. 10, 2025).

<sup>160</sup> Press Release, Fed. Trade Comm'n, FTC Sues to Stop Loctite, Liquid Nails Construction Adhesive Merger (Dec. 11, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/ftc-sues-stop-loctite-liquid-nails-construction-adhesive-merger>.

<sup>161</sup> *Id.*

OptumRx—as described above, the Commission voted to accept a historic settlement with Express Scripts and its affiliated entities. The FTC’s complaint alleges that these PBMs engage in anticompetitive and unfair rebating practices that have artificially inflated the list price of insulin drugs, impaired patients’ access to lower list price insulin products, and shifted the cost of high insulin list prices to vulnerable patients.<sup>162</sup> As the FTC alleges in its complaint, Americans are paying too much for prescription drugs, including life-saving drugs like insulin, and the PBMs are at the center of this market.<sup>163</sup> Prescription drug prices in the United States are nearly three times higher than in other countries. This matter provides an example of the Commission’s dual mandates for competition and consumer protection being exercised in a single complaint.

In addition, the Commission has joined with 17 state attorneys general in a monopolization lawsuit against Amazon, alleging that the company has engaged in a course of exclusionary conduct to maintain its monopoly in the online superstore and the online marketplace services markets. The complaint alleges that Amazon has stopped sellers from lowering prices, degraded quality for shoppers, overcharged sellers, stifled innovation, and prevented rivals from fairly competing.<sup>164</sup> These alleged tactics include anti-discounting measures that deter online sellers from offering lower prices than Amazon, which keeps prices higher for products across the internet, as well as conditioning online vendors’ ability to obtain Prime status for their products on vendors purchasing Amazon’s costly fulfillment services.<sup>165</sup> The FTC’s complaint alleges that, through a number of business practices, Amazon actively deters third-party sellers from offering lower prices for their products on sites other than Amazon’s.<sup>166</sup> FTC staff recently completed pre-trial fact discovery. Trial is set for March 2027 in the Western District of Washington.

Preventing the abuse of monopoly power that harms American farmers also continues to be a priority for the Commission. The FTC continues to litigate a case filed in September 2022 with a bipartisan coalition of ten state attorneys general that charges the two largest pesticides manufacturers, Syngenta Crop Protection and Corteva, Inc., with maintaining their monopoly positions by paying distributors to block competitors from selling farmers their cheaper generic products. The complaint alleges that Syngenta and Corteva rely on pay-to-block schemes in which distributors get paid only if they limit their dealings with competing manufacturers.<sup>167</sup> This past February, the Commission completed its dispositive motion briefings and expects trial

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<sup>162</sup> Press Release, Fed. Trade Comm’n, FTC Secures Landmark Settlement with Express Scripts to Lower Drug Costs for American Patients (Feb. 4, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/02/ftc-secures-landmark-settlement-express-scripts-lower-drug-costs-american-patients>.

<sup>163</sup> *Id.*

<sup>164</sup> Press Release, Fed. Trade Comm’n, FTC Sues Amazon for Illegally Maintaining Monopoly Power (Sept. 26, 2023), <https://www.ftc.gov/news-events/news/press-releases/2023/09/ftc-sues-amazon-illegally-maintaining-monopoly-power>.

<sup>165</sup> *Id.*

<sup>166</sup> *Id.*

<sup>167</sup> Press Release, Fed. Trade Comm’n, FTC and State Partners Sue Pesticide Giants Syngenta and Corteva for Using Illegal Pay-to-Block Scheme to Inflate Prices for Farmers (Sept. 29, 2022), <https://www.ftc.gov/news-events/news/press-releases/2022/09/ftc-state-partners-sue-pesticide-giants-syngenta-corteva-using-illegal-pay-block-scheme-inflate>.

to commence later this year. This matter is pending in federal court in the Middle District of North Carolina.

The Commission is also pursuing monopolization claims against Deere & Co., alleging that Deere has forced farmers who rely on its equipment to use only authorized dealers for necessary repairs.<sup>168</sup> As agricultural equipment becomes increasingly complex, repairs require access to not only parts, but also software tools to diagnose a problem and return the machinery to the field to avoid lengthy downtime that may affect yields and profits for farmers. In its complaint, which is joined by the states of Illinois and Minnesota, the FTC alleges that Deere maintained its monopoly for repair of certain large agricultural equipment by making a key diagnostic tool for that equipment available only to Deere dealers, denying farmers the ability to repair their own equipment or choose their preferred service provider.<sup>169</sup> In June 2025, the court denied defendant’s motion to dismiss.<sup>170</sup> This matter is pending in federal court in the Northern District of Illinois.

In September 2025, the Commission sued Zillow, Inc., and Redfin Corporation, alleging that they entered into an unlawful arrangement under which Zillow paid Redfin—Zillow’s direct horizontal competitor—to exit the market for advertising of rental housing on internet listing services.<sup>171</sup> Landlords rely on Zillow and Redfin to advertise rental listings and millions of Americans use these services to secure affordable rental housing. The complaint alleges that the arrangement eliminates important and significant head-to-head competition between Zillow and Redfin, which will lead to higher prices, lower quality, and reduced innovation.<sup>172</sup> This will harm both Americans who list rentals and Americans who rent their housing. The case is currently in the discovery stage in the Eastern District of Virginia, with a likely trial in the summer of 2026.

The Commission’s lawsuit against the largest U.S. distributor of wine and spirits, Southern Glazer’s Wine and Spirits, LLC, remains ongoing after the court denied the defendant’s motion to dismiss in April 2025.<sup>173</sup> The FTC’s complaint alleges that the company violated the Robinson-Patman Act, harming small, independent businesses by depriving them of access to discounts and rebates, and by limiting their ability to compete against large national and regional chains.<sup>174</sup> The complaint further alleges that Southern engaged in anticompetitive and unlawful price discrimination by selling wine and spirits to small, independent “mom and pop” businesses

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<sup>168</sup> Press Release, Fed. Trade Comm’n, FTC, States Sue Deere & Company to Protect Farmers from Unfair Corporate Tactics, High Repair Costs (Jan. 15, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/01/ftc-states-sue-deere-company-protect-farmers-unfair-corporate-tactics-high-repair-costs>.

<sup>169</sup> *Id.*

<sup>170</sup> *FTC v. Deere & Co.*, No. 25-cv-50017, 2025 WL 1638474 (June 9, 2025).

<sup>171</sup> Press Release, Fed. Trade Comm’n, FTC Sues Zillow and Redfin Over Illegal Agreement to Suppress Rental Advertising Competition (Sept. 30, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-sues-zillow-redfin-over-illegal-agreement-suppress-rental-advertising-competition>.

<sup>172</sup> *Id.*

<sup>173</sup> *FTC v. Southern Glazer’s Wine and Spirits, LLC*, 8:24-cv-02684-FWS-ADS (C.D. Cal., Apr. 17, 2025).

<sup>174</sup> Press Release, Fed. Trade Comm’n, FTC Sues Southern Glazer’s for Illegal Price Discrimination (Dec. 12, 2024), <https://www.ftc.gov/news-events/news/press-releases/2024/12/ftc-sues-southern-glazers-illegal-price-discrimination>.

at prices that are drastically higher than what Southern charges large chains.<sup>175</sup> Under the Robinson-Patman Act, it is generally illegal for sellers to engage in price discrimination that harms competition by charging higher prices to disfavored retailers that purchase similar goods. The Commission seeks to ensure that businesses of all sizes compete on a level playing field with equivalent access to discounts and rebates, which means increased consumer choice and the ability to pass on lower prices to consumers shopping across independent retailers. The matter is pending in federal court in the Central District of California.

In 2023, the Commission sued Welsh Carson and its portfolio company, U.S. Anesthesia Partners (USAP), for systematically acquiring a number of independent anesthesia practices in the Houston and Dallas-Fort Worth metropolitan areas. The complaint alleges that this roll-up strategy gave USAP monopoly power, and that it used that monopoly power to raise prices for anesthesia services above competitive levels.<sup>176</sup> That conduct, the complaint alleged, violated Section 2 of the Sherman Act, Section 5 of the FTC Act, and Section 7 of the Clayton Act.<sup>177</sup> The court upheld the claims against USAP in the face of several statutory and constitutional arguments, finding “USAP acquired at least 15 anesthesia groups over the last 12 years. USAP continues to hold these companies. Even though the acquisitions themselves have closed, maintaining the assets of these companies could constitute a violation of antitrust law appropriately pursued under Section 13(b).”<sup>178</sup> Although the federal court dismissed Welsh Carson from the case, the company subsequently agreed to an FTC order limiting its ownership rights in USAP and requiring it to obtain prior approval for future investments in certain healthcare providers.<sup>179</sup> The federal court case involving USAP is pending in the Southern District of Texas.

FTC staff continues its historic litigation against Meta, in which the Commission alleged that the company violated the antitrust laws through its consummated acquisitions of Instagram and WhatsApp. These two acquisitions eliminated competition and entrenched Meta’s monopoly power to the detriment of consumers and the marketplace.<sup>180</sup> The lawsuit commenced during the first Trump administration and sought, in addition to other forms of relief, divestiture of the two acquired companies. Though the district court ruled against us, the Commission is appealing the decision in an effort to restore competition and all its benefits for personal social networking services.<sup>181</sup>

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<sup>175</sup> *Id.*

<sup>176</sup> Press Release, Fed. Trade Comm’n, FTC Challenges Private Equity Firm’s Scheme to Suppress Competition in Anesthesiology Practices Across Texas (Sept. 21, 2023), <https://www.ftc.gov/news-events/news/press-releases/2023/09/ftc-challenges-private-equity-firms-scheme-suppress-competition-anesthesiology-practices-across>.

<sup>177</sup> *Id.*

<sup>178</sup> *FTC v. U.S. Anesthesia Partners, Inc.*, No. 4:23-cv-03560, 2024 WL 2137649 (S.D. Tex. May 13, 2024).

<sup>179</sup> Press Release, Fed. Trade Comm’n, FTC Secures Settlement with Private Equity Firm in Antitrust Roll-Up Scheme Case (Jan. 17, 2025), <https://www.ftc.gov/news-events/news/press-releases/2023/09/ftc-challenges-private-equity-firms-scheme-suppress-competition-anesthesiology-practices-across>.

<sup>180</sup> Press Release, Fed. Trade Comm’n, FTC Sues Facebook for Illegal Monopolization (Dec. 9, 2020), <https://www.ftc.gov/news-events/news/press-releases/2020/12/ftc-sues-facebook-illegal-monopolization>.

<sup>181</sup> Press Release, Fed. Trade Comm’n, FTC Appeals Ruling in Meta Monopolization Case (Jan. 20, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/01/ftc-appeals-ruling-meta-monopolization-case>.

## D. Merger Settlements & Favorable Outcomes for American Consumers

In addition to our litigation work, we have also procured a number of important settlements that benefit American consumers.

In May 2025, the FTC entered into a consent order requiring Synopsys, Inc., and Ansys, Inc., to divest certain assets to resolve competitive concerns in their \$35 billion merger. The FTC's order will preserve competition across several software tool markets that are critical for the design of semiconductors and light simulation devices, which are used for designing the digital products that power Americans' daily lives.<sup>182</sup> As part of the consent order, Synopsys was required to divest its optical and photonic software tools, which enable engineers to design and simulate optical devices and devices that use photons as a signal to transmit information (e.g., fiber optic cables).<sup>183</sup> Ansys was required to divest a power consumption analysis tool used to measure and optimize the power consumption of digital chips during an early design stage. Synopsys and Ansys directly competed in the relevant markets.<sup>184</sup> Without the consent decree, the transaction would have resulted in the elimination of this head-to-head competition, leading to higher prices and decreased innovation to the detriment of device manufacturers and consumers. The divestiture assets were sold to Keysight Technologies, Inc.<sup>185</sup>

In June 2025, the Commission took action to preserve competition and ensure lower prices when Americans go to the pump to fill their cars by requiring a divestiture of 35 gas stations arising out of Alimentation Couche-Tard Inc.'s \$1.57 billion acquisition of gas stations from Giant Eagle, Inc. The acquisition would have eliminated important existing competition between the two entities in 35 local markets across Indiana, Ohio, and Pennsylvania. The Commission alleged that the two companies closely monitored each other when setting prices for both gasoline and diesel and competed on several non-price dimensions.<sup>186</sup> The divestiture to Majors Management, LLC, will ensure that vigorous and robust competition continues in this area critical to everyday life in America.<sup>187</sup>

In a similar vein, in November 2025, the FTC also took action to save Americans money when they go to a quick-lube oil change outlet to have their car serviced, requiring divestiture of 45 quick-lube oil shops as part of Valvoline Inc.'s \$625 million acquisition of assets from

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<sup>182</sup> Press Release, Fed. Trade Comm'n, FTC Approves Final Divestiture Order in Synopsys and Ansys Deal (Oct. 17, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/10/ftc-approves-final-divestiture-order-synopsys-ansys-deal>.

<sup>183</sup> *Id.*

<sup>184</sup> *Id.*

<sup>185</sup> Press Release, Fed. Trade Comm'n, FTC to Require Synopsys and Ansys to Divest Assets to Proceed with Merger (May 28, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/05/ftc-require-synopsys-ansys-divest-assets-proceed-merger>; Press Release, Fed. Trade Comm'n, FTC Approves Final Divestiture Order in Synopsys and Ansys Deal (Oct. 17, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/10/ftc-approves-final-divestiture-order-synopsys-ansys-deal>.

<sup>186</sup> Press Release, Fed. Trade Comm'n, FTC Takes Action to Prevent Anticompetitive Effects of Retail Gas Station Deal (June 26, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/06/ftc-takes-action-prevent-anticompetitive-effects-retail-gas-station-deal>.

<sup>187</sup> *Id.*; Press Release, Fed. Trade Comm'n, FTC Approves Final Consent Order in ACT-Giant Eagle Deal (Nov. 19, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/11/ftc-approves-final-consent-order-act-giant-eagle-deal>.

Greenbriar Equity Fund V., L.P. Valvoline was seeking to acquire 200 quick-lube oil change outlets from Greenbriar, but the Commission alleged that 45 of them meaningfully competed against each other in 25 different local markets across eight states—California, Kentucky, Idaho, Illinois, Indiana, Michigan, Washington, and Wisconsin.<sup>188</sup> According to the complaint, these outlets competed on price, couponing, speed, convenience, quality of service, and other factors.<sup>189</sup> The divestiture to Main Street Auto, LLC, will maintain this competition and keep prices down for Americans in everyday life.<sup>190</sup>

Also in June 2025, the FTC took action to resolve antitrust concerns related to Omnicom Group Inc.’s \$13.5 billion acquisition of The Interpublic Group of Companies, Inc (IPG). Omnicom and IPG are the third- and fourth-largest media buying advertising agencies in the United States. These agencies facilitate media buying by representing advertisers in negotiations with media publishers over conditions such as pricing, ad placement, and sponsorships, as well as by helping execute advertisers’ ad campaigns. The FTC’s complaint alleged that this industry was plagued by collusion from organizations like the World Federation of Advertisers’ Global Alliance for Responsible Media (“GARM”) that sought to coordinate ad placement across advertisers and agencies with the intent of denying ad revenue to politically disfavored websites.<sup>191</sup> The order imposes restrictions that prevent the combined company from engaging in collusion or coordination to direct advertising away from media publishers based on the publishers’ political or ideological viewpoints, protecting competition between ad agencies and the open exchange of information in public discussion and debate.<sup>192</sup>

In December 2025, the FTC acted to protect competition in large commercial and military aircraft markets, which are critical to American commercial travelers and national security, by requiring The Boeing Company to divest significant Spirit AeroSystems Holdings, Inc., assets to resolve antitrust concerns surrounding the parties’ \$8.3 billion transaction. As part of the order, Boeing will divest, to Airbus SE, key Spirit businesses that currently supply aerostructures to Airbus, and divest to an independent operator a Malaysian plant that supplies both Boeing and Airbus.<sup>193</sup> The order also requires Boeing to continue to provide aerostructures and aerostructure services to competing contractors for military aircraft programs.<sup>194</sup> Existing

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<sup>188</sup> Press Release, Fed. Trade Comm’n, FTC Requires Divestiture of Oil Change Shops in Valvoline-Greenbriar Deal (Nov. 14, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/11/ftc-requires-divestiture-oil-change-shops-valvoline-greenbriar-deal>.

<sup>189</sup> Complaint, *In re Valvoline, Inc.*, Matter No. 2510058, ¶ 8 (Nov. 14, 2025).

<sup>190</sup> Press Release, Fed. Trade Comm’n, FTC Requires Divestiture of Oil Change Shops in Valvoline-Greenbriar Deal (Nov. 14, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/11/ftc-requires-divestiture-oil-change-shops-valvoline-greenbriar-deal>.

<sup>191</sup> Complaint, *In re Omnicom Group Inc.*, Matter No. 2510049, ¶¶ 17–18 (Sept. 26, 2025).

<sup>192</sup> Press Release, Fed. Trade Comm’n, FTC Prevents Anticompetitive Coordination in Global Advertising Merger (June 23, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/06/ftc-prevents-anticompetitive-coordination-global-advertising-merger>; Press Release, Fed. Trade Comm’n, FTC Alters Final Consent Order in Response to Public Comments, Preventing Coordination in Global Advertising Merger (Sept. 26, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-alters-final-consent-order-response-public-comments-preventing-coordination-global-advertising>.

<sup>193</sup> Press Release, Fed. Trade Comm’n, FTC Requires Boeing to Divest Several Spirit Assets to Proceed with Mergers (Dec. 3, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/ftc-requires-boeing-divest-several-spirit-assets-proceed-merger>.

<sup>194</sup> *Id.*

contracts with other contractors must be maintained and the acquired business shall continue to be available as a supplier for future competitors.<sup>195</sup> Boeing also cannot discriminate against competing military aircraft companies in its dealings and must install a firewall, protecting its competitors' confidential information.<sup>196</sup> These provisions prevent Boeing from raising its competitors' costs or degrading their access to inputs, and they also prevent Boeing from misusing its competitors' sensitive information for its own advantage.

Also in December 2025, the Commission entered into a record settlement with Seven & i Holdings Co., Ltd. (7-Eleven) for an alleged consent order violation that eliminated fuel outlet competition. As part of 7-Eleven's \$3.3 billion acquisition of 1,100 fuel outlets from Sunoco, the Commission required divestitures in 76 local markets to preserve competition on price and other aspects to benefit consumers across several states.<sup>197</sup> Additionally, 7-Eleven agreed to provide the FTC with prior notice if it acquired specific additional fuel outlets that would likely pose competitive problems.<sup>198</sup> The complaint alleged that, shortly after entering into the settlement and completing its transaction with Sunoco, 7-Eleven violated the order by acquiring a St. Petersburg, Florida, outlet without providing prior notice to the Commission because 7-Eleven's internal controls to comply with the FTC's order were wholly inadequate.<sup>199</sup> The Commission filed suit against 7-Eleven, and the parties ultimately settled with 7-Eleven paying a record \$4.5 million in civil penalties, divesting the St. Petersburg outlet, and agreeing to additional prior approval and prior notice requirements to ensure that 7-Eleven does not further consolidate local fuel markets identified in the settlement agreement.<sup>200</sup>

In January 2026, the Commission voted out a proposed consent order related to Sevita Health's \$835 million acquisition of BrightSpring's ResCare community living division. The proposed order protects competition in residential services for individuals with intellectual and developmental disabilities in three states. As part of the proposed order, Sevita must divest 128 intermediate care facilities and other assets, such as day-training programs, to Dungan Group, Inc., an experienced and well-regarded operator of intermediate care facilities.<sup>201</sup> These divestitures ensure that consumers in certain markets within Indiana, Louisiana, and Texas will continue to benefit from competition between community living providers that compete on quality and choice.<sup>202</sup> Critically, a reduction in choice would lead to a reduction in the variety of

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<sup>195</sup> *Id.*

<sup>196</sup> *Id.*; Press Release, Fed. Trade Comm'n, FTC Finalizes Consent Order in Boeing, Spirit Acquisition (Feb. 17, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/02/ftc-finalizes-consent-order-boeing-spirit-acquisition>.

<sup>197</sup> Press Release, Fed. Trade Comm'n, FTC Requires Divestitures as Condition of 7-Eleven, Inc. Parent Company's \$3.3 Billion Acquisition of Nearly 1,100 Retail Fuel Outlets from Competitor Sunoco (Jan. 19, 2018), <https://www.ftc.gov/news-events/news/press-releases/2018/01/ftc-requires-divestitures-condition-7-eleven-inc-parent-companys-33-billion-acquisition-nearly-1100>.

<sup>198</sup> *Id.*

<sup>199</sup> Press Release, Fed. Trade Comm'n, 7-Eleven to Pay Record \$4.5 Million Penalty to Settle FTC Antitrust Order Violation Case (Dec. 8, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/7-eleven-pay-record-45-million-penalty-settle-ftc-antitrust-order-violation-case>.

<sup>200</sup> *Id.*

<sup>201</sup> Press Release, Fed. Trade Comm'n, FTC Takes Action to Prevent Anticompetitive Healthcare Services Mergers (Jan. 30, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/01/ftc-takes-action-prevent-anticompetitive-healthcare-services-merger>.

<sup>202</sup> *Id.*

the providers, curtailing families' ability to select facilities aligned with their unique needs and preferences.<sup>203</sup>

At times, rather than risk facing the FTC in court, parties to a merger elect to abandon their transaction in the wake of staff identifying serious competitive concerns during the course of the investigation. For example:

In June 2025, Owens & Minor, Inc., terminated its proposed acquisition of Rotech Healthcare Holdings Inc., finding that “the path to obtain[ing] regulatory clearance [from the FTC] proved unviable . . . .”<sup>204</sup> FTC staff determined that the deal would have combined two of the leading durable medical equipment distributors in the United States, eliminating significant competition between these firms in numerous local markets throughout the country. The durable medical equipment at issue included, among other products, ventilators and oxygen therapy. Based on its investigation, FTC staff believed that the loss of competition would have resulted in higher prices and reduced service (including longer delivery times) for patients; patients experiencing limited access to healthcare, especially in rural areas, would likely have been disproportionately harmed by the effects of this merger.

In November 2025, Metsera, Inc. determined that its proposed transaction with Novo Nordisk A/S presented “unacceptably high legal and regulatory risk.”<sup>205</sup> In a letter from the Director of the FTC’s Bureau of Competition, potential concerns were raised about the company proceeding with the transaction without first filing under the HSR Act. Novo Nordisk, a leading supplier of GLP-1 therapies, proposed to acquire Metsera, which was developing a next-generation GLP-1 pharmaceutical. The transaction structure employed by Novo Nordisk would have disaggregated the acquisition into multiple steps, paying most of the multi-billion-dollar purchase price to shareholders at step one, and deferring the HSR filing to the end. The Commission has authority to bring suit to block such a step-one payment prior to agency review of a deal and to seek to require HSR filings. Moreover, the Commission’s investigative and enforcement authority extends beyond acquisitions that require notification under the HSR Act. Ultimately, Pfizer acquired Metsera.<sup>206</sup>

In December 2025, Aya Healthcare terminated its proposed acquisition of Cross Country Healthcare after FTC staff found that the deal would have eliminated head-to-head competition between two of the largest firms providing the software and services that hospitals use to find, hire, and manage their pools of traveling nurses and other temporary healthcare workers.<sup>207</sup>

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<sup>203</sup> *Id.*

<sup>204</sup> Press Release, BusinessWire, Owens & Minor and Rotech Healthcare Mutually Agree to Terminate Previously Announced Acquisition (June 5, 2025), <https://www.businesswire.com/news/home/20250605151653/en/Owens-Minor-and-Rotech-Healthcare-Mutually-Agree-to-Terminate-Previously-Announced-Acquisition>.

<sup>205</sup> Metsera, Inc., Proxy Statement at 20 (Schedule 14A) (Nov. 10, 2025), <https://www.sec.gov/Archives/edgar/data/2040807/000119312525273435/d94128ddefa14a.htm>.

<sup>206</sup> Press Release, Pfizer, Pfizer Completes Acquisition of Metsera (Nov. 13, 2025), <https://www.pfizer.com/news/press-release/press-release-detail/pfizer-completes-acquisition-metsera>.

<sup>207</sup> Press Release, Fed. Trade Comm’n, FTC Bureau of Competition Statement on Termination of Healthcare Managed Services Merger (Dec. 5, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/ftc-bureau-competition-statement-termination-healthcare-managed-services-merger>.

Moreover, FTC staff believed that further consolidation in this critical market risked reducing the options available for many thousands of healthcare workers, increasing hospitals' expenses, and ultimately raising healthcare costs for American patients.<sup>208</sup>

In March 2026, Alcon, Inc. abandoned its efforts to purchase LENSAR, Inc. following FTC staff's thorough investigation. FTC staff gathered evidence that Alcon and Lensar are the two most significant players in the market for laser systems used in femtosecond laser-assisted cataract surgery, known as FLACS, and the companies routinely lowered prices for doctors and patients in response to competitive pressure from each other.<sup>209</sup> FTC staff also found that vigorous competition between Alcon and Lensar had spurred innovation in the FLACS market.<sup>210</sup> The FTC staff's work helped preserve price competition for FLACS devices, promote innovation in this industry, and protect American manufacturing jobs.

### **E. Conduct Settlements**

As previously discussed, the Commission recently reached a landmark settlement with Express Scripts and its affiliated entities to resolve claims in the insulin litigation. The order is projected to save American consumers up to \$7 billion in out-of-pocket payments for prescription drugs over its term.<sup>211</sup> And it is expected to bring about \$750 billion in drug purchasing activity through GPOs back to American shores and back within the reach of American laws and regulations.<sup>212</sup> In addition to increasing price transparency for patients, plan sponsors, and community pharmacies as previously described in Section III.A.5 *supra*, the settlement will help ensure that patients have access to affordable drugs, that American businesses have the information they need to secure the best coverage for their employees, that community pharmacies are able to negotiate on a level playing field, and ultimately that Express Scripts moves away from aspects of its business model that were completely broken. This order will have huge effects in many areas of the economy.<sup>213</sup> These results are a shining example of the Commission's ability to benefit the American people by integrating its competition and consumer protection mandates, and they provide a roadmap for doing so more frequently in the future.

In August 2025, the Commission secured major commitments from the four largest heavy-duty truck manufacturers—Daimler Truck, International Motors, PACCAR, and Volvo Group—where the manufacturers admitted that the output-restricting Clean Truck Partnership is unenforceable. Under an agreement between these four manufacturers and others with the California Air Resource Board (“CARB”), manufacturers agreed to produce “zero emissions”

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<sup>208</sup> *Id.*

<sup>209</sup> Press Release, Fed. Trade Comm'n, FTC Stops Proposed Merger of Leading Cataract-Surgery Device Makers (Mar. 17, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/03/ftc-stops-proposed-merger-leading-cataract-surgery-device-makers>.

<sup>210</sup> *Id.*

<sup>211</sup> Press Release, Fed. Trade Comm'n, FTC Secures Landmark Settlement with Express Scripts to Lower Drug Costs for American Patients (Feb. 4, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/02/ftc-secures-landmark-settlement-express-scripts-lower-drug-costs-american-patients>.

<sup>212</sup> *Id.*

<sup>213</sup> *Id.*

engines instead of internal combustion engines even if the underlying CARB regulations were later deemed invalid.<sup>214</sup> After the FTC opened its investigation, President Trump revoked the underlying CARB waivers, and the FTC acted quickly to obtain the commitment letters.<sup>215</sup> The manufacturers admit that the Clean Truck Partnership is unenforceable and further agree not to attempt to enforce it or its terms against another manufacturer, to act independently in concert with a competitive marketplace, and to not enter into any restrictive agreement with a U.S. state regulator or government that permits cross-enforcement among competitors.<sup>216</sup> The FTC's efforts to secure these letter agreements secured a vibrant and free competitive marketplace for heavy-duty trucking, which will accrue benefits to the broader American economy.

In September 2025, the FTC took action to protect American workers from harmful labor practices by ordering pet cremation company Gateway Services, Inc., to nullify noncompete agreements in its employees' contracts. The FTC alleged that Gateway required mandatory noncompete agreements in contracts for almost 1,800 employees, which prohibited employees from working in the pet cremation service industry anywhere in the United States for one year after leaving Gateway.<sup>217</sup> The order frees employees from these restrictions limiting job mobility and thus the ability to negotiate better wages and benefits.<sup>218</sup>

Further pursuing its work to protect American workers from anticompetitive practices, the Commission continued its streak of enforcement actions against no-hire policies by putting Adamas under order. The FTC's complaint alleged the company used no-hire agreements to restrict building owners' and management companies' ability to hire Adamas employees across New Jersey and New York City.<sup>219</sup> These agreements limited worker mobility, limited worker's negotiating leverage, and generally harmed competition.<sup>220</sup> Adamas' employees, which are mainly low-wage workers performing janitorial, front desk, security, and other similar functions, are now free from the restrictive and onerous no-hire agreements.<sup>221</sup> The enforcement action is another example of the Trump-Vance FTC's efforts to protect workers from practices that lower paychecks and limit opportunities. The FTC continues to investigate other harmful

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<sup>214</sup> Press Release, Fed. Trade Comm'n, FTC Resolves Antitrust Concerns Arising from Clean Truck Partnership (Aug. 12, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/08/ftc-resolves-antitrust-concerns-arising-clean-truck-partnership>.

<sup>215</sup> *Id.*

<sup>216</sup> *Id.*

<sup>217</sup> Press Release, Fed. Trade Comm'n, FTC Takes Actions to Protect Workers from Noncompete Agreements (Sept. 4, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-takes-action-protect-workers-noncompete-agreements>.

<sup>218</sup> *Id.*; Press Release, Fed. Trade Comm'n, FTC Approves Final Order Prohibiting Noncompete Enforcement by Gateway Services (Nov. 26, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/11/ftc-approves-final-order-prohibiting-noncompete-enforcement-gateway-services>.

<sup>219</sup> Press Release, Fed. Trade Comm'n, FTC Continues Enforcement Action Streak Against Anticompetitive No-Hire Agreements (Dec. 19, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/ftc-continues-enforcement-action-streak-against-anticompetitive-no-hire-agreements>

<sup>220</sup> *Id.*

<sup>221</sup> *Id.*; Press Release, Fed. Trade Comm'n, FTC Finalizes Consent Order in Adamas No-Hire Agreement Matter (Feb. 12, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/02/ftc-finalizes-consent-order-adamas-no-hire-agreement-matter>.

anticompetitive practices for American workers and will take further action to deter or rectify these types of provisions.

## F. Other Actions

On April 9, 2025, President Trump issued Executive Order 14267, “Reducing Anti-Competitive Regulatory Barriers.”<sup>222</sup> The Executive Order tasked the Chairman of the Federal Trade Commission, in consultation with the Attorney General, to complete a full-scale review of all regulations across the entire federal government with the goal of identifying unnecessary and burdensome regulations that, among other things, facilitate the creation of monopolies, create unnecessary barriers to entry for entrepreneurs and new market participants, impose undue licensure or accreditation requirements, inhibit firms’ ability to compete for government procurement contracts, or otherwise impose anticompetitive distortions on the operation of the free market.<sup>223</sup> The FTC identified anticompetitive regulations through feedback from the public, dozens of federal agencies, and the FTC’s staff lawyers and economists.<sup>224</sup> The FTC Chairman submitted a list of over 125 anticompetitive regulations identified for deletion or modification to the Office of Management and Budget on September 16, 2025.<sup>225</sup>

As part of the FTC’s efforts to promote competition and lower drug prices, the FTC has targeted abuses of the FDA’s Orange Book. In May 2025, the FTC renewed its challenges against numerous patent listings that may shield brand-name asthma, diabetes, Epi-Pen, and COPD drugs from immediate generic competition.<sup>226</sup> Improper Orange Book listings by entrenched incumbents can delay generic alternatives from entering the market, unfairly keeping drug prices high and limiting patients from accessing lower cost drugs. As part of this action, the FTC sent warning letters to several pharmaceutical companies and notified the FDA that we dispute the appropriateness of hundreds of Orange Book listings.<sup>227</sup> This past December, Teva Pharmaceuticals requested that the FDA remove more than 200 improper listings from the Orange Book. Those removals will support enhanced competition from generic alternatives for

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<sup>222</sup> Exec. Order No. 14267, 90 Fed. Reg. 15629 (Apr. 9, 2025), <https://www.federalregister.gov/documents/2025/04/15/2025-06463/reducing-anti-competitive-regulatory-barriers>.

<sup>223</sup> *See id.* at Sec. 3(a).

<sup>224</sup> *See* Andrew N. Ferguson, Chairman of the Federal Trade Commission, letter to Russel Vought, Director of the Office of Management and Budget, at 2 (Sept. 16, 2025), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/Anticompetitive-Regulations-Ferguson-Letter.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/Anticompetitive-Regulations-Ferguson-Letter.pdf).

<sup>225</sup> *Id.*; *see also* Federal Trade Commission, *FTC Recommends Anticompetitive Regulations for Deletion or Revision* (Sept. 17, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-recommends-anticompetitive-regulations-deletion-or-revision>.

<sup>226</sup> Press Release, Fed. Trade Comm’n, *FTC Renews Challenge of More Than 200 Improper Patent Listings* (May 21, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/05/ftc-renews-challenge-more-200-improper-patent-listings>.

<sup>227</sup> *Id.*

more than 30 asthma, diabetes, and COPD drugs and epinephrine autoinjectors.<sup>228</sup> This is a huge win for Americans and their wallets.

In June 2025, the FTC, in partnership with DOJ’s Antitrust Division, the Department of Commerce, and the Department of Health and Human Services, launched a series of public listening sessions, titled “Lowering Americans’ Drug Prices Through Competition.” These sessions were convened under President Trump’s Executive Order No. 14273, which directed agencies to identify and eliminate anticompetitive practices that inflate prescription drug costs. The three sessions—held on June 30, July 24, and August 4—focused on key barriers to competition in pharmaceutical markets. The first session examined anticompetitive conduct by pharmaceutical companies that impedes entry of generics and biosimilars—medications very similar, but not identical to, original biologic products—including pay-for-delay agreements and exclusive supply arrangements.<sup>229</sup> The second session addressed formulary and benefit design practices, as well as regulatory abuses that distort competition and raise costs for patients.<sup>230</sup> The final session synthesized insights from prior panels and explored actionable strategies to restore competition and reduce drug prices.<sup>231</sup> The sessions featured testimony from patients, health care providers, economists, and industry experts.<sup>232</sup>

On January 27, 2026, the FTC convened a public workshop titled “Moving Forward: Protecting Workers from Anticompetitive Noncompete Agreements.” The event, hosted by the FTC’s Joint Labor Task Force, underscored the agency’s commitment to rooting out and prosecuting unfair and anticompetitive labor-market practices that harm American workers.<sup>233</sup> The workshop featured remarks from Chairman Ferguson, Commissioner Meador, victims of abusive noncompete agreements, and leading policy experts and economists. Panel discussions explored the human and economic costs of noncompete agreements, including how these agreements can suppress wages, restrict job mobility, and stifle innovation across industries. In Chairman Ferguson’s remarks, for instance, he emphasized that many noncompete agreements—often imposed on workers with little bargaining power, including low-wage employees—are

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<sup>228</sup> Press Release, Fed. Trade Comm’n, Teva Removes Over 200 Improper Patent Listings Under Pressure from FTC (Dec. 10, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/teva-removes-over-200-improper-patent-listings-under-pressure-ftc>.

<sup>229</sup> Listening Session: Anticompetitive Conduct by Pharmaceutical Companies Impeding Generic or Biosimilar Competition (June 30, 2025), <https://www.ftc.gov/news-events/events/2025/06/listening-session-anticompetitive-conduct-pharmaceutical-companies-impeding-generic-or-biosimilar>.

<sup>230</sup> Listening Session: Formulary and Benefit Practices and Regulatory Abuse Impacting Drug Competition (July 24, 2025), <https://www.ftc.gov/news-events/events/2025/07/listening-session-formulary-benefit-practices-regulatory-abuse-impacting-drug-competition>.

<sup>231</sup> Listening Session: Turning Insights into Action to Reduce Drug Prices (Aug. 4, 2025), <https://www.ftc.gov/news-events/events/2025/08/listening-session-turning-insights-action-reduce-drug-prices>.

<sup>232</sup> Press Release, Fed. Trade Comm’n, FTC and DOJ to Host Listening Sessions on Lowering Americans’ Drug Prices Through Competition (June 11, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/06/ftc-doj-host-listening-sessions-lowering-americans-drug-prices-through-competition>.

<sup>233</sup> Fed. Trade Comm’n, Moving Forward: Protecting Workers from Anticompetitive Noncompete Agreements (Jan. 27, 2026), <https://www.ftc.gov/news-events/events/2026/01/moving-forward-protecting-workers-anticompetitive-noncompete-agreements>.

unjustified and unlawful restraints of trade.<sup>234</sup> The Commission reiterated that its enforcement priorities include challenging noncompete provisions that lack legitimate business justification and pursuing remedies to restore competition in labor markets.<sup>235</sup> The workshop follows the recent enforcement actions discussed previously, as well as warning letters sent to healthcare companies and a broad request for public input to identify additional anticompetitive practices.

FTC staff has also helped champion the interests of American consumers and worked to protect competition in the market for legal services by submitting letters to state courts endorsing amendments that would eliminate the American Bar Association's (ABA) sole accrediting authority to dictate the education requirements needed to take the bar exam and practice law within the state. In a letter submitted to the Texas Supreme Court, FTC staff explained that the Texas Bar Admission Rules raise serious competitive risks by giving the ABA, an association of practicing lawyers, the ability to restrict entry into their profession.<sup>236</sup> In January 2026, the Texas Supreme Court finalized the proposed rule.<sup>237</sup> In March 2026, FTC staff submitted a letter endorsing the Florida Supreme Court's decision to eliminate the ABA's status as the sole accrediting agency for Florida Bar eligibility.<sup>238</sup> Like the January 2026 letter, this letter highlighted the harms that are to be expected when states grant professional or trade associations the authority to restrict competition among themselves or limit the ability of others to enter the profession.<sup>239</sup> The letter additionally explained that the ABA standards for law school accreditation impose an elitist model of legal education, which drives up the cost of that education and limits the supply of lawyers.<sup>240</sup>

FTC staff has also continued its advocacy with state lawmakers—at their request—to help promote competition, spur innovation, and lower prices in the healthcare sector. Flagging similar concerns as those expressed in staff's letters to Texas and Florida regarding entry into the legal field, in December 2025, FTC staff engaged with lawmakers in Mississippi who were considering legislation that would remove occupational licensing restrictions for Advanced Practice Registered Nurses (APRNs) within the state.<sup>241</sup> The letter conveyed that the FTC's competitive concerns with unnecessary occupational regulation are particularly acute when

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<sup>234</sup> See Transcript, Fed. Trade Comm'n, Moving Forward: Protecting Workers from Anticompetitive Noncompete Agreements (Jan. 27, 2026), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/Transcript-Moving-Forward-Protecting-Workers-from-Anticompetitive-Noncompete-Agreements-1-27-26.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/Transcript-Moving-Forward-Protecting-Workers-from-Anticompetitive-Noncompete-Agreements-1-27-26.pdf).

<sup>235</sup> *Id.*

<sup>236</sup> Press Release, Fed Trade Comm'n, FTC Endorses Supreme Court's Proposed Rule Change Eliminating ABA's Monopoly Control Over Bar Admission (Dec. 2, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/ftc-endorses-texas-supreme-courts-proposed-rule-change-eliminating-abas-monopoly-control-over-bar>.

<sup>237</sup> Supreme Court of Texas, Final Approval of Amendments to Rule 1 of the Rules Governing Admission to the Bar of Texas, Misc. Dkt. No. 26-9002 (Jan. 6, 2026), available at <https://www.txcourts.gov/media/1461882/269002.pdf>.

<sup>238</sup> Press Release, Fed Trade Comm'n, FTC Endorses Florida Supreme Court Action Eliminating the ABA's Bar Admission Monopoly (Mar. 31, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/03/ftc-endorses-florida-supreme-court-action-eliminating-abas-bar-admission-monopoly>.

<sup>239</sup> *Id.*

<sup>240</sup> *Id.*

<sup>241</sup> FTC Staff Letter to Rep. Dan Eubanks Concerning H.B. 1057 (2025) (Dec. 23, 2025), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/letter-from-clarke-edwards-to-rep-dan-eubanks-12-23-25.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/letter-from-clarke-edwards-to-rep-dan-eubanks-12-23-25.pdf).

entrants are effectively required to obtain permission from incumbent competitors to enter or expand within a particular market.<sup>242</sup> The letter also encouraged Mississippi policymakers to consider the incentives of those who opposed the bill, including physicians who may advocate for restrictions on APRN licensure and scope of practice—restrictions that exclude qualified professionals from the market and result in higher-priced and lower-quality services for consumers.<sup>243</sup>

FTC staff also sent letters to lawmakers in Indiana<sup>244</sup> and Tennessee,<sup>245</sup> in February 2025 and just this month respectively, addressing the competitive consequences of certificate of public advantage (COPA) statutes, including the impact of terminating a COPA in the absence of competing healthcare systems.<sup>246</sup> The letters highlighted the FTC’s long-standing concerns with COPAs, which allow for anticompetitive hospital consolidation that is likely to raise the prices of healthcare services for consumers, reduce quality of care and patient health outcomes, limit patient access for healthcare services and facilities, and depress wages for hospital employees.

FTC staff has also addressed letters to lawmakers regarding Certificate of Need (CON) requirements, which typically require healthcare providers to obtain state approval before expanding, establishing new facilities or services, or making large capital expenditures.<sup>247</sup> The letters emphasized that CON laws suppress competition in the healthcare sector by limiting the entry of new providers, as well as the availability of new or expanded healthcare facilities and encouraged these lawmakers to consider repealing their CON laws.<sup>248</sup>

## V. CONCLUSION

The Trump-Vance FTC continues to fulfill the agency’s broad mission on behalf of consumers, workers, and honest businesses using the full range of tools and resources that Congress has given us. We are confident that we will build on the accomplishments of the last 15 months. We

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<sup>242</sup> *Id.*

<sup>243</sup> *Id.*

<sup>244</sup> FTC Staff Letter to Indiana Sen. Ed Charbonneau Concerning Senate Bill 119 (Feb. 11, 2025), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/ftc-letter-charbonneau-sb119.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/ftc-letter-charbonneau-sb119.pdf).

<sup>245</sup> FTC Staff Letter to Tennessee Rep. David Hawk Concerning Certificate of Public Advantage and Certificate of Need Requirements (Apr. 2, 2026), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/FTC-Letter-re-TN-COPA-CON-Bills.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/FTC-Letter-re-TN-COPA-CON-Bills.pdf).

<sup>246</sup> Press Release, Fed Trade Comm’n, FTC Staff Warn Tennessee Legislature of Risks to Patients if Ballad Health COPA Expires and Support Repeal of Certificate of Need Requirements (Apr. 2, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/04/ftc-staff-warn-tennessee-legislature-risks-patients-if-ballad-health-copa-expires-support-proposed>.

<sup>247</sup> *Id.*; *see also* FTC Staff Letter to Rhode Island Gov. Dan McKee Concerning Proposed Reforms to Rhode Island’s Certificate of Need Process (Apr. 16, 2025), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/ftc-letter-to-ri-gov-mckee-on-proposed-con-amendments.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/ftc-letter-to-ri-gov-mckee-on-proposed-con-amendments.pdf).

<sup>248</sup> FTC Staff Letter to Rhode Island Gov. Dan McKee Concerning Proposed Reforms to Rhode Island’s Certificate of Need Process (Apr. 16, 2025), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/ftc-letter-to-ri-gov-mckee-on-proposed-con-amendments.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/ftc-letter-to-ri-gov-mckee-on-proposed-con-amendments.pdf); FTC Staff Letter to Tennessee Rep. David Hawk Concerning Certificate of Public Advantage and Certificate of Need Requirements (Apr. 2, 2026), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/FTC-Letter-re-TN-COPA-CON-Bills.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/FTC-Letter-re-TN-COPA-CON-Bills.pdf).

look forward to continuing to work with this Committee, and we are happy to answer your questions.