

Documents for the Record
03.26.2025 Subcommittee on Commerce, Manufacturing, and Trade Hearing
“World Wild Web: Examining Online Harms”

1. Letter from Joann Bogard, Mother of Mason-Forever 15, to Rep. Houchin, submitted by Rep. Houchin.
2. Letter from Maurine Molak, Co-founder of David’s Legacy Foundation and Parent of David Molak, to Rep. Houchin, submitted by Rep. Houchin.
3. Letter from Brian and Courtney Montgomery, parents of Walker Montgomery, to Rep. Houchin, submitted by Rep. Houchin.
4. Letter from Deb Mann Schmill, Founder and President of the Becca Schmill Foundation, parent of Becca Schmill, to Rep. Houchin and the Members of the Subcommittee, submitted by Rep. Houchin.
5. Letter from Lori Schott, mother of Annalee Schott-Forever 18, to Rep. Houchin, submitted by Rep. Houchin.
6. Letter from Parent Collective, Inc., to Chairmen Guthrie and Bilirakis and Ranking Members Pallone and Schakowsky, submitted by the Majority.
7. Letter from Prevent Child Abuse Kentucky to Chairman Guthrie, submitted by the Majority.
8. Letter from Nebraska Family Alliance to the Committee, submitted by the Majority.
9. Letter from Wisconsin Family Action to Members of the Committee, submitted by the Majority.
10. Collection of stories and bios of victims from ParentsSOS, submitted by Chairman Bilirakis.
11. Letter from Encode, Americans for Responsible Innovation (ARI), Rape, Abuse & Incest National Network (RAINN), Sexual Violence Prevention Association (SVPA), Alecto AI, American Sunlight Project, Common Sense, Joyful Heart Foundation, National Consumer League, National Organization for Women (NOW), Public Citizen, Survivors & Tech Solving Image-Based Sexual Abuse (STISA), and Tech Oversight Project to Chairman Guthrie and Ranking Member Pallone, submitted by the Majority.
12. Letter from Randall S. Page, Executive Vice President, Palmetto Family Council, to Members of the Committee, submitted by the Majority.
13. Letter from ACT the App Association to Chairman Bilirakis and Ranking Member Schakowsky, submitted by the Majority.
14. Letter from Soohyun Kim to Members of the Subcommittee, submitted by the Majority.
15. Letter from Center for AI and Digital Policy to Chairmen Guthrie and Bilirakis and Ranking Members Pallone and Schakowsky, submitted by the Majority.
16. List of Congressional hearing on Child Safety Online between July 2019 and February 2025, compiled by the National Center on Sexual Exploitation, submitted by the Majority.

17. Statement by advocacy organization Quit Clicking Kids, addressed to Chairmen Guthrie and Bilirakis, Ranking Members Pallone and Schakowsky, and Members of the Subcommittee, submitted by the Majority.
18. Statement from Michael Coriale, M.D., retired emergency room physician, submitted by the Majority.
19. Statement from Paris Hilton address to Chairman Bilirakis and Ranking Member Schakowsky, submitted by the Majority.
20. Document of Federal Trade Commission Accomplishments from June 2021 to January 2025, submitted by the Minority.
21. Blog post by Shiva Stella of Public Knowledge, submitted by the Minority.
22. A letter from 25 public interest organizations (undersigned) to Chairmen Guthrie and Cruz and Ranking Members Pallone and Cantwell, submitted by the Minority.
23. Article from Tech Policy Press, titled “We Must Fight Back Against Trump’s Illegal FTC Firings,” submitted by the Minority.
24. Article titled “Father of South Carolina teen who killed self speaks after Nigerian man charged in case” by WBTV News, submitted by Rep. Fry.
25. Article titled “SC House passes bill requiring parental consent for social media,” by South Carolina Daily Gazette, submitted by Rep. Fry.
26. Article titled “South Carolina lawmaker whose son died by suicide after sextortion scam files lawsuit against Meta,” by Fox Business, submitted by Rep. Fry.

Dear Representative Houchin,

As a member of the **Commerce, Manufacturing, and Trade Subcommittee** and a representative who has been on the frontline of the fight for child online safety, I am asking you to please share the following at the March 26, 2025 meeting, “The World Wild Web: Examining Harms Online”.

Dear Chairman Guthrie, Chairman Bilirakis, and Committee Members,

My 15-year-old son Mason was our youngest of three children. He enjoyed playing his drums and entertaining his friends and family with his witty humor. He had just started his first job at a landscape business and was excited to start driver's ed. He enjoyed everything about the outdoors, including camping, hiking and his love of fishing. He liked watching YouTube videos to learn how to make new fishing lures and master his woodworking skills. He was a child of God and knew he was loved by his family and friends. What I want you to know is that Mason was living a healthy and well-balanced lifestyle as a typical teen.

I was the engaged parent who checked his devices, delayed and limited tech, and had the hard conversations about online safety. But that wasn't enough to save my son from the deliberately designed harmful algorithms.

On May 1, 2019 Mason tried a viral social media trend called the choking game. This is when kids cut off the flow of oxygen to the brain to make themselves pass out, post the video, and get the sought after likes and clicks. These trends are fed to our children unsolicited and continuously until they get a false sense of safety. This popular trend took my young son's life.

For six years I have been searching for these challenges every week, easily finding dozens within minutes, and reporting them, and yet they are rarely removed. Since Mason's death, 84 more kids have died from the choking challenge. And this is just one of the many harms being fed to our kids like cyberbullying, sextortion, illicit drugs, eating disorders, self-harm, sanctioned suicide, AI chatbots, and the list goes on. It is evident that parents can't fight this alone. We are pleading with Congress to regulate these platforms with common sense guidelines, like the vetted bills that you are discussing today, that will give parents the tools needed to protect our children. We are not asking for a free pass from parenting. We just want a fighting chance to protect them.

These platforms claim to self-regulate, but we know better. Forced apologies mean nothing when it is followed by [removing fact checking](#) and allowing “[glitches](#)” that feed

more harmful content to our children with a mere statement of “[we apologize for the mistake](#)”.

I am now a member of the worst club in the world. I work tirelessly with many other parents who have also lost children to social media harms. We have started grassroots movements; founded working groups, foundations, and organizations; retell the stories of the worst days of our lives; and make numerous trips across the country to witness and testify—all to save other families from this horrific fate. Those families include your families. Your children. Your grandchildren.

We used to hear parents say, “Our kids have it so easy now compared to when we were kids”. Now we hear, “I would not want to be a kid growing up in this generation”. It doesn’t matter if a child is living a healthy well-balanced lifestyle, or if they are struggling with bullying, gaming addiction, or typical curiosity about drugs, the algorithms are purposefully designed to find them and amplify whatever it is that will keep them engaged. It doesn’t have to be this way. YOU can make a difference and save the mental health and lives of our future generations. Moving these vetted bills forward during this Congress will show American parents that you are taking a stand to protect their children online.

Sincerely,

Joann Bogard
Mother of Mason—Forever 15





March 23, 2025

Congresswoman Erin Houchin
342 Cannon House Office Building
Washington, DC 20515

Dear Congresswoman Houchin,

Thank you for standing with America's families and "making kids healthy and safe again" by championing online child protections and safeguards. I am a parent survivor who lost my 16-year-old son, David, to suicide after a yearlong battle with online gaming and social media addiction followed by months of relentless and devastating cyberbullying that left him feeling helpless and hopeless. David was a smart kid. He was an eagle scout, an outstanding basketball player, and a good student but he was no match for the harmful algorithms that kept him doom scrolling, leading to compulsive use and resulting in a mental health crisis. Even though David was getting our unconditional support and receiving professional mental health care, it was not enough, the addiction had a grip on him that would not let go.

For the last three years I have been an advocate for online child protections in my home state of Texas and at the federal level. While there has been progress at the state level, I strongly believe that we must implement safeguards at the federal level in order to protect all of America's children. Fourteen months ago, I sat behind Mark Zuckerberg in a Senate Judiciary committee hearing where he turned around and apologized to me and my fellow survivor parents at the bequest of Senator Josh Hawley. Zuckerberg's apology rang hollow as he did not take responsibility for the many harms plaguing his platforms. This was particularly insulting to me because David was cyberbullied on Instagram and Meta whistleblowers had previously alerted him time and time again about the harms that were taking place on his platforms. Based on whistleblower testimony, he knew exactly what was happening on his platforms and has chosen a business model that puts profit well ahead of children's safety. Additionally, a report by Issue One stated that Meta alone spent 24.4 million lobbying against regulations including bills that would protect kids. That is one lobbyist for every 8 members of Congress. This is unconscionable. How are parents supposed to win this fight without Congress stepping in and requiring that they implement common sense safeguards to protect kids? We do not have that kind of war chest; we are just parents trying to do the best we can with limited tools that are currently available.

But there is hope. There are a number of online child protection bills filed that the House Energy and Commerce committee will hear and decide over the next two years. I am grateful that you are on the side of parents and not siding with Big Tech when it comes to protecting children. I am hopeful that your good relationship with Speaker Johnson and Majority Leader Scalise will bear fruit for robust and impactful online child protections this session. We cannot afford to sit by and are in desperate need of meaningful legislation to protect our precious children.

Very truly yours,
Maurine Molak
Co-founder



Representative Erin Houchin

Our son, Walker Montgomery died on December 1, 2022 to an online scheme known as sextortion. In Walker's case, he was a well-adjusted young man (16 years old) with a great nuclear family, a tremendous friend group both at school and at church, and was very involved in sports. His passion was football and spending time with family on our farm.

At midnight December 1st someone pretending to be a young teenage girl messaged Walker through Instagram. Walker believed she was a "friend" of his contacts, this is part of the tactics used to build credibility. The conversation started innocently but led to Walker being coaxed into a sexual encounter. This encounter occurred over the live video portal through Instagram. What Walker didn't know, he was being recorded from the other side by a predator in Nigeria. After the encounter was over this person turned the conversation into an extortion scheme, if Walker didn't pay \$1,000, he would send the video of Walker in this act to all of his friends and family. The encounter started at midnight and was over between 3:00 – 4:00 a.m. with Walker taking his own life. Almost instantly, our son was gone and it was the beginning of a whole new life for everyone who loved Walker.

As parents, we thought we were doing everything right, we sent our kids to the right school, taught them how to work, and to respect their elders. All the attributes we normally associate with great kids. Looking back, we don't regret our parenting methods, we regret not understanding the risks that social media and the internet pose to children. As parents, we must have help from our lawmakers to protect our children. We are not asking for the government to parent our kids, we are asking it to come along side of us just as it's done with many other damaging activities in the past. Other areas where laws were implemented to protect children include minimum age requirements on alcohol and tobacco. The government knew that it held a valuable role in setting laws and a precedence that would help parents prevent addiction that could lead to harmful effects to children.

This particular online harm is becoming more advanced, just recently a young man in Kentucky was lost to sextortion, but in this case the predator used AI generated content. Children, especially teenage boys, are at a higher risk to this heinous crime. To date we have lost 46 teenagers to suicide due to sextortion through social media. That number of suicides has doubled since last year (2024). They are more prone to participate and more likely to harm themselves when things go wrong. Again, the FBI is warning families about the surge in financial sextortion schemes "TARGETING" minors.

We are grateful for lawmakers working to protect children but we must consider this urgent, our family knows first-hand how devastating this can be. It's reasonable for Federal Regulations to

place safeguards on tech companies that provide their products to minor children. In our case, if Meta would have routed this contact through us, Walker's parents or simply blocked the access from an unknown account he would be here today. Meta knew then about the harmful effects of their products on children and did nothing but continue to cash stock checks.

Please consider the devastating harms these products cause kids and families and move forward with legislation to help protect children.

Thank you

Brian and Courtney Montgomery



3-26-2025 World Wild Web Testimony

Dear Members of the Commerce, Manufacturing, and Trade Sub-Committee,

Thank you for this opportunity to share my daughter's story and my thoughts about possible legislation being considered by policymakers to protect children from online harm.

My daughter, Becca, would have turned 24 on October 16, 2025. She was a beautiful, caring person with a smile that melted my heart. She loved summer camp, gymnastics, guitar, and being around friends and family. She had hopes and dreams but never had a chance to see them come true. Before starting her first year at the University of Richmond, Becca and a friend went online to buy some cocaine, and what they purchased turned out to be laced with fentanyl. At 18, all of her dreams, and all of our dreams for her, vanished.

Fentanyl may have been the official cause of Becca's death, but the path that led to the terrible day in September 2020 was paved with social media-aided trauma. At 15, Becca was sexually assaulted by an 18-year-old boy she and her friends met through social media. A devastating cyberbullying incident followed the assault. Becca was left with an emptiness inside her that she struggled to fill. She soon discovered that self-medicating could provide her temporary relief from the pain and emptiness. And, as it turned out, social media provided frictionless access to any illicit substances she wanted.

Similar experiences as my daughter's - unwanted advances, cyberbullying, easy access to drugs - as well as many other harms, including dangerous online challenges, sextortion, stolen attention, and online addiction, are [faced](#) by [millions](#) of kids daily. Social media addicts are young users at [pivotal stages of their mental development](#). What's worse is this is all by design. Mark Zuckerberg and his cohort know they are harming our kids, and they allow the harm to continue.

After Becca's death, my family founded the Becca Schmill Foundation which funds research, sponsors community education events, and advocates for policies to protect children from the harm Becca experienced.

In 2022, we asked a researcher to test whether social media platforms enforce their own stated community guidelines. The researchers created fake accounts and searched platforms for illicit drug ads. When found, the accounts were reported to the platforms. Over 95% of reports were either ignored entirely or led to the response that the account activity does not go against their community guidelines. Platforms unwilling to enforce their own community guidelines are being allowed to deceive their users and should no longer be protected by Section 230.

Over the last two decades, this country has seen a 400% increase in overdose deaths for people ages 15-24. We are losing approximately 22 teens every week to overdose. Mostly, these teens are going online to buy what they believe is a safe prescription pill. Former DEA Administrator Anne Milgram, called social media the superhighway of illicit drug sales. And yet, there have been exactly zero consequences for these platforms. Overdoses are killing far more young Americans than COVID-19. Yet the response couldn't be more different. No social media platform has had to shut down until the risk of passing along deadly drugs is sufficiently reduced.

Social media has completely changed the landscape for children, teens, and young adults. Their online world is where they receive social validation, mainly from "likes" and other purposefully addictive design features. And the constant need for this validation pulls at their attention and impacts their self-image every waking moment. The online world they live in includes frictionless 24/7 access to adult content, sexual predators, cyberbullying, and deadly illicit drugs, and is the perfect place for children, who by definition are impulsive, to do great harm to themselves and to one another.

We would never put an 8-year-old at the wheel of a car and tell them to start the engine and go. This would not be developmentally appropriate. In its current configuration, most social media is also not developmentally appropriate and is likely the primary cause of the teen mental health crisis our country and others are experiencing.

With the start of a new legislative session, Congress once again has the opportunity to end the carnage of American children. Not since the 1998 [Children's Online Privacy Protection Act](#) (COPPA), which only applies to users under 13 years old, has Congress taken steps to protect kids from what this committee refers to as the World Wild Web. If the original language, which covered at least teens under 16, had been enacted, then my daughter would likely be alive today. If the [Kids Online Safety Act](#) (KOSA) had been in place when my daughter was 15 years old, she would have experienced the benefit of the strongest protections the platform offers - preventing contact with strangers, predators, and drug dealers. But that did not happen, and the social media platforms that allow deadly drug sales, cyberbullying, and other harms that go against their community guidelines hide behind the protection of Section 230. If the [Take It Down Act](#) had been in place, platforms would have been incentivized to prevent the nonconsensual intimate video of my daughter from being shared online, an experience that flipped my already trauma-impacted daughter's world upside down. If Sammy's Law had been in place five years ago, I might have been alerted when my daughter was online looking for the drugs that ultimately took her life. If the [Kids Off Social Media Act](#) were in place, algorithms based on children's personal data would no longer be used to feed them harmful posts promoting eating disorders, dangerous challenges, and pornography.

Most of the bills mentioned above rely on a platform's ability to verify a user's age. We cannot deny the need to tackle this issue. I applaud recent efforts to do so by placing the responsibility primarily on the App Store rather than each App. However, I encourage this committee to consider age verification at the operating system level as well, which would further reduce the need to share a child's specific personal data online.

For decades, social media platforms have successfully avoided responsibility for the harm caused by their products. There is no accountability to the government or to the parents who bury their children. Since my daughter's death almost five years ago, I have been stunned by the number of children who are still dying from: dangerous online challenges, suicide after being sextorted or cyberbullied, and illicit online drugs purchased. This only scratches the surface of the day-to-day harm of the widespread use of these addictive platforms by minors.

Congress will debate once again whether these bills are worthy of passage. In my three years of advocating, I have yet to hear an argument from a policymaker that either cannot be fixed or comes close to outweighing the benefits of taking action to protect children. The time for talk is long over. Let's make 2025 the year that Congress takes historic, substantive steps to protect our most vulnerable from the purposefully predatory design of social media.

I appreciate your consideration.

Deb Mann Schmill

Founder and President

Becca Schmill Foundation

Needham, Massachusetts

www.beccaschmillfdn.org



Dear Representative Houchin,

I am writing to you not only as a concerned parent but also as a dedicated advocate for social media reform. In 2020 we lost our daughter, Annalee to the devastating consequences of unregulated social media. Algorithms designed and pushed to her for profits, engagement and addiction were sent via powerful algorithms that were dark and deadly. Content related to pro-suicide, self-harm, anxiety, and depression ultimately lead to the tragic decision for Annalee to take her life.

Despite our collective advocacy for social media reform, we continue to witness the ongoing harms that afflict our children as evidenced by an incident on the Instagram platform. Recently **Instagram Reels** suddenly had an **"Error"** that exposed users to harmful content. The depth of the "Error" was horrific content that was exposed to not only adult users, but to young and impressionable minds. The Instagram Reel "Error" turned into a neverending scroll of murder, gore and violence. During this time, this "Error" caused the Reel algorithms to suddenly change. For example someone expecting to open their account and see pets and sports, were met with horrific content of death, murder and destruction being pushed to their feed.

Sample of this content:

1. A close-up video of someone who had just been shot in the head.
2. A woman crying while laying on top of a loved one who had just been shot to death.
3. A man on a motorcycle stopping next to a pedestrian and shooting them in the head with a pistol.
4. A small plane crashed in front of a crowd of people.
5. Close-up video of a person falling out of a tower of terror-style amusement park ride
6. People being hit by cars.
7. Person being eaten by a shark.

Instagram user stated: ***"Today's algorithms showed me around 70 murders, 100+accidents and around 150 violence videos, is anyone on Instagram noticing it?"***

Some of these videos were labeled with "sensitive content" warning labels, but many were not. With this graphic content being released, Instagram's response was ***"Sorry for the mistake"***.

As I have noted in sharing my daughter's tragic story, she could not ***"unsee"*** the graphic and harmful content pushed at her and as I looked at content shared from Instagram's "Error" it is sadly imprinted in my mind. The "Error" is a stark reminder that Big Tech cannot be relied upon to protect our kids. Despite their claims of prioritizing child safety, these platforms are still prioritizing profits over the well-being of their users, especially when it comes to our children. To this day, Instagram's App Store description still has an age rating of 12+.

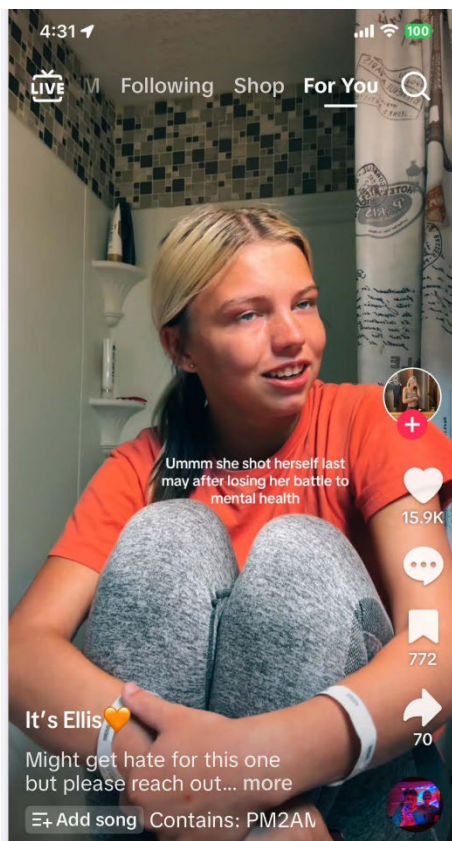
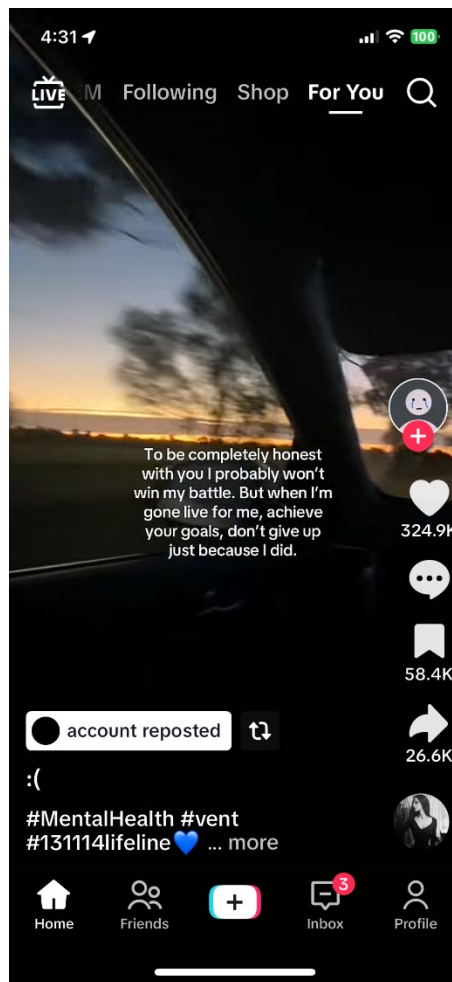
When we were able to gain access to our daughter's Instagram and TikTok accounts, we discovered Annalee had five (5) Instagram accounts that were pushing horrific content of depression, anxiety, pro-suicide and other shocking content., while her interest indicated horses,

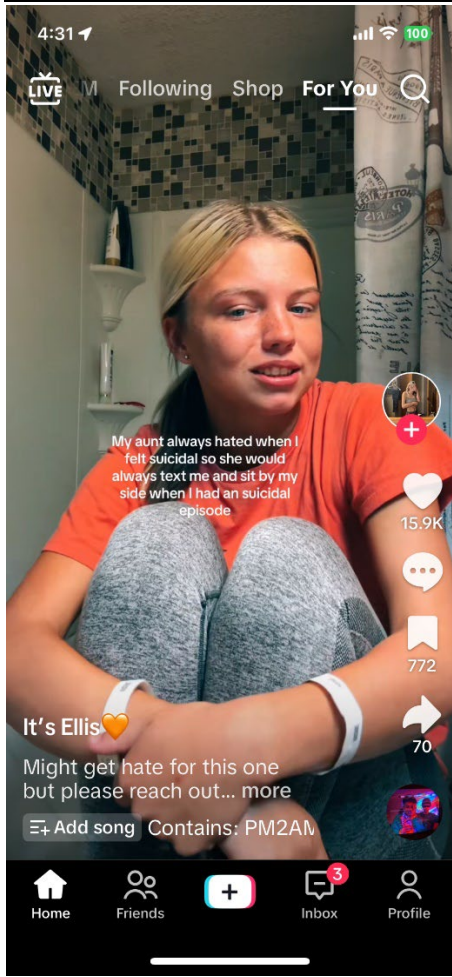
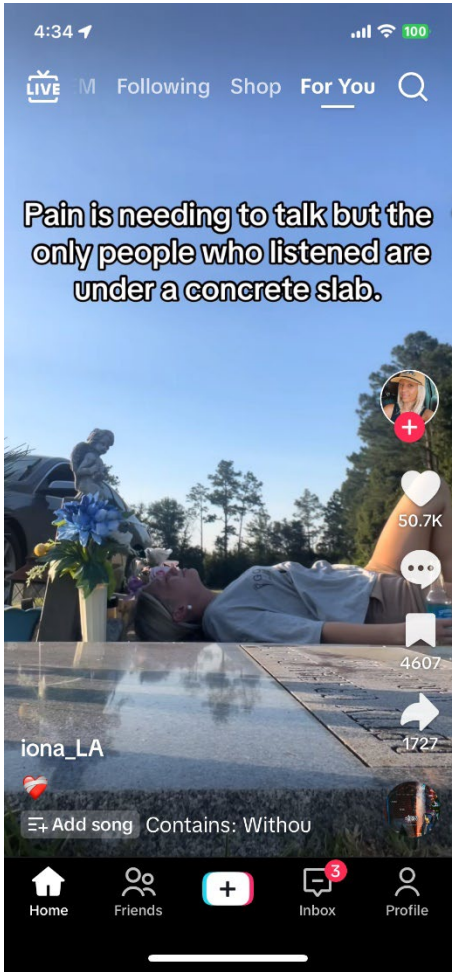
cattle, pet shelters, rodeo. TikTok, which we forbid her from downloading, was hidden behind a calculator icon so we could not see it when we checked her phone. I am sharing screenshots of the graphic and horrific content my daughter experienced on these platforms. As noted the content was "pushed" to her via her "For You" feed. We also discovered Annalee saw a "**live suicide**" on TikTok, which had devastating impacts on her mental health.

I urge you to support comprehensive legislation that holds social media companies accountable. We need clear legislation that prioritizes the safety and well-being of our children.

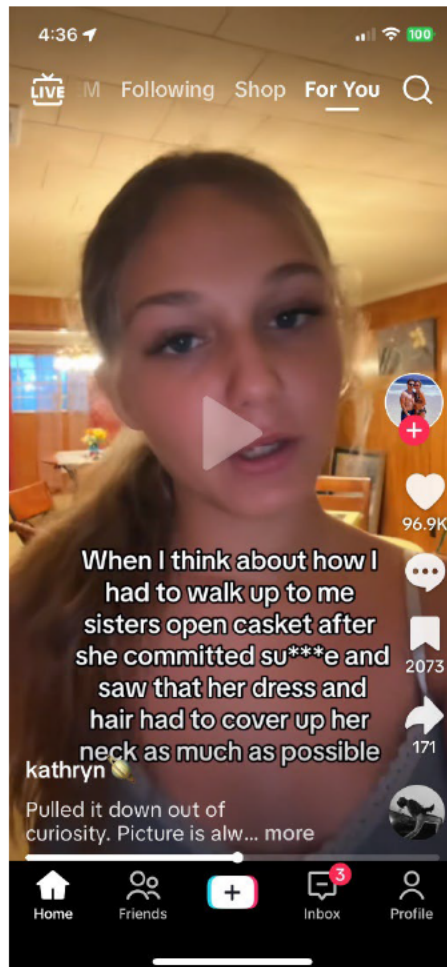
Please take a stand for our children and families. Your leadership in this matter is crucial to creating a safer digital environment for the next generation. I appreciate your attention to this urgent issue and hope to see decisive action to protect our children.

Sincerely,
Lori Schott
(Mother to Annalee Schott-Forever 18)









Dear Chairmen Guthrie and Bilirakis and Ranking Members Pallone and Schakowsky:

As an organization currently endorsing Sammy's Law, we write to you as survivor parents who have tragically lost our children to the dangers of social media. While each of our stories is unique, we share the same profound grief and a commitment to ensuring no other family experiences this kind of devastating loss.

Many of us have advocated alongside you in the past and all of us remain grateful for your efforts to move, life-saving legislation that will protect children online. Today, we write to express our strong belief that Sammy's Law is necessary to allow for safety online for our nations children.

As you may know, Sammy's Law is named after Sammy Chapman, a bright 16-year-old who tragically lost his life in 2021 after receiving a fentanyl-laced counterfeit drug from a dealer on Snapchat. Despite his parents' best efforts to watch over him, dose that poisoned Sammy was delivered to his home like a pizza after his parents were asleep—all through a social media platform. His parents, Dr. Laura Berman and Sam Chapman, have turned their pain into advocacy, pushing for the passage of Sammy's Law to protect other children from similar fates.

You know well that overwhelming evidence indicates that social media can be dangerous to children. These dangers include cyberbullying, drug trafficking, sexual predation, suicide, dangerous online challenges and violence. **Because of these and other social media-related dangers, millions of children are being injured.**

One of the most effective ways for parents to protect children is by using third-party safety software. These apps can provide alerts to parents when dangerous content is shared through children's social media accounts, enabling life-saving interventions at critical moments. For example, if a child is expressing thoughts of suicide via social media, then a parent, who has received an alert through third-party safety software, can immediately provide mental health support. We know from the data that these alerts have already protected millions of children.

For third-party safety software to work, the social media companies need to give them permission. While many social media platforms do provide this access, unfortunately, others, like Snapchat and TikTok, do not, even though the burden on the platforms of providing access is negligible and can be done securely using existing, industry-standardized technology. To save lives, parents need to be the ones who make the choice about whether they want to use third-party safety software. **That is why we support Sammy's Law, a bipartisan legislative solution that gives parents the choice to securely use third-party safety software for any social media platform that allows children users.**

Among the social media safety legislation being considered by Congress, Sammy's Law is a uniquely effective policy intervention:

- **Immediate Protection:** Sammy's Law works to save children's lives immediately upon enactment, providing families with real-time protection without the need for government or court action.
- **Evergreen Safety:** Sammy's Law encourages the safety software industry to continuously innovate, keeping pace with evolving social media technologies and online cultures and their associated risks. Their entire business motivation relies on ensuring that protections for our children are ongoing and updated.
- **Comprehensive Protection:** While making social media platforms safer by design will reduce many risks, some severe and life-threatening dangers will also persist. Sammy's Law offers protection against a broad range of social media-related dangers, including those arising from peer-to-peer interactions like suicidal ideation, drug dealing, predation, and cyberbullying.

We urge the House of Representatives to pass Sammy's Law as a necessary Congressional response to the public health emergency created by social media for our children. We appreciate your leadership in the fight to protect children, and we hope you will stand with us in supporting this life-saving legislation.

With sincere gratitude,

Samuel P. Chapman – Parent Collective Inc (Sammy's Father)
 Dr. Laura Berman – Parent Collective Inc (Sammy's Mother)
 Amy Neville – Alexander Neville Foundation
 Andrea Thomas – Facing Fentanyl
 Jaime Puerta – VOID
 Chris Didier -VOID
 Matt and Christine Capelouto – Stop Drug Homicide
 Rose and Rob Bronstein – Buckets Over Bullying
 Tracy C. Morrissey - TAG Recovery Collin Cares/Ashton's Safe Haven
 Lori Ashenfelder – DJ's Wish – Freedom from Fentanyl
 Kathy and James McCarthy
 Steve and Shanna Schattmaier
 Mike and Samantha Railey
 Andrea and Carrie Senechal
 Joann Bogard
 Christina Luna
 Perla Mendoza
 Debora Doryon
 Nedra Jenkins
 Kamal Berwhani
 Katrina Smith
 Michelle Watson
 David Nathan
 Brandy Roberts
 Tammy Rodriguez

Lauri Strain
Michelle Kilian
Nicki Mark
Shawna Landon
Jeanne Medici
Maureen Weston
Kristina Kell
Pamela Smith
Kim Crigler
Holly Leach Binns
Marg Perkins
Michelle Ross
Therese Serignese
Patrice Lenowitz
Gabrielle Weetman
Patricia Bacchus
Becky Wallin
John Lawler
Regene Polk Ross
Mary Liciaga
Amy Borrello-Juliano
Valerie Kalmenson
Anna Phillips Arnett
Ruth Compton
Elizabeth Kopple
Jeri Mach
Stacy Parker
Rosalinda Zepeda
Kaye Steinsapir
Sharae Sandoval
Paola Di Florio
Shauna Popjes
Jen Brennan
Carmen Guevara
Kristen Toll
Elaine Lopez
Christina Felix
Liliana Yanez
Cheryl Compton
Kathleen Shulz
Lynn Appel
Julie Ross
Daphney Carr
Tammy Plakstis
Kelly Bostic

Sabrina Lott Miller
Donna Firth Hayes
Cheryl Compton
Andrea Jo Silvano
Donna Slusher
Toney Roberts
Lori Lahman
Amanda Petri-Bariteau
Sharon Litwak
Lori Cupfer
Kathrynne Campos-Gil
Kim Johnson
Martha Rosellini Caires
Sarah Mitnick
Erin Popol
Melinda McAlister-Shakelfurd
Sandy Snodgrass
Peggy Jill Young
Leah Castleberry Gallant
Gretchen Ann
Susan Krol
Elaine Cooper
Debbie Courtney
Adam Moquin
Jackie Cockerham
Laura Jean Collanton
Caroline LaBaire-Moran
Misty Griffith
Rhonda Harris Maher
Deborah Dinnocenzo
Andrea Collins Cahill
Elaine Cooper
Tina Eddy
Becky Brooks
Kim Osterman
Adele Armijo
Jennifer Volbrecht
Veronica Salyers Geczi
Sabrina Jankowski
Brenda Rowe
Tamara Bohl
Kelly Jenkins
Rebecca Bowers
Katy McKee 118



March 24, 2025

Chairman Guthrie,

Thank you for your public service and for considering an app store-level solution to protect kids online, like the App Store Accountability Act, in your committee.

Empowering parents to be the ultimate line of defense when it comes to their children's online presence is the best legislative solution to digital threats. There is a reason we shield children from inappropriate situations as they grow up. When parents can see a potentially harmful situation coming, they can ensure their child is protected. So, why has this not been the standard for explicit or dangerous content in their phones? The App Store Accountability Act is the first step in changing that. **The bill would require age verification and parental consent at the app store level. This provides parents with a one-stop-shop, centralized mechanism to approve every app before it is downloaded.**

Among parents, there is broad support for this commonsense approach. More than [79%](#) support legislation that would require parental approval for teens under 16 to download apps. It is also a largely bipartisan policy – garnering support from majorities of both Democratic and Republican leaning parents. Today, parents are eager for tools that will help them protect their children from emerging app-related dangers. Without the proper tools, parents will continue to play catch up when it comes to content monitoring. Prevent Child Abuse Kentucky has been inundated with requests for training on this subject, from parents across the state. Our work with the Kentucky State Police and the Attorney General's office on this issue is held up as a national model. But we know we must do more. The App Store Accountability Act is a comprehensive answer to a very serious and complicated issue.

In addition, this law empowers parents to decide what content is deemed appropriate. Children's online safety does not need to be at odds with free speech and privacy protection. We must do better to protect our children, and the App Store Accountability Act is a step in the right direction.

In our increasingly dynamic online world, parents must have the tools to protect their kids from both present and future dangers.

When the App Store Accountability Act comes up for a vote, I urge you to vote yes.

Sincerely,

Jill Seyfred

Jill Seyfred, Executive Director

Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

At Nebraska Family Alliance, we advocate for a Nebraska where families thrive, and parental rights are protected. In the digital age, it is increasingly difficult to protect our children from the dangers of harmful social media content. Whether it's explicit ads or degrading comments that affect mental health, our children are being exposed to damaging content. It's time for Congress to enact child online safety legislation.

We believe one of the best approaches would be to require app stores to implement measures ensuring parental consent before allowing minors to download any apps. Empowering parents to selectively curate content for their children, enabling them to block material they consider harmful, fosters a stronger and healthier family dynamic. Right now, this choice is in the hands of the government – an entity that doesn't know our children personally. How can the government make these decisions in the best interest of our kids if they don't know who they are? The answer is, they can't!

Most parents across Nebraska, and the country, agree with this pro-parent and pro-child approach. Child safety isn't about politics and American families show this through the immense amount of bipartisan support for the app store approach. In fact, 81% of adults encourage social media companies requiring parental consent for minors to create a social media account.

For most parents, this is what they've been waiting for since social media became a trend. Nebraska Family Alliance also firmly supports legislation that would put parents first in determining their children's online usage. We urge your Committee to support legislation that empowers parents through the app store. By implementing this type of bill, we can ensure parents are empowered to protect their children and America's children are safe.

Sincerely,
Nebraska Family Alliance

A handwritten signature in black ink, appearing to read "Nate Grasz", written in a cursive style.

Nate Grasz
Executive Director



WISCONSIN FAMILY ACTION
Marriage|Family|Life|Liberty

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608-268-5074 (Madison) • 866-849-2536 (toll-free) • 608-256-3370 (fax)
Email: info@wifamilyaction.org
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Blog: <http://blog.wifamilyaction.com>

Dear Members of the House Committee on Energy and Commerce,

As a husband and community leader, I regularly hear concerns about the impact of unfiltered online content on children. My wife, a kindergarten special education teacher, often shares her concerns about how online content can impact students.

Parents across the country are facing the same challenge—how to incorporate technology into their children's lives without exposing them to harmful material. Technological advancements provide incredible opportunities for learning and communication. However, they also present significant challenges for parents in establishing healthy boundaries and assessing the age appropriateness of commonly used technology, such as apps.

Current parental controls make it extremely difficult for parents to navigate, let alone utilize, the tools they need to ensure their children aren't accessing inappropriate online content. Whether it be sexually explicit media, predatory behavior, or violence - a better path forward is crucial. The government must be on board with empowering parents to protect their children, and the internet cannot be an exception. Parents deserve a better system that allows them to make more informed decisions.

Polling shows that [79% of parents support](#) requiring minors to receive parental approval before downloading apps. The best approach to child online safety is at the app store level, and the App Store Accountability Act would put into place the most effective and common-sense solution. Instead of relying on an arbitrary content rating, app store driven legislation enables parents to have complete autonomy over the apps their children can access. By requiring app stores to display accurate ratings, implement age verification for all app downloads, and ensure parental approval for minors – we will be fully equipped to intercept danger before it ever reaches our children's devices.

I urge you to consider the App Store Accountability Act and recognize it as a proactive, effective solution to empower parents. It allows parents to decide what's best for their families rather than relying on broad government restrictions or reactive measures targeting individual apps. Legislation like this is vital and will give parents the tools they desperately need to protect their children online.

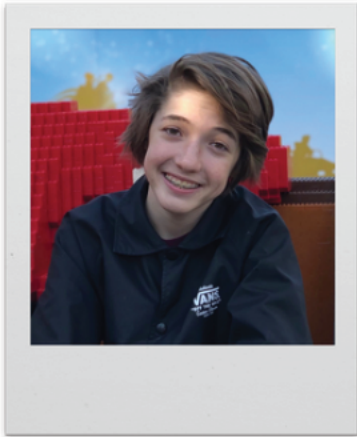
Technology is a powerful tool, but responsible use requires moderation. Your leadership on this issue will make a lasting impact on families nationwide.

Please support app store level controls and the App Store Accountability Act. Giving parents the authority to safeguard their children's digital experiences is preeminent.

Sincerely,

Daniel Degner
President, Wisconsin Family Action

OUR KIDS



Alexander Neville

Forever 14

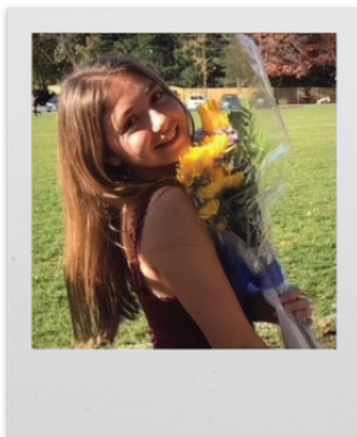
Alexander was 14 when he died from fentanyl poisoning after a drug dealer on Snapchat sold him counterfeit oxycontin that had enough fentanyl to kill four adults. Alex skated, scouted, and experimented. He was curious about everything and would master any subject he was passionate about. At points in his life, he was an Egyptologist, a Civil War historian, and a Pokemon encyclopedia, to name just a few.



Alex Peiser

Forever 17

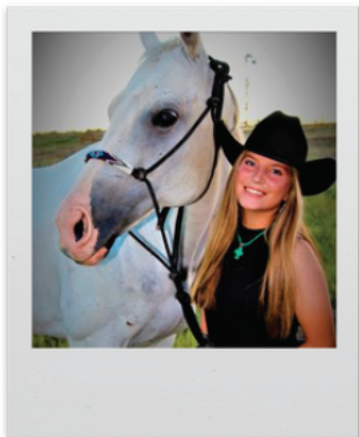
Alex was 17 years old when he died by suicide after he was influenced by anonymous users online. Alex was a fun, sensitive kid who was active in Boy Scouts, theater, band and his church youth group. He had good grades in school.



Becca Schmill

Forever 18

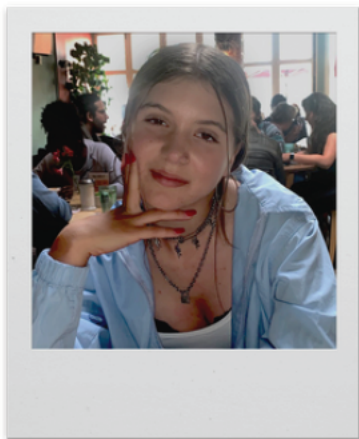
Becca was 18 when she died of fentanyl poisoning from drugs she purchased through a social media platform. Becca was a kind, caring person with a gift for making those around her feel loved and appreciated.



Annalee Schott

Forever 18

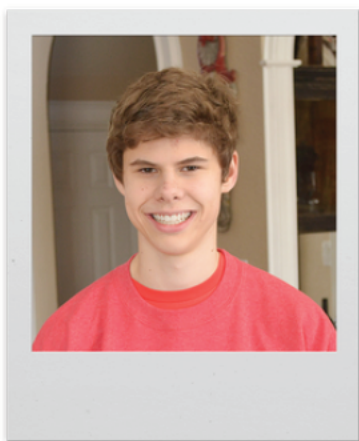
Annalee was 18 when she died by suicide after social media accounts exacerbated her mental health. The platforms' algorithms presented content that encouraged suicide, deteriorated her self-worth, and worsened her anxiety and depression. Annalee journaled about her mental health issues, her addiction to social media, and cited her distress after viewing a "live suicide" on her "For You" page on TikTok. Annalee Amelia was a beautiful, quiet, soft-hearted girl who loved her ranch lifestyle, and spent her time organizing community blood drives, competing in high school rodeo and served as the VP of Future Farmers of America.



Lucienne "Coco" Konar

Forever 17

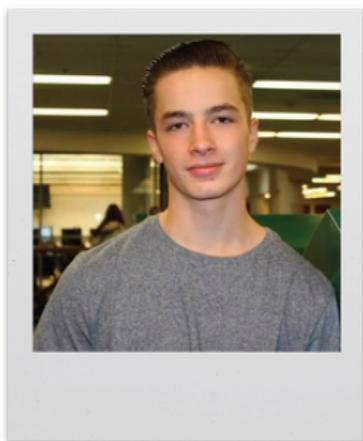
Coco was 17 when she died of fentanyl poisoning after an Instagram drug dealer sold her counterfeit Percocet. Coco was a bright, creative, inquisitive and extremely sensitive girl. She was always seeking justice, fighting for the underdog, and was an avid thrifter, making new fashion creations from her 'finds' at the thrift store.



David Molak

Forever 16

David was 16 when he died by suicide after months of relentless and threatening cyberbullying. In the year leading up to David's death, he was addicted to internet gaming and social media which caused anxiety and depression. David was an excellent basketball player who had an amazing recollection of sports stats. He was a fantasy football fanatic and never passed up an opportunity to dominate his family in Monopoly.



Devin Norring

Forever 19

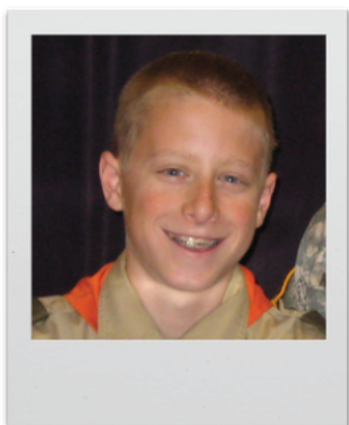
Devin was 19 when he died from fentanyl poisoning after a convicted drug dealer operating on Snapchat sold him counterfeit Percocet laced with fentanyl. Devin had a passion for playing football, wrestling, BMX biking, skateboarding, and riding dirt bikes at the lake. He never missed an opportunity to enjoy life.



Emily Michaela Murillo

Forever 17

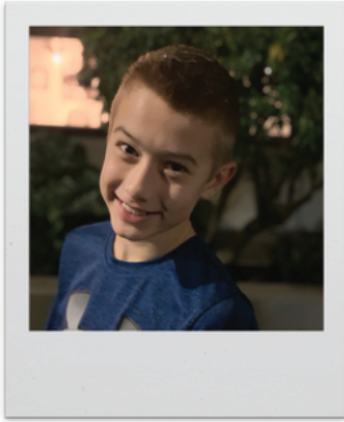
Emily was 17 years old when she died by suicide after she was continuously cyberbullied by her school peers. Emily was the sweetest, kindest soul, yet she could be a force to be reckoned with, too. She had a presence about her and could light up a room with her voracious laugh. She loved to a fault. She was very creative and loved to draw and make resin jewelry boxes.



Erik Robinson

Forever 12

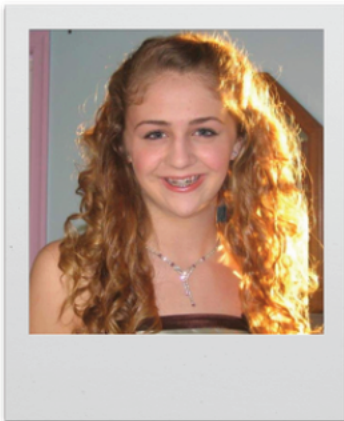
Erik was 12 years old when he died as a result of accidental asphyxiation after participating in the online "Choking Game" (nowadays popularly known as the "Blackout Challenge") just one day after learning about it. Erik was actively engaged in life at school, in Boy Scouts, and baseball. He had definitive plans for the future, including already corresponding with West Point's admissions department to ensure he would meet their physical fitness requirements when the time came to apply.



Ethan Van Lith

Forever 13

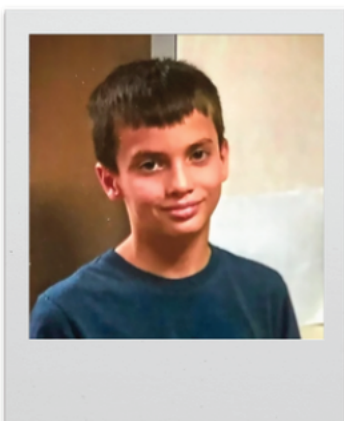
Ethan was 13 when he died as a result of accidental asphyxiation after participating in the online "Blackout Challenge." Ethan was always the happiest kid in the room and the brightest light in any situation. Any challenge excited him: from jumping off a high rock into the water to bouncing on a pogo stick while riding his scooter simultaneously.



Grace Katherine McComas

Forever 15

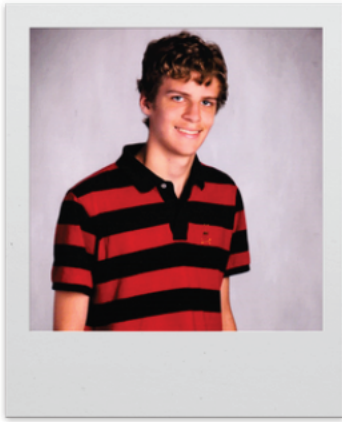
Grace was 15 years old when she died by suicide after being viciously cyberbullied and threatened on Twitter, then sexually harassed and bullied by her school peers. Grace was a wonderful human being who was well-loved. She was a bright light from birth, bouncing and happy, and grew into a deeply kind and gregarious teen with a great sense of humor. Grace was active in school activities including sports, music, and community service.



Griffin "Bubba" McGrath

Forever 13

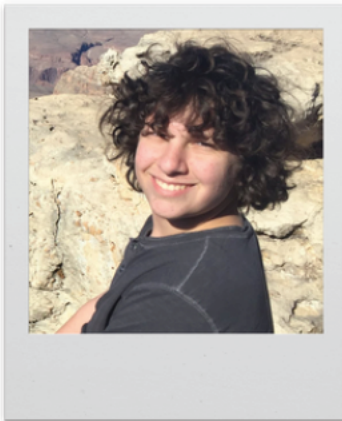
Griffin was 13 years old when he died as a result of accidental asphyxiation after participating in the online "Blackout Challenge." Griffin was an extraordinary and wickedly smart child. He placed third in the National Science Bowl competition just two weeks before he passed. Most of all he was a kind-hearted soul and touched everyone he met with his brilliance, genuineness, and quick wit.



Jack Servi

Forever 16

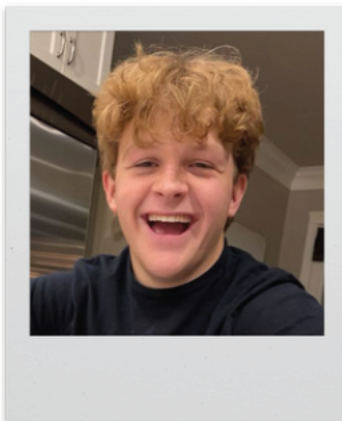
Jack was 16 years old when he died as a result of accidental asphyxiation after participating in the online “Blackout Challenge.” He broadcast his challenge on Snapchat while his friends watched the video of him choking and dying alone. Jack had an infectious smile and loved to make people laugh. His hobbies included building computers and working on motorized bicycles, as well as playing video games. He was never in a hurry. People admired him, and when he walked in a room, he lit it up for sure.



Mason Bogard

Forever 15

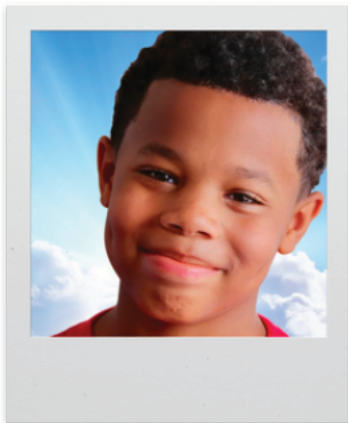
Mason was 15 years old when he died as a result of accidental asphyxiation after participating in the viral social media “Choking Challenge.” Mason was a normal teen who went to a good school, had great friends, and lived a healthy lifestyle. He was generous, kind, spiritual, and loved deeply. He enjoyed fishing, hiking, camping, woodworking, and entertaining his friends and family with his witty humor.



Mason James Eden

Forever 16

Mason was 16 years old when he died by suicide. Thirteen days before this, TikTok started showing him videos promoting, glorifying and romanticizing suicide. Mason was a little firecracker. He always had everyone laughing. He loved his family fiercely, loved to fish, wrestle with his brothers, and play and snuggle with his dogs, especially his boxer Rylee. He was a good student, described by his teachers as the class clown who even had them laughing at times.



Matthew Minor

Forever 12

Matthew was 12 years old when he died as a result of accidental asphyxiation after participating in the online "Blackout Challenge." Matthew was loving, compassionate, and a big hugger with a charismatic personality. Matthew was active in martial arts, football, and basketball. He cherished his time at family gatherings at the family farm in Tappahannock, Virginia.



McKenna Brown

Forever 16

McKenna was 16 when she died by suicide after being cyberbullied on social media. She was a gifted high school senior who had a way of making every person she encountered feel like they were the most important person in the room. McKenna had many future plans, including college hockey, flag football, and travel. She cared infinitely, was fiercely loyal, and always saw the good in everyone around her.



Riley Basford

Forever 15

Riley was 15 years old when he died by suicide after he was manipulated, blackmailed, and sexploited by an anonymous internet user. Riley was the life of the party – a joyful, funny kid who loved sports and farming and dreamed of a job in environmental conservation.



Walker Montgomery

Forever 16

Walker was 16 years old when he died by suicide after he was sextorted by an anonymous online predator on Instagram. Walker was a well adjusted teenager with a great social circle. He had no depression or social problems at all.

The Honorable Brett Guthrie
Chairman
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515

March 25, 2025

Dear Chairman Guthrie and Ranking Member Pallone,

We call you to prioritize passing the Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks (TAKE IT DOWN) Act. Victims of authentic image-based sexual abuse have waited years for Congress to pass basic, common sense protections. Today, artificial intelligence is making it alarmingly easy for malicious actors to produce hyper-realistic, non-consensual intimate images (NCII) of women, LGBTQ+ individuals, and minors. Now is the time for Congress to act.

Our support for this legislation is driven by the growing scale of the problem. Nearly 17% of women aged 18-29 report experiencing the non-consensual sharing of authentic intimate images.¹ One in ten adults report being or knowing a victim of AI-generated NCII.² Just last year, the ten leading websites dedicated to synthetic NCII had monthly traffic of over 34 million users, and there were over 9,500 other websites dedicated to such content.³

Just a few years ago perpetrators would have needed hundreds of images of a target and high technical knowledge to produce convincing deepfake images. Today, anyone can upload a single clothed image of a victim to freely available websites and generate intimate images in seconds, without the knowledge or consent of the person depicted.

Alarmingly, this harm increasingly extends to minors. 39% of high schoolers say they know a student at their school who has been a victim of NCII, and 15% say the same for AI-generated

¹ Ruvalcaba, Yanet, and Asia A. Eaton. "Nonconsensual Pornography Among U.S. Adults: A Sexual Scripts Framework on Victimization, Perpetration, and Health Correlates for Women and Men." *Psychology of Violence* 13, no. 5 (2023): 314–326. <https://doi.org/10.1037/vio0000468>.

² "Nearly Two-Thirds of Women Worry About Being a Victim of Deepfake Pornography, ESET UK Research Reveals," ESET, <https://www.eset.com/uk/about/newsroom/press-releases/nearly-two-thirds-of-women-worry-about-being-a-victim-of-deepfake-pornography-eset-uk-research-reveals/>.

³ "State of Deepfakes," SecurityHero, <https://www.securityhero.io/state-of-deepfakes/>.

NCII. More cases are surfacing every day, and the pattern of harm is disturbingly consistent.⁴ Students often find a “nudify” or “clothoff” app or website on a platform like TikTok or Instagram, upload a screenshot of a classmate online, and then take and distribute realistic nude images across social media.⁵ Victims frequently remain in the dark until the images are already widely spread online.

The TAKE IT DOWN Act would address this crisis head on by ensuring that perpetrators are held to account and that victims can take back control of their images online. Under current federal law, victims have few to no paths to recourse available in the aftermath of image-based sexual abuse. The TAKE IT DOWN Act patches this hole by criminalizing the publication of non-consensual, sexually exploitative images — including AI-generated deepfakes. It also closes a loophole in existing CSAM law by including nude images published with the intent to “abuse, humiliate, harass, or degrade” a minor rather than only “sexually explicit” images. While many states have already passed laws for this purpose, abuse often happens across different state jurisdictions. That means that even with legislation establishing criminal penalties in every state, many victims would still lack the tools to hold perpetrators accountable.

Beyond criminalizing the publication of NCII, the TAKE IT DOWN Act would mandate that large online platforms have a process in place for victims to report NCII, and that they remove reported content within 48 hours. When NCII is posted online, there is often a critical window directly following publishing where content will either be removed or rapidly spread to other platforms and services. Without the ability to get their images removed when they are first posted, victims will be left to track their images down across dozens or hundreds of platforms.

These protections are narrowly scoped to respect the First Amendment while adequately protecting victims. State laws across the country outlawing revenge porn similar to the TAKE IT DOWN Act are routinely upheld in court. The bill includes reasonable exceptions for matters of public concern and disclosures to institutions like law enforcement or medical professionals, and requires that publishers have intent to cause harm.

The bill’s notice and take down process only requires the removal of NCII, a form of content which is not protected speech. Courts have long recognized that such content is unprotected by the First Amendment. Its notice and take down process is modeled on the Digital Millennium Copyright Act’s existing take down mechanism which has existed for 25+ years and consistently held up in the courts. It requires that victims themselves be the ones to report non-consensual

⁴ Center for Democracy & Technology. (2021). Deepfakes and Digitally Manipulated Imagery Abuse in K-12 Schools: In Deep Trouble. Retrieved from <https://cdt.org/insights/deepfakes-and-digitally-manipulated-imagery-abuse-in-k-12-schools-in-deep-trouble/>.

⁵ CBS News. "Schools Face New Threat as 'Nudify' Sites Use AI to Create Realistic Nude Images." CBS News, October 6, 2023. <https://www.cbsnews.com/news/schools-face-new-threat-nudify-sites-use-ai-create-realistic-nude-images/>.

images, that they state in good faith that the content is not consensual, and that they provide information sufficient to locate the relevant content.

The Senate has already unanimously passed the TAKE IT DOWN Act. It has overwhelming, bipartisan support from civil society, trade groups, and the very companies that it would cover. That support reflects a shared understanding that protecting victims of this form of abuse is not a partisan matter but a moral imperative.

We urge Chairman Guthrie and Ranking Member Pallone to take action and pass the TAKE IT DOWN Act as soon as possible. Victims deserve justice now.

Sincerely,

Encode

Americans for Responsible Innovation (ARI)

Rape, Abuse & Incest National Network (RAINN)

Sexual Violence Prevention Association (SVPA)

Alecto AI

American Sunlight Project

Common Sense

Joyful Heart Foundation

National Consumer League

National Organization for Women (NOW)

Public Citizen

Survivors & Tech Solving Image-Based Sexual Abuse (STISA)

Tech Oversight Project

PALMETTO FAMILY

March 25, 2025

Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Re: The App Store Accountability Act

Dear Members of the House Committee on Energy and Commerce,

Palmetto Family Council advocates every day for a world where we honor God, preserve religious freedom, and create thriving families. Today, we continue this mission by urging this Committee to help families protect children online. Please support common-sense app store level regulations.

The relationship between a child and a parent is sacred—but unsupervised access to harmful online content erodes that sacred relationship. Parents are losing the ability to raise their children according to the values and beliefs they hold dear.

We believe parents should not have to compete with anonymous online users to raise their kids. Legislation that promotes safeguarding through the App Store will tackle this problem by ensuring parents approve any app their child wants to download. The best approach is at the app store level, which will put parents in the driver's seat. We must reaffirm that the right to parent only belongs to parents.

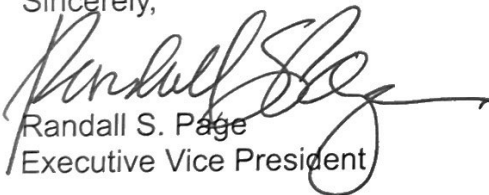
App Store Accountability bills have gained momentum in states across the country. Now is the time for Congress to use that momentum to enact child online safety legislation. Parents are more outspoken than ever on this issue. You have an opportunity to address this issue head-on.

Congress has tried to pass children's online safety legislation in the past, but these efforts failed because the proposals increased the government's reach. You cannot empower families by increasing government control.

Palmetto Family Council has always fought for families. From protecting the unborn to defending the sanctity of marriage, we have successfully advocated for policies that reflect biblical values. Protecting children online by empowering parents is the next step in this effort.

We ask that you support App Store legislation. It's time to end the exploitation of children online.

Sincerely,


Randall S. Page
Executive Vice President



March 25, 2025

The Honorable Gus Bilirakis
Chairman
Committee on Energy and Commerce
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Washington, District of Columbia 20515

The Honorable Jan Schakowsky
Ranking Member
Committee on Energy and Commerce
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Washington, District of Columbia 20515

***RE: Statement for the Record of ACT | The App Association for Subcommittee Hearing,
“The World Wild Web: Examining Online Harms”***

Dear Chairman Bilirakis, Ranking Member Schakowsky, and Members of the Committee:

ACT | The App Association is a global trade association for small and medium-sized technology companies. Our members are entrepreneurs, innovators, and independent developers within the global app ecosystem that engage with verticals across every industry. Today, U.S. the digital economy is worth more than \$1.8 trillion annually and supports over 6.1 million American jobs.¹ We work with and for our members to promote a policy environment that rewards and inspires innovation while providing resources that help them raise capital, create jobs, and continue to build incredible technology.

App Association members are dedicated to improving the safety and security of products and services in the digital economy. The internet is a vastly complex arena, and children’s access to the internet requires the utmost level of care. We thank the Subcommittee for its careful consideration of policies addressing minors’ access to harmful online content.

Certain policy proposals that put the onus for children’s safety entirely on app stores,² however, would not be effective in protecting the most vulnerable internet users. We believe instead that these policies would shield social media services with a history of malfeasance and shift liability and compliance costs to small app companies via the app stores. Policymakers should be hesitant to support children’s online safety legislative language proposed and supported by companies facing potentially billions of dollars in

¹ ACT | The App Association, *State of the U.S. App Economy: 2023*, <https://actonline.org/wp-content/uploads/APP-Economy-Report-FINAL-1.pdf>.

² See, e.g., Gabby Miller, “The age verification battlefield reopens,” Politico Pro (Feb. 20, 2025), *available at* <https://subscriber.politicopro.com/newsletter/2025/02/the-age-verification-battlefront-reopens-00205079> (paywalled); <https://le.utah.gov/~2025/bills/static/SB0142.html>; <https://www.congress.gov/bill/118th-congress/senate-bill/5364>.

finances for violating children's privacy.³ For small app companies, the problem with the bills is twofold: first, that the bills would offload compliance burdens away from large social media companies and onto smaller app companies; and second, that they would likely worsen current, developer-created solutions for parental control, which would in turn degrade app makers' offerings.

Congress Doesn't Need to Create Smart Device Parental Controls; They Already Exist and They Work

App store age verification proposals appear at least in part motivated by a desire to put parents in control of their children's smart devices. One commercial airing during the National Football League playoffs last year showed a parent receiving a text message prompting them to approve their child's request to download an app. The ad then called for legislation to create such a feature. In fact, this is exactly how parental controls work in current practice on Android, iPadOS, and iOS devices.

When parents set up smart devices for their children now, they can configure the device so that access to certain online content is only possible via the parents' or guardians' permission (see example below). They can also choose to completely disallow certain actions, such as accessing a browser. App stores enforce these preferences, blocking any downloads that parents and guardians disallow as well as any downloads of apps designated as outside the age range of the child user of the device, regardless of parental permission. Parents may adjust the settings that apply to the device, including to allow a child that is close to their ninth birthday to download an app meant for children aged nine and above.

Under this framework, the parent is in charge of a device assigned to their child. They can parent as they see fit, and the developers providing these capabilities design their user interfaces according to parental preferences, rather than according to government officials' assessment of compliance. As such, parental control tools on offer today are in a constant process of improvement and refinement, which is better for parents and developers than freezing them in place to serve the goals of record-keeping and enforcement avoidance that come with a government regime contemplated in age verification proposals.

³ <https://www.nytimes.com/2023/11/25/technology/instagram-meta-children-privacy.html>.

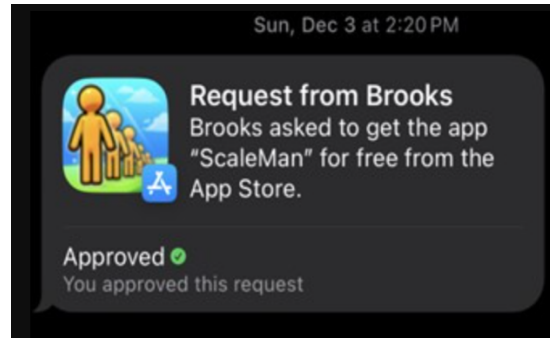


Figure 1: Screenshot of a notification sent to a parent of a request for their child to download an application to the child's device.

App developers currently must accurately indicate the age appropriateness of their apps when distributing through one of the official app stores—or else be subject to removal from the app stores. The internet is full of content that is harmful or inappropriate for minors. To mitigate the risk and limit access to harmful content, developers and device manufacturers implement tools that allow parents to configure devices for their children.

When configuring the device, parents can eliminate any possible access to the browser itself, confining their children's experience to apps that are approved for their ages (apps with browser access are strictly for 17 and over on the app stores).^{4, 5, 6} Parents and guardians should not need to comply with layers of government red tape just to effectuate a much weaker level of control than what they currently have over their children's online experience.

To the extent the Subcommittee wishes to give parents flexible, meaningful control over their kids' online experiences via their smart devices, this already exists, and any government regime to change it would inevitably add costs for developers and headaches for parents. The failures to protect children's privacy that exist today are decidedly outside the purview of app stores and smart devices and solely on social platforms, including those the proponents of age verification mandates provide.

Mandatory app store age verification proposals are based on flawed assumptions about the app ecosystem and would produce a disproportionate impact on small and medium-sized tech companies

⁴ Step-by-step guide to turning on device level filters currently available for Apple iPhones and tablets: <https://support.apple.com/en-us/105121>

⁵ Step-by-step guide to turning on device level filters currently available on Samsung Galaxy phones and tablets: <https://www.samsung.com/us/support/answer/ANS10003399/>

⁶ Step-by-step guide to turning on device level filters currently available for Apple iPhones and tablets on the Motorola phone - https://en-us.support.motorola.com/app/answers/detail/a_id/156314/~parental-controls--moto-g-play

Small and medium-sized tech companies and developers, like our members, play a crucial role in helping manufacturers turn an ordinary phone or tablet into a smart device through the creation of the apps and other layers of software that work with the physical devices. These businesses are at the forefront of creating new ways to empower parents and guardians to enable access to educational and beneficial content for their children via smart devices while keeping parents at the center of their children's online experience and maximizing their ability to protect them. In the current ecosystem, a developer of a stargazing app with five employees can list their software as appropriate for children aged 12 and above (if on iOS)⁷ or 10 and above (if on Google Play or another platform)⁸ for example. Parents may wish to allow access for their 12-year-old, or they could decline access. This is solely at the parents' discretion.

If age verification legislation is enacted, however, the parent has effectively no choice in the matter, the issue having been decided for them by the government. The child must be identified as "under 13," pursuant to the app store's age verification requirement. On notice as to the child's status, the developer would then be obligated to follow the requirements laid out in the new law.

In addition, the actual knowledge as to a child's under-13 status effectively removes the ability for developers to offer things like stargazing apps to general audiences. They can either choose to market to "children," subjecting themselves to verifiable parental consent (VPC) requirements under the Children's Online Privacy Protection Act (COPPA),⁹ or they can completely shut off access to their services by children, setting the cutoff at age 18 just to be safe. Of course, the latter is much more likely to be the case, and there are two consequences of this: 1) your 12-year-old no longer has the privilege of accessing high-quality stargazing apps that traverse bona fide app review and therefore are subject to meaningful parental controls via platform-level settings; and 2) 12-year-olds are unlikely to accept this fate and will access low-quality versions of the software operating in legal grey or black markets unchecked by app store constraints and completely outside policymakers' and parents' purview. Meanwhile, the good actor stargazing apps have likely lost much of their consumer base, left exclusively with consumers who have verified explicitly and pursuant to bureaucratic mandate that they are over 18. In a less likely scenario, they may have convinced their investors to allow them to become a VPC paperwork shop first and foremost, relegating the stargazing function to the backseat of their business plan priorities.

⁷ <https://developer.apple.com/help/app-store-connect/reference/age-ratings/>

⁸ <https://www.esrb.org/ratings-guide/>.

⁹ COPPA applies to operators of commercial websites and online services "directed to children under 13," <https://www.ftc.gov/business-guidance/resources/complying-coppa-frequently-asked-questions>.

Adding to the VPC compliance costs, app store age verification proposals would put the ball in the developer's court to maintain a paper trail on parents' consent to simply download the app (COPPA is not predicated on "downloads," it is predicated on collection of information—two completely separate things). Under these proposals, the app store's flag indicating parental consent only applies to the initial download. Parents often revoke consent, but this revocation must be effectuated between the parent and the developer under the proposal, since app stores have no functional ability to delete software from an individual's device. Under current law, parents effectuate this permission withdrawal by deleting the app—and decline permission for future downloads. But under app store age verification proposals, the developer would be the record-keeper for the entire age verification-predicated parental consent mechanism (even though deleting the app is a far easier method). This is an inevitable consequence of mandating age verification as a precondition of using the internet in the first place, since each link in the chain knows the age of the person and must act according to that knowledge. It follows that attempts to limit liability solely to app stores cannot succeed and would ultimately create significant legal uncertainty for small businesses in the app economy.

Whether the developer decides to exclude any consumer under 18 or not, under current proposals, the stargazing app would be less credibly competitive with larger rivals with big compliance budgets. It would be saddled with a new reality of frustrated parents, red tape, and legal uncertainty. This would be true for virtually all apps with high educational utility, including those used by school districts and therefore subject to the Family Educational Rights Privacy Act (FERPA), designed for kids, teens, and adults. It is currently unclear how age verification legislation would conflict with or work around school district norms and FERPA requirements, and it is unlikely the resulting legal uncertainty could be waved away with savings clauses or rules of construction. The introduction of this level of legal uncertainty weighs far more heavily on small businesses like the five-employee stargazing app, providing a relative advantage to its larger competitors with legal departments and compliance resources.

App store age verification proposals undermine the ongoing progress that our businesses and developers are making instead of supporting the innovative spirit of the digital ecosystem.

App store age verification proposals incorrectly assume that homes are multi-device homes, and that all children and youth have their own devices. One chief assumption in many of the app store age verification proposals is that all children and all homes are multidevice homes. It is quite common for parents to use their own logins for a household laptop or tablet that they allow their kids to use. In instances like this, children may bypass all of the consent requirements that could be established by these proposals.

App store age verification proposals incorrectly assume children's devices are on the same operating systems as their parents'. To the contrary, it is common for parents and kids to have devices that run on different operating systems with different app stores. Any purported advantage over social media platforms an app store has in being able to verify users is inapplicable in cases like this, since the minor's app store is not the same as the parents'. App stores are not generally in a better position than social media companies to verify users' ages and this is even more demonstrably the case when parents and kids use different app stores.

App stores and social media platforms are not one in the same, and not all apps are social media apps. Social media apps have specific challenges with the ongoing use by children under the COPPA threshold using their platforms. This letter from Senators Bill Cassidy and Ed Markey details the lengths to which some platforms go to skirt the law's requirements and helps explain why age verification proposals would help bad actors evade this responsibility even as it would add costs for small business app developers and red tape for parents.¹⁰

Social media companies have their own communities. Social media companies are businesses that require each and every user to create an account to have access to a digital community. In these communities, users can communicate with each other through messaging, shared photos, comments on posts, among other things intentionally created for both teen and adult crowds, and the social media platforms own the responsibility to protect their users. Whether a user is accessing their account via a browser or an app, their access is accomplished via their account or accounts with the social media company, not via the app store. This means that whatever gating measures an app store employs, the relationship between the user and the social media platform is ultimately the only cross-context way of limiting their access to it. Thus, the social media company inevitably should be the entity responsible for restricting account creation of minors and compliance with data governance laws and limiting targeted advertisements.

Many of the social media companies are also websites. This means that that even if the social media companies leave an app store, laptop and smartphone users could still create social media accounts on these specific companies' websites. App store age verification proposals do not take this into account.

The contract canard. Some have raised the argument that because contracts are often unenforceable against minors, app stores must be obligated to obtain parental consent for the download of an app onto a minor's device.¹¹ This argument is a red herring. Mandating an agreement *between a parent and an app store to download an app* does not solve the problem of *parents failing to enter into agreements with social media platforms on behalf of their minor children*. Parental consent to download a social media app does not create a

¹⁰https://www.markey.senate.gov/imo/media/doc/markey_cassidy_letter_to_meta_on_states_coppa_complaint_-_120523pdf.pdf

¹¹ <https://le.utah.gov/committee/committee.jsp?year=2025&com=SSTPT&mtgid=19653>.

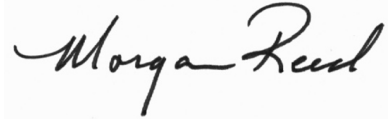
contract between a parent and the social media platform. The mere provision of consent to download the app, for example, does not cover any of the minor's activity while on the social media platform. Nor does it cover any changes to a parent's consent or updates to permissions within the social media platform for the minor. Parents must work under an agreement directly with the social media platform to accomplish these changes. Moreover, the minor's social media account exists independently from the app itself. It can be accessed on the open internet, not just via the app—and even if the account were only accessible via the app, consent to download at the app store level is not the same thing as consent to a set of terms of service within an app. That still has to be accomplished separately, unless the vision is for the app stores to merge completely with the social media platforms, which seems unlikely.

From small business app developers' perspective, treating app store-level permission as agreement to an app's terms of service imposes a form of liability that is currently out of the app stores' purview, and for good reason. In order to ensure it can comply with mandates to carry out functions over which it does not have control currently, a covered app store would probably have to take measures to exert more control over apps' relationships with users. In reality, this could take the form of things like constant audits of social media platforms (and relevantly for the App Association, all other app developers) by app stores. In summary, the notion that consent to download equals privity of contract covering the entire relationship between a minor's parents and the owner of an app appears to be based on a conflation of the two concepts. Unfortunately, treating app stores as in control of relationships between users and app developers would lead to legislation that does not fix, and could actually worsen, the stated problem—that minors experience a host of threats and issues on social media platforms.

Although legislating app store age verification is likely to be harmful to the ecosystem, Congress is right to focus on updating COPPA. This Subcommittee has laid the groundwork for COPPA reform and adjusting the law's requirements so as to allow for flexible and technology-driven approaches to obtaining VPC would go a long way toward addressing the issues sought to be addressed in this hearing. Parents must be in better control of their kids' online experience and Congress has a role in providing a better legal backdrop for this in updating VPC and COPPA more generally.

Thank you for your time and consideration. We trust that the Subcommittee will carefully evaluate the points raised while focusing on alternative ways to support both the protection of minors and the growth of the app economy.

Sincerely,

A handwritten signature in black ink that reads "Morgan Reed". The signature is fluid and cursive, with the first name "Morgan" and the last name "Reed" clearly distinguishable.

Morgan Reed

President

ACT | The App Association

Statement for the Record
For the March 26, 2025 Hearing: "The World Wild Web: Examining Online Harms"

Submitted by: Soohyun Kim
Date: March 25, 2025

To the Honorable Members of the Subcommittee:

I respectfully submit this statement as a private citizen who is deeply concerned about the direction of current legislative discourse on online harms and content regulation, particularly regarding proposals to mandate age verification technology for online platforms.

Government has a vested interest in protecting children; but, that interest must be pursued with narrow scrutiny, not broad censorship. The inherently subjective nature of what is deemed "harmful" or "obscene" makes any content-based restriction vulnerable to overreach, chilling expression in satire, art, and even political commentary, all of which are protected by the First Amendment.

As noted in the memorandum, the Supreme Court has consistently found that content-based restrictions violate the First Amendment's regard for free speech; no legislative restrictions can be made under the guise of safety that can create a chilling effect to deter what would otherwise be found as valid forms of expression. To minimize this, a very strict and narrow form of scrutiny must be applied to identify what speech is considered "harmful" or "obscene".

Thus, to impose blanket age verification on expressive online content, with what is in essence a subjective standard (what kind of content is considered harmful?), is to effectively impose a broad ban on this kind of speech, in practice if not theory, and create the exact kind of chilling effect that our free speech protections seek to avoid. No doubt this chilling effect is made all-the-more amplified by the fact that the user must submit sensitive information for verification, which will remove any notion of online anonymity. History has shown again and again that speech made under anonymity is an important addition to nationwide social and political discussion.

The memorandum makes an example of AI creations depicting intimate imagery of a real person made without the subject's consent. Indeed, there is real harm to be found in it and should be removed; but, in doing so, it must not deter non-harmful AI creations that act in the purpose of satire or parody, particularly of public figures. Such speech is at the heart of the First Amendment. Only a form of narrow scrutiny can be employed to target harm and avoid a chilling effect.

And I really must object to the notion that the solution to combating the effects of evolving technology can be more technical restrictions. In the mentioned ongoing case of *Free Speech Coalition v. Paxton*, in which the adult film industry is challenging Texas law to mandate age verification, much has been said of how parents are failing to control how such "obscene" material arrives at the child's screen, due to a rapid change of technology. So, according to pundits, free speech principles must now be reassessed, and restrictions be applied where it was not before.

I find this to be a weak and defeatist argument in abandoning the ideological aspect of a parent's education towards a child. Technology will always evolve and adapt, and what is the value of maintaining laws if the core ethical principle is so easily defeated by technological advances?

Modern online censorship has proven generally ineffective. Methods of circumvention abound in the face of what amount to small technical barriers.

When a prominent adult video platform closed its services to US states following the enactment of such age-verification laws, demand in those states for geo-location Virtual Private Network (VPN) services skyrocketed. Distinguishing and targeting a VPN access route from a genuine one is technically straining and dangerously broad.

Or, others simply found alternative platforms that do not meet the technical threshold of such restriction (in Texas platforms whose "obscene" content does not exceed 33.3% in volume, or for Virginia: platforms that do not "primarily" host such content). Here, even state legislatures demonstrate their own failure in their capability to distinguish actual harm, at least in technical terms.

Clearly, no technical restriction will ever prove adequate, and children will always be more technologically clever than their parents. The solution, then, is not to apply blanket-level technical restrictions, which are easily circumvented that only serve to deter legal adults to access such content, but to apply ideological and ethical restrictions, in the form of principled parenting, to teach children personally and ideologically why they must avoid viewing such material. And it is not perfect, but it never was, and there never will be any real alternative to it. Otherwise, there is no point; otherwise, we will be reduced to constantly introducing dodgy bills in response to new technology, in an unattainable and never-ending game of legislative whack-a-mole.

Thus, I call on you, Honorable Members of the Subcommittee, to appeal to reason and prevent passage of any legislation that do not effectively address concerns of youth protection, but which only serve to inconvenience adults and limit freedom of speech with a chilling effect; to consider carefully the ramifications of any reckless law that stands in contrast with the celebrated values of the US Constitution. Broad, sweeping technical restrictions are not the American solution to protecting minors online, and they never will be.

Thank you for your time.

Soohyun Kim
Lowell, MA 01852

March 25, 2025

Chairmen Brett Guthrie and Gus Bilirakis
Ranking Members Frank Pallone Jr. and Jan Schakowsky
United States House Energy and Commerce Committee
Subcommittee on Commerce, Manufacturing, and Trade
2123 Rayburn House Office Building, Washington, D.C.

Re: CAIDP Statement for the Record: The World Wild Web: Examining Harms Online

Dear Chairmen Guthrie and Bilirakis, Ranking Member Pallone, Schakowsky, and Members of the Committee,

The Center for AI and Digital Policy (CAIDP) welcomes the hearing *The World Wild Web: Examining Harms Online*.¹ We thank you for your continued leadership in examining online harms and moving forward meaningful congressional action to address these harms. The explosion of digital technologies and AI-driven services has outpaced the legal safeguards designed to protect the public, especially our most vulnerable populations. As Congress considers how best to protect consumers in the digital age, CAIDP highlights two urgent and interlocking concerns: harms to children, and threats to privacy and free speech.

In the statement below, we detail the increasing online threats to young children. We urge the Committee to act promptly, pass legislation, promote transparency and independent audits, ban the use of scraped data, and establish liability rules.

About CAIDP

The Center for AI and Digital Policy is an independent research and education organization, based in Washington, D.C.² CAIDP's mission is to ensure that artificial intelligence (AI) and technological advancements serve the broader public interest based on fundamental rights, democratic institutions, and the rule of law. CAIDP routinely provides nonpartisan advice to Congressional committees on matters involving children's online safety.³

¹ United States House Energy and Commerce Committee, Commerce, Manufacturing and Trade Subcommittee, *The World Wild Web: Examining Harms Online*, <https://energycommerce.house.gov/calendars?start=2025-03-25&end=2025-04-01>

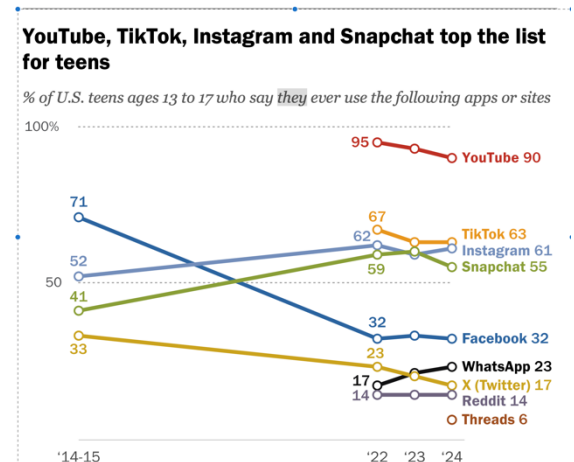
² CAIDP, <https://www.caidp.org/>

³ CAIDP, *Statements*, <https://www.caidp.org/statements/>

Historically, this Subcommittee has led the efforts for federal privacy, Big Tech accountability, and online child safety. Chairman Bilirakis’ sponsorship of the Kids Online Safety Act (“KOSA”), which passed out of committee, has been integral to maintaining momentum for ensuring a safe online ecosystem for America’s children. **We were pleased to see that just a month ago, Chairman Bilirakis has doubled down on KOSA with one article declaring, “Bilirakis is not giving up on KOSA.”**⁴ This continued leadership provides hope that Congress will act decisively to protect Americans and establish oversight and accountability for online harms. Indeed, as the members know all too well, there is an increasing need and desire by Americans to have safeguards online.⁵

I. Current business practices are causing harms to children, teens, and persons in vulnerable situations

Children today navigate a digital environment that is not designed for their privacy, safety, health, or development. The Pew Research Center explained that **“Most teens use social media and have a smartphone, and nearly half say they’re online almost constantly.”**⁶ While YouTube tops the list for usage, roughly six-in-ten teens say they use TikTok and Instagram, and 55% say the same for Snapchat. Another Pew Study found that 44% of teens say it's harder being a teenager today because of the constant exposure to pressures and expectations placed on them through social media.⁷



AI companies continue to aggressively roll-out and monetize technologies at the expense of children.⁸ The serious online risk to children is further

⁴ Punchbowl News, *Bilirakis isn’t giving up on KOSA*, Feb. 16, 2025, <https://punchbowl.news/article/tech/bilirakis-kosa-kids-online-safety-act/>

⁵ Pew Research Center, *Key findings about Americans and data privacy*, Oct. 18, 2023, <https://www.pewresearch.org/short-reads/2023/10/18/key-findings-about-americans-and-data-privacy/>

⁶ Pew Research Center, *Teens, Social Media, and Technology 2024*, Report, pg. 3 (Dec. 12, 2024), https://www.pewresearch.org/wp-content/uploads/sites/20/2024/12/PI_2024.12.12_Teens-Social-Media-Tech_REPORT.pdf

⁷ Pew Research Center, *Why Many Parents and Teens Think It’s Harder Being a Teen Today*, Feature, Aug. 27, 2024, <https://www.pewresearch.org/internet/feature/why-many-parents-and-teens-think-its-harder-being-a-teen-today/>

⁸ CAIDP, *Statement to Senate Judiciary on Big Tech and Child Exploitation*, Jan. 31, 2024, [CAIDP Statement to Senate Judiciary Committee on Big Tech and Child Exploitation](#); Foster Kamer, *An AI Company Published a Chatbot Based on a Murdered Woman. Her Family Is Outraged.*, *Futurism*, Oct. 4, 2024, <https://futurism.com/character-ai-murdered-woman-crecente>

exacerbated through the unprecedented deployment of AI systems in children-facing apps, such as *Snap*, online mediums, and social media platforms. ***There is no “switch-off” for AI systems once they are integrated.***⁹ This Committee would be aware of AI companies targeting children with character chatbots aimed at imitating the personalities of their favorite characters, leading to “friendships” divorced from reality.¹⁰ For example, Replika.AI false, and misleading claims state, “The AI companion who cares, always here to listen and talk, always on your side, the more you talk to Replika, the smarter it becomes.”¹¹

The rise of generative AI has led to deeply disturbing harms such as non-consensual deepfake pornography targeting minors and students.¹² **‘Nudification’ apps disproportionately target women.**¹³ Social media companies and AI developers are engaging in mass web scraping to collect data without consent, transparency, or limits—often vacuuming up sensitive, copyrighted, and personally identifiable content. This includes medical records, children’s voices, and private social media posts, which are then ingested into large AI models with no meaningful transparency, accountability, or redress. Child Sexual Abuse Material (CSAM) can be found in the widely used Common Crawl data set that produces generative AI outputs including those of OpenAI, Google.¹⁴

These apps and services are in turn advertised on social media like Facebook, Instagram, etc creating an inescapable loop for children, teens, persons with mental health issues, and other vulnerable groups. **In 2023 alone, the number of links advertising undressing apps increased**

⁹ See, Federal Trade Commission Statement, *In the Matter of Snap Inc.*, Matter No. 232039, Jan. 16, 2025, https://www.ftc.gov/system/files/ftc_gov/pdf/commission-statement-snap.pdf

¹⁰ See, CharacterAI, <https://character.ai/> (Character AI description, “We are uniquely centered around people, letting users personalize their experience by interacting with AI ‘Characters’”)

¹¹ Replika.AI, <https://replika.ai>

¹² Olina Banerji, *More Teens Than You Think Have Been ‘Deepfake’ Targets*, Education Week (March 3, 2025), <https://www.edweek.org/technology/more-teens-than-you-think-have-been-deepfake-targets/2025/03>

¹³ Time, *‘Nudify’ Apps That Use AI to ‘Undress’ Women in Photos Are Soaring in Popularity*, Dec.8, 2023, <https://time.com/6344068/nudify-apps-undress-photos-women-artificial-intelligence/>

¹⁴ Emily M. Bender, Timnit Gebru, Angelina McMillan-Major, Margaret Mitchell, *On the Dangers of Stochastic Parrots: Can Language Models Be Too Big, FAccT '21: Proceedings of the 2021 ACM Conference on Fairness, Accountability, and Transparency (March 2021)*. (*Stochastic Parrots*”), <https://doi.org/10.1145/3442188.3445922>; GitHub, <https://stanford-cs324.github.io/winter2022/lectures/data/>; David Thiel, *Identifying and Eliminating CSAM in Generative ML Training Data and Models*, Stanford, Internet Observatory, Cyber Policy Center, (Dec. 23, 2023), https://stacks.stanford.edu/file/druid:kh752sm9123/ml_training_data_csam_report-2023-12-23.pdf

more than 2,400% on social media, including on X and Reddit... Many of the services only work on women.¹⁵

These abuses are not hypothetical—they are happening now and affecting real children in our schools and communities. Existing protections like COPPA are limited to children under 13 and were designed for a different technological era. Congress must act to expand protections to include teenagers, require privacy-and safety-by-design, and hold platforms accountable for both passive exposure and active targeting of harmful content.

II. Opaque algorithms threaten privacy and free speech

The mass collection of personal data—from browsing behavior to biometric information—has become the fuel for algorithmic systems that now make critical decisions affecting employment, education, healthcare, and credit.¹⁶ **Yet these systems are opaque, inaccurate, and unfair.**

With the unprecedented pace of AI development, a growing number of Americans have become distraught about AI.¹⁷ Public opinion surveys conducted by Pew show growing public support for the regulation of AI products and services. “Democrats and Republicans alike are more concerned about insufficient government regulation of chatbots than excessive regulation.”¹⁸ Of those polled, 67% said the government would not go far enough to safeguard the public.

Privacy is a civil right, and its erosion has direct discriminatory consequences. Without meaningful federal privacy legislation that includes privacy and algorithmic impact

¹⁵ Time, ‘Nudify’ Apps That Use AI to ‘Undress’ Women in Photos Are Soaring in Popularity, Dec.8, 2023, <https://time.com/6344068/nudify-apps-undress-photos-women-artificial-intelligence/>

¹⁶ The Economic Times, *AI and Privacy: The privacy concerns surrounding AI, its potential impact on personal data*, Apr. 25, 2025,

<https://economictimes.indiatimes.com/news/how-to/ai-and-privacy-the-privacy-concerns-surrounding-ai-its-potential-impact-on-personal-data/articleshow/99738234.cms?from=mdr>

¹⁷ Pew Research Center, *Growing public concern about the role of artificial intelligence in daily life*, Aug. 28, 2023, <https://www.pewresearch.org/short-reads/2023/08/28/growing-public-concern-about-the-role-of-artificial-intelligence-in-daily-life/>

¹⁸ Pew Research Center, *Democrats and Republicans alike are more concerned about insufficient government regulation of chatbots than excessive regulation*, Aug. 28, 2023, https://www.pewresearch.org/short-reads/2023/11/21/what-the-data-says-about-americans-views-of-artificial-intelligence/sr_23-11-21_ai-roundup_5-png/

assessments and fairness guardrails, digital platforms will continue to operate with impunity, profiling users and making opaque decisions that shape real-world outcomes.

Algorithmic discrimination poses a serious threat to fairness, civil liberties, and public trust across critical sectors of society. Algorithmic systems used online often replicate and reinforce bias, disproportionately harming people with disabilities, seniors, women, and vulnerable groups.¹⁹ In employment, natural language processing algorithms used in applicant tracking systems have shown gender bias.²⁰ Online advertising algorithms can also reinforce societal inequalities. Research from Carnegie Mellon University found that Google displayed high-paying job ads more often to men than to women.²¹ Generative AI systems, such as Midjourney, have exhibited gender bias in image creation—portraying older individuals in professional roles almost exclusively as men, subtly reinforcing outdated gender norms.²²

The principle of algorithmic fairness is not simply a matter of the output or result of the system but the requirement that the functioning must be procedurally fair and transparent. As CAIDP founder Marc Rotenberg explained:

Algorithmic transparency is the basis of machine accountability. Credit determinations, employment assessments, educational tracking, as well as decisions about government benefits, border crossings, communications surveillance and even inspections in sports stadiums increasingly rely on black box techniques that produce results that are unaccountable, opaque, and often unfair.

¹⁹ CAIDP, *Comments to the United States Office of Science and Technology Policy on Artificial Intelligence Action Plan*, Mar. 14, 2025; American Bar Association, *Hiring Discrimination by Algorithm: A New Frontier for Civil Rights and Labor Law*, Oct. 31, 2023, <https://www.americanbar.org/groups/crsj/resources/human-rights/archive/hiring-discrimination-algorithm-new-frontier-civil-rights-labor-law/>

²⁰ Aylin Caliskan, Joanna Bryson, Arvind Narayanan, *Semantics derived automatically from language corpora contain human-like biases*, *Science*, 356.6334 (2017): 183-186. <http://opus.bath.ac.uk/55288/>; CAIDP, *Cases – In the matter of OpenAI and ChatGPT*, Federal Trade Commission, <https://www.caidp.org/cases/openai/>;

²¹ Aylin Caliskan, *Detecting and mitigating bias in natural language processing*, May 10, 2021, <https://www.brookings.edu/articles/detecting-and-mitigating-bias-in-natural-language-processing/>; Carnegie Mellon University, Computer Sciences Department, *Fewer Women Than Men Are Shown Online Ads Related to High-Paying Jobs*, News, Jul. 6, 2015, <https://csd.cmu.edu/news/fewer-women-than-men-are-shown-online-ads-related-to-highpaying-jobs>

²² IBM, *Shedding light on AI bias with real world examples*,

Even the organizations that rely on these methods often do not fully understand their impact or their weaknesses.²³

Algorithmic fairness is even more crucial for advanced AI systems such as large language models or generative AI systems where developers have already expressed an inability to address bias in their constructed datasets.²⁴ This is at cross-purposes with the stated purpose of the current administration’s January 2025 AI Executive Order is to develop AI systems “free from ideological bias or engineered social agendas.”²⁵ Unfair and opaque AI systems will diminish public trust and thus slow down AI adoption. Fairness and transparency for social media algorithms are critical to ensure that tech companies are not infringing users’ free speech rights.²⁶

We reiterate our previous advice²⁷ to this Committee, and the OSTP that the development of Privacy Enhancing Technologies (PETs) is necessary as a longer-term solution to privacy risks.²⁸ Where Privacy by Design mitigates data privacy risks baked into existing technologies, PETs limit or eliminate the collection of personal data addressing the problem at the source. The OSTP has long recognized that “PETs include utilizing low-data artificial intelligence, deleting unnecessary data, and creating techniques for robust anonymity.”²⁹ The 2024 House AI

²³ Marc Rotenberg, *Artificial Intelligence and the Right to Algorithmic Transparency*, in *The Cambridge Handbook of Information Technology, Life Sciences and Human Rights*, 2022, pg. 153 – 165, <https://doi.org/10.1017/9781108775038.015>

²⁴ Aylin Caliskan, Joanna Bryson, Arvind Narayanan, *Semantics derived automatically from language corpora contain human-like biases*, *Science*, 356.6334 (2017): 183-186. <http://opus.bath.ac.uk/55288/>; CAIDP, *Cases – In the matter of OpenAI and ChatGPT*, Federal Trade Commission, <https://www.caidp.org/cases/openai/>;

²⁵ White House Fact-Sheet 2025

²⁶ See, Marc Rotenberg, *U.S. Supreme Court: NetChoice Cases Explore AI and the First Amendment*, Case Note, *Journal of AI Law and Regulation*, Issue 2, 2024, <https://doi.org/10.21552/aire/2024/2/13>;

²⁷ CAIDP, *Statement to House Energy and Commerce Committee on Mark-up hearing on H.R. 8188*, June 27, 2024, https://www.linkedin.com/posts/center-for-ai-and-digital-policy_caidp-statement-kosa-and-coppa-sept-18-activity-7242226608445476866-QOiv? ; CAIDP, *Statement to House Energy and Commerce Committee on Safeguarding Data and Innovation: Building the Foundation for the Use of Artificial Intelligence*, Oct. 18, 2023, <https://www.caidp.org/app/download/8482422563/CAIDP-HECC-AI-10182023%20.pdf?>; CAIDP, *Comments to OSTP on National Artificial Intelligence Research and Development Strategic Plan*, Mar. 4, 2022, Pg. 4, <https://www.caidp.org/statements/>

²⁸ CAIDP response to ICO Consultation on Purpose Limitation in the generative AI lifecycle, https://www.linkedin.com/posts/center-for-ai-and-digital-policy_caidp-uk-ico-ai-purpose-specification-activity

²⁹ *Id.*

Taskforce Report found that “Improper use of AI can violate laws and deprive Americans of our most important rights.”³⁰

CAIDP Recommendations

While Congress considers various legislative proposals, we urge this Subcommittee to::

1. Pass the Americans Privacy Rights Act³¹, the Children and Teens’ Online Privacy Protection Act (COPPA 2.0), and the Kids Online Safety Act (KOSA).³² These laws taken together would establish “baseline safeguards” for privacy and online safety.
2. Move forward legislation that specifically addresses AI enabled harms like the Take it Down Act, the STOP CSAM Act and regulate the use of manipulative AI systems—such as character chatbots that simulate friendships—to target or exploit minors.
3. Require AI developers to disclose their data sources and training methodologies, conduct third-party audits for fairness and safety risks, and prevent the deployment of AI tools that have not undergone adequate safety evaluations, especially those targeting youth.
4. Ban the use of scraped personal data—especially that of children and private individuals—for training AI models, and create enforceable penalties for companies that incorporate CSAM, biometric data, or identifiable user content into AI systems.
5. Establish liability for companies that create, deploy, or host AI systems that facilitate non-consensual deepfakes, amplify CSAM, or contribute to harmful outcomes like youth suicide or algorithmically driven discrimination in healthcare, employment, and policing.
6. By encouraging investment in AI that is built on PETs and in turn building capacity for independent evaluation of PETs, Congress together with the executive can move American AI to an ecosystem that expands horizontal and vertical innovation, improves

³⁰ Bipartisan House Task Force Report on Artificial Intelligence, 118th Congress, pg. xii, December 2024, <https://www.speaker.gov/wp-content/uploads/2024/12/AI-Task-Force-Report-FINAL.pdf>

³¹ 118th Congress, 2nd Session, H.R. 8818, *American Privacy Rights Act of 2024*, https://d1dth6e84htgma.cloudfront.net/H_R_8818_American_Privacy_Rights_Act_of_2024_a265f50b54.pdf; See also, H.R. 8818 – American Privacy Rights Act of 2024, <https://www.congress.gov/bill/118th-congress/house-bill/8818/text>

³² U.S. Senate Committee on Commerce, Science, and Transportation, *Senate Overwhelmingly passes Children’s Online Privacy Legislation*, Press Releases (Jul. 30, 2024), <https://www.commerce.senate.gov/index.php/2024/7/senate-overwhelmingly-passes-children-s-online-privacy-legislation#:~:text=Today%2C%20the%20U.S.%20Senate%20overwhelmingly,protect%20children%20and%20teens%20online.>



resilience to hacking and espionage, develops capability, and creates new jobs due to workforce requirements.

Thank you for your consideration of our views. We ask that this statement be included in the hearing record. We would be pleased to provide you and your staff with additional information.

Sincerely yours,

A handwritten signature in blue ink that reads "Marc Rotenberg".

Marc Rotenberg
CAIDP Executive Director

A handwritten signature in black ink that reads "Merve Hickok".

Merve Hickok
CAIDP President

A handwritten signature in black ink that reads "Christabel Randolph".

Christabel Randolph
Associate Director

A handwritten signature in black ink that reads "Joshua 'J.B.' Branch".

Joshua "J.B." Branch
Research Assistant



NATIONAL CENTER ON SEXUAL EXPLOITATION

Submitted for the Record

Dawn Hawkins

Senior Advisor, National Center on Sexual Exploitation (NCOSE)

U.S. House of Representatives Committee on Energy and Commerce

Subcommittee on Commerce, Manufacturing, and Technology

The World Wild Web: Examining Harms Online

March 26, 2025

Congressional Hearings on Child Safety Online Between July 2019 – February 2025

1. [“Protecting Innocence in a Digital World,”](#) Senate Judiciary Committee (July 9, 2019).
2. [“The Earn It Act: Holding the Tech Industry Accountable in the Fight Against Online Child Sexual Exploitation,”](#) Senate Judiciary Committee (March 11, 2020)
3. [“Does Section 230’s Sweeping Immunity Enable Big Tech Bad Behavior?”](#) Senate Committee on Commerce, Science, and Transportation (October 28, 2020)
4. [“Kids Online During COVID: Child Safety in an Increasingly Digital Age,”](#) House Energy & Commerce Subcommittee on Commerce, Manufacturing, and Trade (March 11, 2021)
5. [“Protecting Kids Online: Internet Privacy and Manipulative Marketing,”](#) Senate Committee on Commerce, Science, and Transportation, Subcommittee on Consumer Protection, Product Safety, and Data Security (May 18, 2021)
6. [“Protecting Kids Online: Facebook, Instagram, and Mental Health Harms,”](#) Senate Committee on Commerce, Science, and Transportation, Subcommittee on Consumer Protection, Product Safety, and Data Security (September 30, 2021)
7. [“Protecting Kids Online: Testimony from a Facebook Whistleblower,”](#) Senate Committee on Commerce, Science, and Transportation, Subcommittee on Consumer Protection, Product Safety, and Data Security (October 5, 2021)
8. [“Protecting Kids Online: Snapchat, TikTok, and YouTube,”](#) Senate Committee on Commerce, Science, and Transportation, Subcommittee on Consumer Protection, Product Safety, and Data Security (October 26, 2021)
9. [“Protecting Kids Online: Instagram and Reforms for Young Users,”](#) Senate Committee on Commerce, Science, and Transportation, Subcommittee on Consumer Protection, Product Safety, and Data Security (December 8, 2021)
10. [“Holding Big Tech Accountable: Targeted Reforms to Tech’s Legal Immunity,”](#) House Committee on Energy and Commerce, Subcommittee on Communications and Technology (December 1, 2021)
11. [“Holding Big Tech Accountable: Legislation to Build a Safer Internet,”](#) House Committee on Energy and Commerce, Subcommittee on Consumer Protection and Commerce (December 9, 2021)
12. [“Holding Big Tech Accountable: Legislation to Protect Online Users,”](#) House Committee on Energy and Commerce, Subcommittee on Consumer Protection and Commerce (March 1, 2022)

13. "[A Roundtable on Big Tech and the Fentanyl Poisoning Crisis](#)," House Committee on Energy and Commerce, Subcommittee on Communications and Technology (January 25, 2023)
14. "[Platform Transparency: Understanding the Impact of Social Media](#)," Senate Judiciary Committee, Subcommittee on Privacy, Technology, and the Law (May 4, 2022)
15. "[Platform Accountability: Gonzalez and Reform](#)," Senate Judiciary Committee, Subcommittee on Privacy, Technology, and the Law (March 8, 2023)
16. "[Children are Not for Sale: Examining the Threat of Exploitation of Children in U.S. and Abroad](#)," House Judiciary Subcommittee on Crime and Federal Government Surveillance (September 13, 2023)
17. "[Social Media and the Teen Mental Health Crisis](#)," Senate Judiciary Committee, Subcommittee on Privacy, Technology, and the Law (November 7, 2023)
18. "[Big Tech and the Online Child Sexual Exploitation Crisis](#)," Senate Judiciary Committee (January 31, 2024)
19. "[A Voice for the Voiceless – CSAM Identification](#)," House Judiciary Subcommittee on Crime and Federal Government Surveillance (March 6, 2024)
20. "[Where are We Now: Section 230 of the Communications Decency Act of 1996](#)" House Committee on Energy and Commerce, Subcommittee on Communications and Technology (April 11, 2024)
21. "[Legislative Solutions to Protect Kids Online and Ensure Americans' Data Privacy Rights](#)" House Committee on Energy and Commerce, Subcommittee on Innovation, Data, and Commerce (April 17, 2024)
22. "[Legislative Proposal to Sunset Section 230 of the Communications Decency Act](#)," House Committee on Energy and Commerce, Subcommittee on Communications and Technology (May 22, 2024)
23. "[Children's Safety in the Digital Era: Strengthening Protections and Addressing Legal Gaps](#)" Senate Judiciary Committee (February 19, 2025)

QUIT CLICKING KIDS
STATEMENT FOR THE RECORD
HOUSE COMMERCE, MANUFACTURING, AND TRADE SUBCOMMITTEE
“THE WORLD WIDE WEB: EXAMINING HARMS ONLINE”

March 26, 2025

Chairman Bilirakis, Ranking Member Schakowsky and Members of the Commerce, Manufacturing and Trade Subcommittee, we thank you for the opportunity to submit this statement for the record for this hearing focused on examining online harms to children.

As an advocacy and education organization created to combat the monetization of kids on social media, Quit Clicking Kids is extremely concerned that the privacy, safety, and well-being of children are at risk in the digital age—especially when they become sources of financial revenue online. In recent years, the rise of child influencers and family vlogging has turned social media into a multi-billion-dollar industry, often with little regulation to protect the children at the center of it.

According to financial services company Goldman Sachs, the U.S. Creator Economy is worth over \$250 billion dollars, and is on track to be worth over \$500 billion by 2027. There are 500 hours of videos uploaded to YouTube every minute; and Instagram users watch 17.6 million hours of video on the app per day. A sizable portion of this content is what brings us together today – the role children have played in becoming internet content.

Also known as family vlogging, the practice of parents sharing their children with millions of strangers online has become ubiquitous. However, this practice comes with risks and consequences, from financial exploitation, having personal childhood moments memorialized online forever, and having privacy violations. Family vlogging content creation is not simply joining mom or dad’s video for fun; it is a labor-intensive job that blurs the lines of work and home, childhood and business, entertainment and employment. Family vlogging content is extraordinarily popular on social media – in the recent Hulu docuseries, *Devil in the Family: The Fall of Ruby Franke*, which detailed the now-defunct YouTube channel 8 Passengers featuring the Frankes and their 6 children, the family revealed that at the height of their popularity, they had 2.5 million subscribers and over 1 billion total channel views.

Family vlogging affects vulnerable children of all identities who cannot consent to their images being shared online. The nature of social media means content can travel far and wide very quickly, originally surpassing its intended audience. This means children can be seen by millions, and children cannot grasp what this fully means. The first children of former family vloggers are now turning 18, but even still, many are reluctant to tell their stories due to risk and the trauma of the abuses they faced at the hands of their parents.

Additionally, Corporations know the profitability of children unboxing toys, and the children are unknowingly used to target more children to sell more products. Brands heavily lean into cuteness and youth to build positive and heartwarming associations, knowing it drives exponentially higher clicks and engagement. Marketing agencies have articles dedicated to how you—the company or consumer— can use children in media without getting into trouble. They write things like, “luckily, if you live in certain states, child labor laws are more relaxed because the child is viewed as ‘working for their parent,’ therefore you don’t have to worry about providing these safety protocols.”

This is why legislation is crucial to help protect these children, sometimes from their own parents. In 2023, Illinois became the first state to enact a law protecting the financial interests of the children of family vloggers, with a proportionate percentage of income generated from the video required to go into a trust for the child to access when they turn eighteen. Since then, Minnesota and California have followed suit, and a bill currently sits on the Utah governor’s desk on this matter, awaiting signature.

Quit Clicking Kids, is seeking support from Members of Congress to create federal protections for so called “Child Influencers.” Specifically, we recommend legislation that mirrors the legislative efforts happening in both Republican and Democrat led states. We thank you again for the opportunity to submit this written testimony. We look forward to working with you to implement policies that will help shape this conversation and ensure that all children thrive in the United States. Should you have any further questions please contact Kristen Torres, CEO of Torres Consulting, LLC at Kristen@TorresDCconsulting.com. You can also visit <https://quitclickingkids.com/> to learn more about this growing issue.



Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Re: Protecting Children Online

As a retired emergency room physician, I have seen how dangerous the world can be for children. Without proper guardrails, we expose our children to unsafe conditions. In this digital age, many threats to our children's safety are hard for parents to defend against. To ensure the well-being of children and teenagers, we must equip parents to protect their families from both the dangers we can see and the ones we can't.

I have been encouraged by legislation recently introduced by Sen. Mike Lee (UT) and Rep. John James (R-MI). The App Store Accountability Act would empower parents to approve (or block) an application before their child downloads it to their device. This puts parents back in the driver's seat and gives them greater oversight over their children's online behavior. Supporting parents with resources and tools to protect their children from online dangers on the front end will help ensure that we don't wind up seeing these very same children in our emergency rooms on the back end because of mental, emotional, and behavioral health concerns that are only made worse by exposure to inappropriate material online.

The App Store Accountability Act would protect children from danger while also ensuring the elements of the internet that benefit children continue to exist. Social media can help children and teenagers stay connected to friends and family. During COVID, we saw the many benefits that came from allowing children to connect with classmates via online platforms. Some platforms encourage collaboration across arts, music, and education. Teenagers can connect with friends with similar interests and make lasting friendships. Cutting children and teenagers off from all social media is not only unrealistic, but it could inadvertently strip away potential positive outcomes. Some attempts to protect children online take this faulty approach. We should be serious about keeping children safe while online and ensuring they can reap the benefits of an age-appropriate community on social media.

As a physician, I have seen how strong friendships and involvement of a nurturing family can mean the difference between life and death for a child or teenager. We don't need a social media ban, and we don't need the government to decide what internet content children should or should not be consuming. We just need parents to have tools that promote more involvement with their children's online activity. Accordingly, I urge you to support the App Store Accountability Act when Rep. James and Sen. Lee reintroduce it.

Thank you,


Sincerely,

Michael Coriale, M.D.

Chairman Biliraki(sic), Ranking Member Schakowsky, and Members of the Subcommittee:

I appreciate the opportunity to submit a statement for the record on an issue that has devastated countless lives: the spread of non-consensual intimate images, an issue that has impacted my life. This violation is not just an attack on privacy—it is an assault on dignity, safety, and the fundamental right to control our own narratives.

Every day, countless women, children, and vulnerable individuals find their most intimate moments stolen and weaponized against them. With the rise of artificial intelligence, this crisis has reached new heights. AI-generated explicit content is being created without consent—distorting reality, erasing agency, and leaving victims powerless to stop it.

The TAKE IT DOWN Act is a crucial step toward justice. It criminalizes the publication of non-consensual intimate images, including AI-generated content, and ensures swift removal when victims come forward. It prevents bad actors from using legal loopholes to evade accountability. Most importantly, it sends a clear message: no one's body should be exploited for entertainment or profit.

We must stop treating victims like they are responsible for their own exploitation. We must stop allowing technology to be weaponized against those it was meant to empower. And we must act—because every moment we wait, another life is shattered, another future is stolen.

Congress, I urge you: pass the TAKE IT DOWN Act. Protect those who cannot protect themselves. Give survivors the justice they deserve.



Federal Trade Commission Accomplishments

June 2021–January 2025

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Letter from FTC Chair Lina M. Khan



Congress created the Federal Trade Commission over a century ago to protect Americans from unchecked monopoly power and the abuses that can follow. While the economy has transformed since the days of the robber barons and industrial trusts, what has stayed constant is the FTC’s mission to promote fair, honest, and competitive markets—even when it means going up against some of the most powerful corporations in the world.

Since [joining the agency in 2021](#), I have focused on ensuring the FTC is reinvigorating its full set of tools and authorities to deliver meaningful and material gains for American consumers, workers, and honest businesses.

We opened the agency’s doors and regularly engaged with, and learned from, people across the country. Americans from all walks of life shared their expertise and experience with us—informing our priorities, sharpening our thinking, and deepening our understanding of how today’s markets really work.

There are various ways to measure the success of a government agency like the FTC. You can count the number of shots it has taken, or how high it aimed. You can look at its record in court and the legal significance of its wins. Or you can look at the material impact the agency has had, the tangible benefits that people have seen, and the concrete ways that their lives are now better.

By each of these standards, the FTC’s work during this time has been extraordinary. This remarkable level of impact reflects the outstanding efforts of the FTC staff, whose talent and commitment have shown Americans what it means for government to fight on their behalf.

Thank you to everyone who has taken the time to submit a complaint or comment, speak at an open commission meeting, or engage with the FTC in some other way. It has been an honor to serve you in this role.

Best wishes,

A handwritten signature in black ink that reads "Lina Khan". The signature is fluid and cursive.

Lina M. Khan
Chair
Federal Trade Commission

The FTC Made Everyday Life Better for Americans

- **Tackled Daily Indignities and Put Money Back in People’s Pocketbooks**

- Banned [junk fees](#) for short-term lodging and live-event ticketing, saving Americans more than **50 million hours** per year in wasted time and **\$11 billion** over the next decade.
- Finalized a [“click to cancel”](#) rule requiring companies to make it just as easy to cancel subscriptions as it is to sign up.
- [Challenged improperly listed patents on medical devices](#), including inhalers and epi-pens, in the FDA’s Orange Book, which led pharma companies to [slash out-of-pocket costs for inhalers](#) from \$500 or more down to just \$35.
- Banned [noncompete clauses](#) from employment contracts, which we estimate would increase the average American worker’s wages by **\$524** a year, create more than **8,500 new businesses** each year, reduce healthcare costs by up to **\$194 billion** over the next decade, and give people greater freedoms to switch jobs or launch a business.¹
- Banned [auto dealers](#) from sticking American consumers with junk fees—saving Americans nearly **\$3.5 billion a year**²—and sued dealers for discriminating against [Black](#), [Latino](#), and [Native American](#) consumers with higher costs and fees. Returned millions of dollars to consumers who were harmed.
- Ordered food delivery platform [GrubHub](#) to end junk fees for consumers, honestly advertise pay to drivers, and list restaurants on its platform only with their consent, and **returned \$25 million to those harmed**.
- Sued tax prep companies [Intuit](#) and [H&R Block](#) for deceptively advertising services as “free” when many consumers were ineligible, and issued orders prohibiting Intuit and H&R from misleading customers and requiring H&R Block to **pay back \$7 million** to those harmed.
- Sued Fortnite developer [Epic Games](#) for tricking consumers into making unwanted purchases, obtaining **\$245 million towards refunding consumers**.
- Sued [Amazon](#) for using dark patterns to enroll people in Amazon Prime without their consent and designing a complicated cancellation process that makes it difficult to cancel.
- Sued software company [Adobe](#) for hiding early termination fees from users and making it difficult for consumers to cancel their subscriptions.

¹ The Noncompete Clause Rule is currently in active litigation.

² The Combatting Auto Retail Scams (CARS) Rule is currently in active litigation.

- Ordered internet phone service provider [Vonage](#) to **refund \$100 million** to consumers, end junk fees, and provide an easy mechanism for customers to cancel unwanted telephone services.
- Ordered [Credit Karma](#) to return **\$2.5 million** to consumers who were tricked into applying for “pre-approved” credit offers they were not qualified for, denied credit, and saw their credit scores drop.
- In partnership with AGs from all 50 states, conducted the [largest telemarketing sweep in U.S. history](#), targeting operations responsible for billions of illegal robocalls to Americans, ordering law violators to pay **more than \$2 billion**, and collecting nearly **\$400 million** to refund to consumers.
- Banned scammers from cheating Americans by [impersonating businesses and government agencies](#), and proposed new protections to fight **AI-fueled impersonation fraud** of individuals.
- **Stopped Illegal Mergers that Raise Prices, Harm Innovation, and Hurt Communities**
 - Blocked the merger between [Kroger and Albertsons](#), which would have been the largest supermarket merger in U.S. history, charging that it would raise grocery prices for millions of Americans and result in lower wages and worse conditions for hundreds of thousands of unionized workers.
 - Stopped an [acquisition by pharma giant Sanofi](#) that would have allowed it to eliminate competition and extend its monopoly on a drug to treat a rare disease.
 - Stopped [Illumina's acquisition of Grail](#), which would have reduced competition and hindered innovation in the nascent market for cancer detection tests.
 - Blocked hospital mergers in [California](#), [Utah](#), [North Carolina](#), [New Jersey](#), and [Rhode Island](#) that raise prices for patients, harm workers, suppress innovation, and lower the quality of care for patients.
 - Blocked the merger between [Tapestry and Capri Holdings](#), which would have raised prices for millions of Americans purchasing handbags.
 - Blocked [NVIDIA's acquisition of Arm](#), which would have been the largest chip merger in history, protecting innovation in the critical semiconductor industry and leading to Arm's successful IPO.
 - Stopped [Lockheed Martin's acquisition of Aerojet Rocketdyne](#), which would have eliminated the country's last independent supplier of key missile propulsion inputs, risking higher prices to the government and diminished quality and innovation in markets critical to national security and defense.
 - Sued to stop [Tempur Sealy's acquisition of Mattress Firm](#), which would combine the world's largest mattress supplier with the largest U.S. mattress retailer, threatening to cut off rivals' access to Mattress Firm as a retail channel and inflating prices for mattresses.

- Pursued a lawsuit against [Meta](#) alleging that it engaged in a series of acquisitions, including buying Instagram and WhatsApp, to illegally maintain its monopoly. Defeated Meta’s motion for summary judgment and motion to dismiss the lawsuit in court, allowing the case to proceed to trial.
- **Made Healthcare More Affordable and Accessible**
 - [Challenged improperly listed patents on medical devices](#), including inhalers and epi-pens, in the FDA’s Orange Book, which led pharma companies to slash out-of-pocket costs for inhalers [from \\$500 or more down to just \\$35](#).
 - Sued [U.S. Anesthesia Partners](#) for engaging in a private equity-backed roll-up scheme that consolidated anesthesiology practices in Texas, suppressing competition and driving up prices for Texas patients and payors. Secured [consent order with private equity owner](#) requiring it to limit its involvement and notify the FTC of future acquisitions and investments in anesthesia and other hospital-based physician practices.
 - Stopped an [acquisition by pharma giant Sanofi](#) that would have allowed it to eliminate competition and extend its monopoly on a drug to treat a rare disease.
 - Stopped [Illumina’s acquisition of Grail](#), which would have reduced competition and hindered innovation in the nascent market for cancer detection tests.
 - Banned [“Pharma Bro” Martin Shkreli](#) from ever doing business in the pharmaceutical industry after Shkreli hiked the price of a lifesaving medication, Daraprim, from **\$17.50 to \$750 per tablet**.
 - Blocked hospital mergers in [California](#), [Utah](#), [North Carolina](#), [New Jersey](#), and [Rhode Island](#) that raise prices for patients, harm workers, suppress innovation, and lower the quality of care for patients. Voiced opposition to hospital mergers in [New York](#) and [Indiana](#) that were ultimately not pursued.
 - Secured consent order to resolve [Amgen’s acquisition of Horizon](#), prohibiting Amgen from leveraging its portfolio of blockbuster drugs in ways that could raise prices for Horizon’s thyroid eye disease and chronic refractory gout medication.
 - Sued the three largest pharmacy benefit managers (PBMs) for allegedly engaging in anticompetitive rebating practices that have [inflated the cost of insulin](#), boosting the PBMs’ profits at the expense of vulnerable patients.
 - Issued orders to the six largest [pharmacy benefit managers](#) (PBMs) and issued [two interim reports](#) that detail how increasing vertical integration and concentration have allowed PBMs to inflate drug costs for patients and squeeze independent Main Street pharmacies.
- **Secured Americans’ Access to Housing**
 - Took action against [Invitation Homes](#), a major corporate landlord, for saddling renters with junk fees, unjustly withholding security deposits, and unfairly

evicting people, and secured **\$48 million** to be refunded to renters who were harmed.

- Sued [Greystar](#), the largest operator of rental apartments in America, for charging tenants unavoidable junk fees and hiding the true cost of rental apartments.
 - Fined credit reporting agency [TransUnion](#) **\$15 million** for including inaccurate and incomplete eviction records in consumers’ background screening reports, hampering their ability to obtain housing.
 - Proposed a market [inquiry](#) to better understand the role of **institutional investors in the rental housing market** and its effect on rents and housing prices.
 - Filed briefs with DOJ making clear that **landlords engaging in price fixing using algorithms are [violating the law](#)**.
- **Protected Workers from Coercion and Deception**
 - Banned [noncompete clauses](#) from employment contracts, which we estimate would increase the average American worker’s wages by **\$524 a year**, create more than **8,500 new businesses** each year, and reduce healthcare costs by up to **\$194 billion** over the next decade, and give people greater freedoms to switch jobs or launch a business.³
 - Ordered [security guard](#) company to drop coercive noncompete clauses on low-wage workers and required [glass container manufacturing](#) companies to drop anticompetitive noncompetes on employees, freeing thousands of workers to pursue better, high-paying jobs and enabling aspiring entrepreneurs start their own businesses.
 - Ordered two [building services contractors](#) to drop “no-hire” clauses with their customers, enabling hundreds of security guards, janitors, and other workers to freely switch jobs and negotiate for better pay or benefits.
 - Sued [Care.com](#), a gig platform for child and elder care, for making baseless promises about caregivers’ wages that did not live up to reality, and ordered Care.com to pay **\$8.5 million** to refund harmed caregivers.
 - Sued [Arise Virtual Solutions](#), a gig work company, for luring people to its platform with false promises about what they could earn, and ordered the company to pay \$7 million towards refunding consumers who were harmed.
 - Sent over **\$61 million** back to the pockets of more than 140,000 Amazon drivers after [Amazon](#) illegally withheld tips from its drivers.
 - Ordered gig platforms [Lyft](#) and [Grubhub](#) to stop deceiving drivers about how much they could expect to earn on the platform.

³ The Noncompete Clause Rule is currently in active litigation.

- Partnered with New York Attorney General to take action against [Handy](#) for luring workers onto its platform with false earnings claims and then charging undisclosed fines and fees, and required it to pay **\$2.95 million** in refunds.
- Issued a [policy statement](#) clarifying that independent contractors, including gig workers, are shielded from antitrust liability when engaging in protected bargaining and organizing activities, such as seeking better wages and working conditions.
- **Helped Small Businesses Compete on a Level Playing Field**
 - Sued [Amazon](#) for inflating costs for hundreds of thousands of sellers that rely on the platform to reach consumers—charging costly fees that force many businesses to pay Amazon close to 50 percent of their total revenues.
 - Reinvigorated enforcement of the **Robinson-Patman Act**, which prohibits price discrimination that squeezes independent retailers, by suing [Southern Glazer’s Wine and Spirits](#), the largest U.S. distributor of wine and spirits.
 - Sued [Pepsi](#) for violating the Robinson Patman Act by favoring larger retailers when providing promotions and services, leading to increased prices on Pepsi products for customers and rivals.
 - Ordered [Mastercard](#) to stop illegally blocking merchants from routing debit card payments through its payment network, raising costs for small businesses.
 - Sued pesticide manufacturers [Syngenta and Corteva](#) for using illegal loyalty programs that block generic competition, leaving farmers to pay higher prices for a critical agricultural input.
 - Protected **franchisees** from junk fees and preserved their [right to report law violations](#) to the government.
 - Took action to protect franchisees from deceptive business practices, including suing fast-food franchise [BurgerIM](#) for luring veterans with false promises and suing [Qargo Coffee](#) for concealing key business and financial information from aspiring franchisees.
 - Banned false [“Made in USA” labels](#), allowing honest U.S. manufacturers, farmers, and small businesses to compete fairly.
 - Took action against businesses for **illegally using false “Made in USA” labels**, including a record **\$3.17 million civil penalty** against home and kitchenware company [Williams-Sonoma](#), as well as settlements with tractor equipment company [Kubota](#), the manufacturer of [Pyrex](#) kitchen glassware, and others.
 - Won a [\\$20.3 million judgment in court](#) against a predatory merchant cash advance operation that cheated small businesses and threatened them with violence, and permanently banning the owner from the industry.
 - Banned businesses from producing or purchasing [fake reviews](#) for products, leveling the playing field for honest businesses.

- Ordered small business credit reporting provider [Dun & Bradstreet](#) to make it easier for small businesses to correct credit reporting errors, and launched an [inquiry into the small business credit reporting industry](#) that can dictate small businesses’ access to capital.
- Expanded the [Telemarketing Sales Rule](#) to cover to business-to-business calls, better protecting small businesses from telemarketing tricks and traps.
- Recovered a [record \\$59 million for small businesses](#) harmed by deceptive Paycheck Protection Program loans during the COVID-19 pandemic.
- **Protected Americans’ Right to Repair**
 - Sued [John Deere](#) for illegally restricting farmers’ ability to repair their own equipment and blocking them from freely using independent repair providers.
 - Pursued **enforcement actions** against the makers of [Weber](#) grills, [Harley-Davidson](#) motorcycles, and [Westinghouse](#) outdoor power equipment—saving Americans money and giving independent repair shops a fair shot to compete.
 - Issued a [policy statement](#) laying out how repair restrictions can violate the antitrust and consumer protection laws and committing the agency to ramping up law enforcement against illegal right to repair restrictions.
 - Sent [warning letters](#) to eight companies about warranty practices that may prevent consumers from preventing products that have purchased.
 - **Testified or advocated in state legislatures** across the country on behalf of legislation advancing Americans’ right to repair, leading to passage of legislation in [Colorado](#) protecting the right to repair.
 - Urged the U.S. Copyright Office to [adopt regulations](#) that would facilitate consumers’ and businesses’ right to repair their own products, a change that resulted in [more easily fixable McDonald’s McFlurry machines](#).
- **Protected Americans from Harmful Commercial Surveillance**
 - Banned [General Motors](#) from sharing drivers’ precise geolocation data without their permission for five years, in the FTC’s first privacy action concerning connected cars.
 - Banned [data brokers](#) from [illegally selling](#) consumers’ geolocation data for **advertising**—including information that could be used to track people’s visits to reproductive health clinics, places of worship, or addiction recovery facilities.
 - Banned digital health apps and other firms from **selling or disclosing consumers’ health information for advertising**—including telehealth and discount prescription drug provider [GoodRx](#), fertility tracking apps [Premom](#) and [Flo](#), alcohol addiction treatment service [Monument](#), and mental health platforms [Cerebral](#) and [BetterHelp](#).

- Banned browser antivirus software [Avast](#) from selling users’ sensitive browsing data for advertising purposes and obtained the largest-ever redress judgment in a privacy case, ordering Avast to return \$16.5 million to consumers.
 - Prohibited companies **from retaining personal data longer than necessary** and required them to curb lax data security practices that left millions of Americans’ personal data exposed during data breaches—including breaches at [Marriott Hotels](#), home security camera companies [Verkada](#) and [Ring](#), software company [Blackbaud](#), online alcohol marketplace [Drizly](#), online retail platform [CaféPress](#), web hosting company [GoDaddy](#), and others.
 - Ordered [Twitter](#) to pay \$150 million for violating an earlier FTC order by deceptively using account security data to sell targeted ads.
 - Published a [report](#) showing how social media and video streaming services collect and monetize vast swaths of Americans’ personal data, including from kids and teens, while endangering their privacy and exposing them to harms like identity theft and stalking.
 - Issued [information orders](#) to investigate and published [initial insights](#) on how companies use **surveillance pricing** software that leverages personal data, including finances and browser history, to set and target individualized prices.
- **Protected Kids and Teens Online**
 - Strengthened the [COPPA Rule](#) to further limit companies’ ability to profit from kids’ data and outsource liability to parents.
 - Sued [TikTok](#) for allegedly violating COPPA by collecting and using personal information from children under 13 without parental consent.
 - Held [Facebook](#) accountable for violating its privacy promises and proposed a blanket ban on monetizing children’s data.
 - Fined [Epic Games](#) \$275 million—the largest COPPA penalty ever obtained—for collecting kids’ personal information without their parents’ consent and for using default settings that exposed kids and teens to bullying and harassment.
 - Fined [Amazon](#) \$25 million for promising parents that they could delete kids’ Alexa voice recording and geolocation data but then keeping it for years.
 - Fined [Microsoft](#) \$20 million for illegally collecting kids’ data on its Xbox service without their parents’ consent.
 - Banned [NGL Labs](#) from marketing an anonymous messaging app to kids under 18 that exposed them to cyberbullying and harassment.
 - Banned game developer [Cognosphere](#) from using in-game loot box practices that led to kids and teens paying hundreds of dollars for prizes they were unlikely to win in the popular video game Genshin Impact.

- Prohibited online educational software [Edmodo](#) from collecting more personal data from students than necessary after it illegally used kids’ data for advertising and outsourced COPPA compliance to school districts.
- Ordered [Weight Watchers](#) to delete personal information it illegally collected from kids as young as eight and to destroy any algorithms it trained on that data.
- **Tackled Unfair, Deceptive, and Anticompetitive Conduct in AI**
 - Blocked [NVIDIA’s acquisition of Arm](#), which would have been the largest chip merger in history, protecting innovation in the critical semiconductor industry and leading to Arm’s successful IPO.
 - Banned [Rite Aid](#) from using discriminatory AI facial recognition technologies that wrongly accused innocent people, including children, of shoplifting.
 - Banned AI-enabled [impersonation](#) of government agencies and businesses and AI-generated [fake reviews](#), and extended consumer [telemarketing](#) protections to AI-generated calls.
 - Launched an [inquiry](#) and [published a report](#) into how **partnerships and investments between dominant technology firms and emerging AI providers** may risk distorting innovation and undermining competition.
 - Filed briefs with DOJ making clear that [hotels](#) and [residential landlords](#) engaging in **algorithmic collusion** are breaking the law, and that price fixing by algorithm is still illegal price fixing.
 - Ordered companies to stop making **unsubstantiated claims about the efficacy of its AI tools**, including companies offering [AI security screening systems](#) and [AI web accessibility software](#).
 - [Cracked down](#) on companies offering an AI tool to create **fake customer reviews**, a company **claiming to sell “AI lawyer” services**, and companies making **deceptive earnings claims** to customers that AI could help them earn money.
 - Conducted a public [Voice Cloning Challenge](#) to solicit multi-disciplinary solutions to rooting out AI-driven voice cloning that can turbocharge fraud.

The FTC Won Significant Victories in Court

- **Merger Litigation**

- Since 2021, at least half of the FTC’s merger litigations challenged deals valued in excess of a billion dollars:
 - Illumina/Grail (\$7.1 billion biotechnology merger)
 - Nvidia/Arm (\$40 billion semiconductor merger)
 - Lockheed/Aerojet (\$4.4 billion defense merger)
 - ICE/Black Knight (\$13.1 billion mortgage loan technology merger)
 - Microsoft/Activision (\$69 billion gaming merger)
 - Amgen/Horizon (\$27.8 billion pharmaceutical merger)
 - Tapestry/Capri (\$8.5 billion fashion merger)
 - Kroger/Albertsons (\$24.6 billion grocery merger)
 - Tempur Sealy/Mattress Firm (\$4 billion mattress supplier/retailer merger)
- Since 2021, the FTC brought at least seven vertical merger challenges, and achieved the agency’s first-ever fully litigated vertical merger win in decades in Illumina/Grail:
 - Illumina/Grail (biotechnology)
 - Nvidia/Arm (semiconductors)
 - Lockheed/Aerojet (defense)
 - Microsoft/Activision (gaming)
 - ICE/Black Knight (mortgage loan technology)
 - IQVIA/Propel Media (healthcare advertising)
 - Tempur Sealy/Mattress Firm (mattress supplier/retailer)
- Between 2021-2025, the FTC had an overall merger litigation win rate of 93.75%.⁴

⁴ Wins include matters in which a preliminary injunction was granted by a district court, administrative proceedings were resolved in favor of the FTC, the parties abandoned their deal after the FTC filed a complaint in court, or the FTC and the parties reached a settlement after a complaint was filed that resolved competitive concerns. The comparative figures for prior administrations are: 80% (Trump administration), 83.33% (Obama administration, second term), 91.67% (Obama administration, first term), 72.73% (Bush administration, second term), and 80% (Bush administration, first term).

- **Competition Wins in Court**

- **Kroger/Albertsons** (Dec. 2024): secured preliminary injunction halting Kroger’s \$24.6 billion acquisition of Albertsons, leading the parties to abandon what would have been the largest grocery merger in history.
- **Meta monopolization** (Nov. 2024): court denied Meta’s motion for summary judgment in nearly all respects and granted the FTC’s cross-motion for summary judgment with respect to one of Meta’s affirmative defenses, allowing the case to proceed to trial. Follows the court denying Meta’s motion to dismiss after the Commission in August 2021 refiled an amended complaint.
- **Tapestry/Capri** (Oct. 2024): secured preliminary injunction halting Tapestry’s acquisition of Capri, leading the parties to abandon the transaction that would have driven up prices for handbags.
- **Amazon** (Sept. 2024): court denied Amazon’s motion to dismiss, allowing the FTC’s case against Amazon to move forward in full, including its standalone unfair methods of competition claim under Section 5 of the FTC Act.
- **Novant/Community Health Systems** (June 2024): secured preliminary injunction to halt a North Carolina hospital merger after appealing a district court decision to the Fourth Circuit.
- **U.S. Anesthesia Partners** (May 2024): defeated USAP’s motion to dismiss the FTC’s lawsuit alleging USAP had illegally monopolized the Texas anesthesiology market through a series of roll-ups, raising prices for patients and payors; court upheld FTC’s legal approach to serial acquisitions, upheld the FTC’s market definition, and rejected arguments regarding the agency’s constitutionality.
- **IQVIA/Propel** (Jan. 2024): secured preliminary injunction in the FTC’s lawsuit to block IQVIA’s acquisition of Propel Media, involving both horizontal and vertical theories of harm in a healthcare advertising technology deal; defendants walked away from the deal.
- **Syngenta and Corteva** (Jan. 2024): defeated defendants’ motion to dismiss the FTC’s lawsuit challenging pesticide pay-to-block schemes that have led farmers to overpay for key inputs; court upheld the FTC’s claims in full, including exclusive dealing under Section 3 of the Clayton Act and a standalone unfair method of competition claim under Section 5 of the FTC Act.
- **Martin Shkreli** (Jan. 2024): Second Circuit affirmed a district court’s finding that “pharma bro” Martin Shkreli was liable for raising the cost of a life-saving drug from \$17.50 to \$750, and imposed a lifetime ban on Shkreli from entering the pharmaceutical industry.
- **Illumina/Grail** (Dec. 2023): Fifth Circuit upheld the Commission’s decision and analysis blocking Illumina’s acquisition of Grail, leading Illumina to divest Grail—the first litigated vertical merger win by the government since 1979.

- **Surescripts** (Mar. 2023): Court found that Surescripts possessed monopoly power in the market for e-prescription services; the FTC settled with Surescripts, prohibiting the company from engaging in further exclusionary conduct.
- **Hackensack/Englewood** (Mar. 2022): Third Circuit upheld the district court’s decision to grant a preliminary injunction halting a hospital merger in New Jersey, following the FTC’s challenge; parties then abandoned the merger.
- **Consumer Protection Wins in Court**
 - **Amazon Prime dark patterns** (May 2024): defeated Amazon’s motion to dismiss the FTC’s lawsuit alleging that Amazon used illegal dark patterns to trick consumers into enrolling Amazon Prime and making it difficult for consumers to cancel their membership. The judge upheld the Commission’s decision to name Amazon executives.
 - **Stem Cell Institute of America** (Mar. 2024) and **Quincy Biosciences** (Dec. 2024): secured wins in unsubstantiated health claim cases, including summary judgment in a case concerning stem cell therapy injection treatments and a jury trial victory in a case concerning the dietary supplement Prevagen.
 - **Voyager Crypto** (Feb. 2024) and **Celsius** (Apr. 2024): secured motion to dismiss wins on Gramm-Leach-Bliley claims in two crypto cases.
 - **Kochava** (Feb. 2024): defeated Kochava’s motion to dismiss our lawsuit against the data broker for illegally selling sensitive geolocation data, including visits to health clinics and to places of worship. The judge affirmed, for the first time, that harm to privacy is a cognizable consumer injury under the FTC Act.
 - **Home Matters USA** (Feb. 2024): secured summary judgment against mortgage relief scammer.
 - **Simple Health** (Feb. 2024): secured \$195 million judgment against sham health insurance plan over charges that they deceived consumers into signing up for sham health plans, did not deliver the promised coverage and benefits, and left consumers exposed to exorbitant medical expenses.
 - **Intuit** (Jan. 2024): Commission sided with complaint counsel that the maker of the popular TurboTax tax filing software used deceptive ads for “free” tax products when many consumers were in fact ineligible.
 - **Richmond Capital Group** (Oct. 2023): won a jury trial and a \$20 million judgment against a small business financing operation for preying on small businesses with unfair lending and collection practices, and a permanent ban against owner Jonathan Braun from the merchant cash advance and debt collection industries.
 - **EduTrek** (Sept. 2023): secured summary judgment and permanent telemarketing ban against operators of a telemarketing company.

- **Credit Bureau Center** (Aug. 2023), **Mission Hills** (June 2022), **Preferred Law** (Jan. 2022): appellate courts upheld monetary relief under Section 19.
- **Nudge** (May 2023): secured partial summary judgment on TSR and presumption of reliance in a case involving a coaching scam.
- **James Noland** (May 2023): won at trial and secured permanent multilevel marketing ban, plus \$7.3 million judgment, against pyramid schemes operator.
- **FleetCor** (Aug. 2022): won on summary judgment in district court and affirmed individual accountability.
- **American Screening** (Aug. 2022), **Glowwy** (Apr. 2022), and **Trend Deploy** (June 2023): secured summary judgment wins in several COVID fraud cases, including for failure to deliver products on time and for violating the Mail, Internet, or Telephone Order Rule (MITOR).
- **SPM Thermo-Shield** (June 2022), **Superior Products** (Nov. 2022), **FGI** (Oct. 2022): secured summary judgment in false insulation and green marketing cases.
- **On Point Global** (Apr. 2022): trial victory secured \$102 million in consumer refunds over a fake government website scam.

The FTC Advanced the Law

- **Clayton Act**

- Established favorable case law for **challenging vertical mergers** in the Fifth Circuit in *Illumina/Grail*—the first litigated vertical merger victory for the government in over 40 years.
- Confirmed that the **Philadelphia National Bank presumption** is still valid and that mergers concentrating more than 30% share are presumed unlawful, subject to a rebuttal, including in *IQVIA*, *Tapestry/Capri*, and *Kroger/Albertsons*.
- Confirmed that the elimination of **head-to-head competition** can be an independent pathway for establishing Section 7 liability in *Kroger/Albertsons*.
- Established **harm to labor markets** as a valid basis for Section 7 liability through the court’s decision enjoining the *Kroger/Albertsons* merger.
- Protected competition in nascent markets by affirming the viability of **research and development markets** in *Illumina/Grail*, as well as affirming the application of the **potential competition** doctrine to nascent markets in *Meta/Within*, a favorable settlement in *Sanofi/Maze*, and *Nvidia/Arm*.
- Advanced a **serial acquisitions** theory of harm as a basis for Section 7 liability in *FTC v. U.S. Anesthesia Partners*, defeating USAP’s motion to dismiss and putting Welsh Carson under order.
- Advanced a **portfolio leveraging and entrenchment** theory of harm as a basis for Section 7 liability in the FTC’s lawsuit and settlement in *Amgen/Horizon*.
- Revived enforcement of Clayton Act Section 8, which prohibits **interlocking directorates**, in *EQT/Quantum*.
- Advanced the **increased risk of coordination** as a basis for Section 7 liability through *Exxon/Pioneer* and *Chevron/Hess*.
- Advanced in *Kroger/Albertsons* that risky divestitures and flimsy promises from merging parties can be a valid basis for **rejecting proposed remedies**, strengthening enforcers’ hand when forced to “litigate the fix.”
- Published the **2023 Merger Guidelines** to provide updated guidance that faithfully reflects legal precedent and the realities of how firms do business in the modern economy. The Guidelines were cited and treated as persuasive authority in subsequent court decisions, including *IQVIA/PMI*, *Tapestry/Capri*, and *Kroger/Albertsons*.

- **Sherman Act**

- Established **Section 2 as a viable method of challenging a merger** in the summary judgment victory in *FTC v. Meta*, in which the court recognized a

presumption of illegality when a **monopolist acquires a nascent competitor**, and by filing suit in *Sanofi/Maze*, prompting the parties to abandon.

- Established Section 2 as a viable method of **challenging serial acquisitions** through *FTC v. U.S. Anesthesia Partners*.
- Advanced the **application of Section 2 in digital markets**, explaining the role of data feedback loops, network effects, and cumulative impacts in creating anticompetitive harm in *FTC v. Amazon*, and explaining in amicus briefs how these factors should shape effective remedies in *Epic v. Google*.
- Advanced Section 2 as a method to **challenge right-to-repair restrictions** through *FTC v. Deere & Company*.
- **Standalone Section 5 of FTC Act (Unfair Methods of Competition)**
 - Issue the Policy Statement Regarding the Scope of Unfair Methods of Competition Under Section 5, which examines the text, structure, history of the FTC Act and reviews legal precedent to lay out a framework for faithful application of Section 5.
 - Reinvigorated the use of **Section 5 as a standalone claim independent of other antitrust laws**, including in *FTC v. Amazon*, *FTC v. U.S. Anesthesia Partners*, and *Syngenta/Corteva*, where the court recognized that unfair competition that does not fall under the prohibitions of other antitrust laws can be covered by Section 5.
 - Brought the agency's **first standalone Section 5 merger challenge** in *EQT/Quantum* to address the potential for investment holdings and board appointments to facilitate the exchange of confidential and competitively significant information.
 - Advanced the role of **Section 5 in tackling interlocking directorates** in *Exxon/Pioneer*.
 - Established that **noncompete clauses are unfair methods of competition** that violate Section 5 in *ATS Tree Services* (E.D. Pa.).
 - Established in *Prudential* that **noncompete clauses that are coercive and exploitative** and tend to negatively affect competitive conditions violate Section 5.
 - Established in *Ardagh*, *O-I Glass*, and *Anchor* that **noncompete clauses that impede the entry and expansion of rivals** and tend to negatively affect competitive conditions violate Section 5.
 - Established in *Guardian* and *Planned Companies* that **no-hire clauses** can violate Section 5.
 - Brought a standalone Section 5 action against pharmacy benefit managers (PBMs) *Caremark Rx*, *Express Scripts, Inc.*, *OptumRx*, *et al.* for rebating practices that inflate drug costs, including for insulin.

- **Robinson-Patman Act**
 - Revived enforcement against illegal price discrimination under the Robinson-Patman Act in the FTC’s enforcement actions against *Southern Glazer’s Wine & Spirits*, where the Commission charges that the firm violated Section 2(a) of RPA.
 - Filed suit against *Pepsi* for violating Section 2(d) and 2(e) of RPA.
- **Hart-Scott-Rodino (HSR) Act**
 - Secured a record \$5.6 million civil penalty to settle allegations of illegal pre-merger coordination, or gun-jumping, in *USA v. XCL Resources Holding et al.*
- **Section 6(g) of the FTC Act**
 - Confirmed that Section 6(g) of the FTC Act confers substantive rulemaking authority in *ATS Tree Services* (E.D. Pa.) and *Properties of the Villages* (M.D. Fl.).
- **Section 5 of the FTC Act (Unfair and Deceptive Acts or Practices)**
 - Secured the first-ever decision **recognizing invasion of privacy as a cognizable injury** under Section 5 of the FTC Act, in a case involving data broker [Kochava](#).
 - First actions challenging the **collection, use, or sale of sensitive data or precise geolocation data as unfair**, in cases against data brokers [Kochava](#), [X-Mode](#), [InMarket](#), [Gravy Analytics](#), and [Mobilewalla](#).
 - First action challenging the **collection of consumer information from real-time bidding exchanges as unfair**, in a case against data broker [Mobilewalla](#).
 - First unfairness action targeting **unfair loot box practices**, in a case against game developer [Cognosphere](#), which publishes the popular kids game Genshin Impact.
 - First action challenging **online marketing of an online service to teens as unfair**, in a case against anonymous messaging app [NGL](#).
 - First actions challenging the **categorization of consumers based on sensitive characteristics for marketing purposes and selling these sensitive inferences as unfair**, in cases against [X-Mode](#), [Mobilewalla](#), and [Gravy Analytics](#).
 - Challenged **excessive data retention as unfair**, in a case involving [Amazon’s Alexa](#) voice assistant product.
 - Challenged **default settings as unfair**, in a case against Fortnite developer [Epic Games](#) for choosing default settings that resulted in harm to kids.
 - Challenged **unilateral modification of a privacy policy as unfair**, in a case against genetic testing company [Vitagene](#).
 - Challenged **imposing unenforceable contract terms as unfair**, in a case against timeshare exit scam operation [Square One](#).

- First action challenging **the sale of an AI tool that can be used to generate fake reviews as unfair**, in a case against AI testimonial and review service [Rytr](#).
 - First actions challenging **discrimination as unfair**, in cases [against auto dealers](#) and an online cash advance provider, [FloatMe](#).
 - First action challenging **discriminatory AI facial recognition as unfair**, in a case against [Rite Aid](#) for using facial recognition to detect shoplifters.
 - First actions alleging **unfair customer service practices**, in cases against tax filing firm [H&R Block](#) and online marketplace [GOAT](#).
 - First **recovery under Section 19 for consumers' lost time**, in a case alleging that [Credit Karma](#) deceptively marketed “pre-approved” credit offers to consumers who were not eligible and wasted consumers’ time.
 - First actions **challenging unsubstantiated AI claims, including AI safety claims**, in a case against anonymous messaging app [NGL](#).
 - First actions **challenging suppressing negative product reviews** in a case against online fashion retailer [Fashion Nova](#) and **challenging review hijacking** in a case against vitamin product marketer [The Bountiful Company](#).
- **Other authorities**
 - First actions under the **Health Breach Notification Rule**, in cases against telehealth and discount drug provider [GoodRx](#) and fertility tracking app [PreMom](#) for disclosing users’ sensitive health data with advertisers without their consent.
 - First action under the **Military Lending Act**, in a case against [Harris Jewelers](#) for cheating military families with illegal financing and sales practices.
 - First actions under the **Opioid Addiction Recovery Fraud Prevention Act**, in cases against [R360](#) for deceiving people seeking help for addiction, against alcohol addiction treatment service [Monument](#) for disclosing users’ sensitive health data to third-party advertising platforms, and others.
 - Finalized the **Made in USA Rule** and took the FTC’s first actions under the rule, in cases against battery maker [Lithionics](#) and others.
 - First action challenging the **use of income share agreements (ISAs) without Holder Notices**, in a case against for-profit school [Sollers College](#).
 - Challenged **conditioning children’s participation in an online service by requiring the disclosure of more personal information than is reasonably necessary to participate** in violation of **Section 312.7 of the COPPA Rule**, in the FTC’s complaint against [TikTok](#).
 - First actions applying the **Restore Online Shoppers’ Confidence Act (ROSCA) to a gig platform**, in cases against gig platforms [Arise](#), [Care.com](#), [Grubhub](#), and others.

- **Largest-ever recovery under the Gramm-Leach-Bliley Act** requiring rental housing landlord [Invitation Homes](#) to pay \$48 million to consumers, and **largest-ever recover under ROSCA** requiring phone service provider [Vonage](#) to pay \$100 million to consumers.
- After issuing notices of penalty offense (NPO) using the FTC’s authority under Section 5(m)(1)(B) of the FTC Act, secured the **largest-ever civil penalty under an NPO** in our case against [Walmart](#)’s misleading environmental claims, and secured the **first civil penalty under an NPO against a gig platform** in our case against [Lyft](#)’s misleading earnings claims.
- First action **enforcing the FTC’s new Impersonator Rule**, in a case against a [fraudulent student loan debt relief scheme](#).
- First action **applying the Business Opportunity Rule to a gig platform** in a case against gig company [Arise](#).

The FTC Exercised Its Full Suite of Authorities

- **Rulemaking Authorities**

- For the first time in decades, proposed and finalized four Mag-Moss **trade regulation rules** under **Section 18 of the FTC Act**: a rule prohibiting **junk fees** in the live-event ticketing and short-term lodging industries, a rule prohibiting the sale or purchase of **fake reviews**, a rule prohibiting government and business **impersonation**, and a rule prohibiting **subscription traps**.
- Reactivated authority under **Section 6(g) of the FTC Act** to issue a final rule banning most **noncompete clauses**.

- **Competition Authorities**

- Took the first FTC enforcement action under the **Robinson-Patman Act** in decades by suing Southern Glazer's, the largest U.S. distributor of wine and spirits, for charging small businesses drastically higher prices than large chain stores, and followed up with an enforcement action against Pepsi.
- **Revived standalone Section 5 enforcement** after issuing a policy statement outlining how the FTC will enforce Section 5's prohibition on unfair methods of competition. Vindicated standalone Section 5 through the court's decisions in *FTC v. U.S. Anesthesia Partners*, *FTC v. Amazon* and *Syngenta/Corteva*, as well as through actions in *EQT/Quantum*, *Exxon/Pioneer*, *Prudential*, *Ardagh*, *O-I Glass*, *Anchor*, *Guardian*, *Planned Companies*, and *Caremark Rx*, *Express Scripts, Inc.*, *OptumRx*, *et al.*
- Enforced the prohibition on unlawful tying and exclusive dealing arrangements found in **Section 3 of the Clayton Act** in the FTC's lawsuit against *Syngenta/Corteva*'s loyalty rebate practices.
- Ordered energy companies EQT and Quantum to eliminate interlocking directorates, the first time in 40 years the FTC has enforced **Section 8 of the Clayton Act**, which prohibits such arrangements. Subsequently banned the CEO of Pioneer from sitting on the board of Exxon in another oil and gas deal, using our Section 5 authority.
- Took the FTC's first action under the **Durbin Amendment to the 2010 Dodd-Frank Act**, along with its implementing Rule, Regulation II, charging Mastercard with illegally prohibiting merchants from using competing payment networks.
- Revived the agency's longstanding practice of requiring merging parties to seek **prior approval** before closing future transactions, after issuing a policy statement outlining the Commission's use of the tool. Obtained prior approval provisions in numerous matters, including *Amgen/Horizon*, *Intercontinental Exchange/Black Knight*, *EQT/Quantum*, and others.

- **Consumer Protection Authorities**

- Reactivated **Penalty Offense Authority under Section 5(m)(1)(B) of the FTC Act**, allowing the FTC to seek civil penalties if a company knew that conduct was unfair or deceptive in violation of the FTC Act. Issued penalty offense notices concerning endorsements, moneymaking opportunities, substantiation, and misuse of information collected in confidential contexts.
- Took the FTC’s first action under the **Military Lending Act** by suing Harris Jewelers for cheating military families with illegal financing and sales practices.
- Took the FTC’s first action under the **Opioid Addiction Recovery Fraud Prevention Act** against R360 for deceiving people seeking help for addiction, and followed up with an action against alcohol addiction treatment service Monument for disclosing users’ sensitive health data to third-party advertising platforms.
- Took the first-ever enforcement action under the **Health Breach Notification Rule**, alleging that telehealth and prescription drug provider GoodRx had illegally shared consumers’ sensitive health information for advertising purposes.
- Finalized the Commission’s **Made in the USA Rule** after originally being authorized by Congress to issue such a rule in 1994, and took numerous enforcement actions to go after businesses that falsely claim their products are made in the USA, a practice that not only deceives consumers but also distorts competition and hurts honest businesses.

The FTC Strengthened Institutional Capabilities

- Significantly **expanded the agency’s engagement with the public**, including by:
 - Holding [first-ever](#) regular **open Commission meetings**, where any member of the public can address the Commission;
 - Holding a [series of listening sessions](#) to inform the **merger guidelines revisions**, held jointly with the Department of Justice’s Antitrust Division;
 - Opened **comment dockets** for the public to share their experiences with the FTC, and increasing public comments to the FTC from just 13,000 five years ago to over 100,000 in the last year.
 - Launched a portal for members of the public to [submit comments](#) on **proposed mergers and acquisitions** that may be before the FTC for review.
- Launched the agency’s first-ever [Office of Technology \(OT\)](#) to bring AI and technological expertise in-house, including software and privacy engineers, user experience researchers, data scientists, investigative journalists, and other experts. Efforts detailed in [staff report](#) on the evolution of the agency’s technological expertise.
- Finalized [changes to the merger filing form](#), which will improve the ability of the FTC and the Department of Justice’s Antitrust Division to detect illegal mergers and acquisitions prior to consummation. The new rules better reflect changes in corporate structure and deal-making, as well as market realities in the ways businesses compete, that have created gaps in the information that the antitrust agencies receive..
- Entered into a [Memorandum of Understanding with the U.S. Department of Labor](#) to bolster the FTC’s efforts to protect workers by promoting competitive U.S. labor markets and stopping unfair, deceptive, and anticompetitive practices.
- Entered into a [Memorandum of Understanding with the National Labor Relations Board](#) to strengthen the two agencies’ collaboration and ensure that unlawful business practices aren’t depriving workers of the pay, benefits, conditions, and dignity that they deserve.
- Created a **Western Competition Group**, a collaboration between competition staff in the Northwest Region (Seattle) and Western Region San Francisco. This group leads investigations and litigations involving illegal mergers and unlawful conduct.
- Established a new **Anticompetitive Practices II** unit within the Bureau of Competition to expand FTC’s capacity to investigate and challenge anticompetitive conduct.
- Approved [new omnibus resolutions](#) to streamline enforcement investigations and eliminate the need for FTC staff to seek compulsory process in each related case, promoting efficiency.

Enforcement Matter Index

- **Competition**

- **Challenging Illegal Mergers and Acquisitions**

- **Chevron/Hess** ([consent order](#), Sept. 2024): after uncovering communications between Hess CEO and OPEC, prohibited Hess CEO from sitting on Chevron’s board.
- **WillScot/McGrath** ([abandoned during investigation](#), Sept. 2024): parties abandoned transaction during the FTC’s investigation, preserving competition for business-to-business storage rental solutions.
- **[NON-PUBLIC]** (abandoned during investigation, Sept. 2024)
- **[NON-PUBLIC]** (abandoned during investigation, Aug. 2024)
- **Tempur Sealy/Mattress Firm** ([complaint](#), July 2024): sued to stop a vertical merger seeking to combine world’s largest mattress supplier with the largest U.S. mattress retailer, which could cut off rivals’ access to Mattress Firm as a retail channel and lead to higher prices for mattresses.
- **Altus/Situs** ([abandoned during investigation](#), July 2024): parties abandoned transaction following FTC investigation, preserving competition for realtime commercial real estate valuation services.
- **Exxon/Pioneer** ([consent order](#), May 2024): after uncovering evidence that Pioneer CEO Scott Sheffield attempt to collude with OPEC to raise prices at the pump, prohibited Sheffield from sitting on Exxon’s board.
- **[NON-PUBLIC]** (abandoned during investigation, Apr. 2024)
- **[NON-PUBLIC]** (abandoned during investigation, Apr. 2024)
- **Tapestry/Capri** ([complaint](#), Apr. 2024; preliminary injunction granted Nov. 2024; [parties abandoned](#), Nov. 2024): blocked merger that would have eliminated competition in the “accessible luxury” handbag market and raised prices for millions of Americans purchasing handbags.
- **Global Partners/Gulf Oil** ([parties abandoned Maine terminal](#) to resolve antitrust concerns, Apr. 2024): parties abandoned anticompetitive acquisition of Maine terminal following FTC and Maine AG investigation, preserving competition for heating oil and diesel fuel in the Portland area.
- **Qualcomm/Autotalks** ([abandoned during investigation](#), Mar. 2024): parties abandoned transaction during the FTC’s investigation, preserving competition and innovation in the market for connected auto chips.

- **Choice Hotels/Wyndham** ([abandoned during investigation](#), Mar. 2024): parties abandoned transaction during the FTC’s investigation, preserving competition in the lodging industry.
- **[NON-PUBLIC]** (abandoned during investigation, Feb. 2024)
- **Kroger/Albertsons** ([complaint](#), Feb. 2024; [preliminary injunction granted](#), Dec. 2024): blocked what would have been the largest supermarket merger in U.S. history, alleging that it would raise prices for millions of Americans, lead to store closures, and reduce compensation for hundreds of thousands of unionized workers.
- **Amazon/iRobot** ([abandoned during investigation](#), Jan. 2024): Amazon abandoned its investigation of home robotics company iRobot during the FTC’s investigation, which had revealed concerns about the transaction’s potential competitive effects.
- **Novant/Community Health** ([complaint](#), Jan. 2024; preliminary injunction granted on appeal, July 2024; [parties abandoned](#), July 2024): blocked a hospital merger in North Carolina.
- **Bodycote/Stack** ([abandoned during investigation](#), Jan. 2024): following FTC investigation, a heat treatment and thermal processing company abandoned its acquisition of a metallurgy company.
- **Sanofi/Maze** ([complaint](#), Dec. 2023; [parties abandoned](#), Dec. 2023): sued to block an acquisition that would have allowed pharma giant Sanofi to extend its monopoly for treatment of the rare Pompe disease.
- **John Muir/Tenet** ([complaint](#), Nov. 2023; [parties abandoned](#), Dec. 2023): stopped a California hospital merger that would drive up costs for critical services like heart surgery, spinal surgery, and maternity care.
- **[NON-PUBLIC]** (abandoned during investigation, Oct. 2023)
- **[NON-PUBLIC]** (abandoned during investigation, Oct. 2023)
- **EQT/Quantum** ([consent and divestiture](#), Aug. 2023): prohibited Quantum from occupying an EQT board seat, the first time in 40 years the FTC has enforced Section 8 of the Clayton Act, which prohibits interlocking directorates. Also secured groundbreaking relief to preserve competition in the natural gas sector by preventing anticompetitive information exchange and unwinds an anticompetitive joint venture.
- **CooperCompanies/Cook Medical** ([abandoned during investigation](#), Aug. 2023): following FTC investigation, medical device company abandoned its acquisition of Cook Medical’s reproductive health business.
- **IQVIA/Propel Media** ([complaint](#), Jul. 2023; [preliminary injunction granted](#), Jan. 2024; parties abandoned, Jan. 2024): blocked an acquisition that would have raised prices for patients and doctors by giving IQVIA a

leading position for healthcare programmatic advertising products, which drug manufacturers use to target their products to health providers.

- **Boston Scientific/M.I. Tech** ([abandoned during investigation](#), May 2023): following FTC investigation, medical device manufacturer abandoned its acquisition of a non-vascular stent manufacturer.
- **Amgen/Horizon** ([complaint](#), May 2023; [consent](#), Sept. 2023): prohibited Amgen from leveraging its portfolio of blockbuster drugs to favor Horizon’s two monopoly drugs that treat rare diseases or to disadvantage rivals.
- **[NON-PUBLIC]** (abandoned during investigation, Apr. 2023)
- **[NON-PUBLIC]** (abandoned during investigation, Apr. 2023)
- **CalPortland/Martin Marietta** ([abandoned during investigation](#), Apr. 2023): merger would have further reduced competition for cement suppliers in Southern California.
- **Intercontinental Exchange/Black Knight** ([complaint](#), Apr. 2023; [consent and divestiture](#), Aug. 2023): order includes structural relief to protect competition in a merger of the two top mortgage technology providers, which would otherwise raise costs for lenders and homebuyers.
- **Infineum/Entegris** ([abandoned during investigation](#), Feb. 2023): merger would have seen chemicals company Infineum acquire Entegris’ pipeline and industrial materials business.
- **SUNY Upstate/Crouse** ([abandoned during investigation](#), Feb. 2023): stopped a upstate New York hospital merger after the FTC investigated and filed a comment opposing the parties’ application for a certificate of public advantage (COPA).
- **Microsoft/Activision** ([complaint](#), Dec. 2022; litigation ongoing, on appeal): sued to block Xbox maker from gaining control of Activision’s top video game franchises, potentially foreclosing competitor consoles and gaming subscription services from accessing popular games.
- **[NON-PUBLIC]** (abandoned during investigation, Dec. 2022)
- **[NON-PUBLIC]** (abandoned during investigation, Nov. 2022)
- **[NON-PUBLIC]** (abandoned during investigation, Oct. 2022)
- **Tractor Supply/Orscheln** ([consent and divestiture](#), Oct. 2022): protected competition in farm supply stores by ordering divestitures of stores and distribution center.
- **[NON-PUBLIC]** (abandoned during investigation, July 2022)
- **Meta/Within** ([complaint](#), Jul. 2022; withdrawn following preliminary injunction denial): sued to block Meta from entrenching its position in the

virtual reality space through acquiring a popular virtual reality fitness app; secured decision that affirmed viability of potential competition theory of competitive harm.

- **JAB/Ethos** ([consent and divestiture](#), June 2022): protected competition in veterinary markets by ordering divestiture of clinics.
- **ARKO/Corrigan** ([consent and divestiture](#), June 2022): ordered parties to drop anticompetitive noncompete provisions and to divest locations in a retail fuel merger.
- **JAB/Sage** ([consent and divestiture](#), June 2022): protected competition in veterinary markets by ordering divestiture of California and Texas clinics, and imposes prior notice and prior approval requirements if private equity firm JAB pursues future veterinary acquisitions.
- **Buckeye/Magellan** ([consent and divestiture](#), June 2022): protected competition in gasoline fuel markets in South Carolina and Alabama in a deal involving petroleum terminals.
- **HCA/Steward** ([complaint](#), June 2022; [parties abandoned](#) June 2022): stopped a Utah hospital merger.
- **RWJBarnabas/St. Peter's** ([complaint](#), June 2022; [parties abandoned](#) June 2022): stopped a New Jersey hospital merger.
- **[NON-PUBLIC]** (abandoned during investigation, May 2022)
- **Medtronic/Intersect** ([consent and divestiture](#), May 2022): preserved competition and protected patients relying on medical instruments used in sinus procedures.
- **Prince/Ferro** ([consent and divestiture](#), Apr. 2022): preserved competition in markets for several industrial inputs used in appliances and other applications.
- **Hikma/Custopharm** ([consent](#), Apr. 2022): preserved competition for development and marketing of injectable steroid drug.
- **EnCap/EP Energy** ([consent and divestiture](#), Mar. 2022): ordered divestiture in a merger of waxy crude oil producers, which could have increased costs for Utah consumers.
- **Lifespan/Care New England** ([complaint](#), Feb. 2022; [parties abandoned](#) Mar. 2022): stopped a Rhode Island hospital merger.
- **Lockheed Martin/Aerojet Rocketdyne** ([complaint](#), Jan. 2022; [parties abandoned](#), Feb. 2022): blocked the world's largest defense contractor from eliminating the last independent U.S. missile propulsion provider, which would have raised prices for the U.S. government and reduced innovation.

- **Clean Harbors/Vertex Energy** ([abandoned during investigation](#), Jan. 2022): environmental and industrial services firm sought to purchase used motor oil collection and re-refinery assets.
- **Global Partners/Fuel** ([consent and divestiture](#), Dec. 2021): preserved retail fuel competition in Connecticut.
- **Nvidia/Arm** ([complaint](#), Dec. 2021; [parties abandoned](#) Feb. 2022): blocked a vertical semiconductor merger between Nvidia, a chip supplier, and Arm, a chip design provider, which could stifle innovative next-generation technologies like artificial intelligence.
- **Great American Outdoors Group/Sportsman’s Warehouse Holdings** ([abandoned during investigation](#), Dec. 2021): merger would have combined two close retail competitors selling outdoor sporting goods and reduced competition in dozens of local markets.
- **ANI/Novitium** ([consent and divestiture](#), Nov. 2021): ordered generic drug marketers ANI and Novitium to divest rights and assets to two generic products, one used to treat common infections and the other used to treat inflammation.
- **Price Chopper/Tops** ([consent and divestiture](#), Nov. 2021): preserved competition in upstate New York and Vermont grocery merger.
- **[NON-PUBLIC]** ([abandoned during investigation](#), Oct. 2021)
- **DaVita/Total Renal Care** ([consent and divestiture](#), Oct. 2021): ordered dialysis service provider to divest Utah clinics and imposed strict limits on future acquisitions.
- **Berkshire Hathaway/Dominion** ([abandoned during investigation](#), July 2021): merger would have raised natural gas prices for Utah customers.
- **7-Eleven/Marathon** ([consent and divestiture](#), June 2021): ordered divestiture of stores to protect competition in retail gasoline markets; order prohibits 7-Eleven from enforcing noncompete provisions for franchisees.
- **Illumina/GRAIL** (complaint, Mar. 2021; [parties abandoned following Fifth Circuit decision](#), Dec. 2023): stopped an acquisition which would have reduced competition and hindered innovation in the nascent market for cancer detection tests.
- **Hackensack Meridian/Englewood** (complaint, Dec. 2020; [Third Circuit decision affirming district court opinion](#), Mar. 2022; parties abandoned, Apr. 2022): stopped a New Jersey hospital merger.
- **Altria/Juul** (complaint filed Apr. 2020; [Commission vacated ALJ decision after parties exited transaction](#), June 2023): Commission clarified matters of law after parties exited a transaction that saw Altria purchase a 35 percent stake in Juul Labs.

○ **Challenging Illegal Conduct**

- **Pepsi** ([complaint](#), Jan. 2025): sued Pepsi for favoring larger retailers when providing promotions and services, leading to increased prices on Pepsi products for consumers and competitors.
- **John Deere** ([complaint](#), Jan. 2025): sued the farm equipment company for illegally restricting farmers’ ability to repair their own equipment and to use independent repair providers.
- **Planned Companies** ([complaint and consent](#), Jan. 2025): ordered a building services contractor to drop no-hire agreements that restrained low-wage workers from seeking jobs with higher pay and better benefits.
- **XCL Resources Holdings, Verdun Oil, and EP Energy** ([complaint and consent](#), Jan. 2025): fined crude oil producers \$5.6 million over illegal pre-merger coordination, or gun jumping, in violation of the HSR Act.
- **Guardian** ([complaint and consent](#), Dec. 2024): ordered a building services contractor to stop enforcing no-hire agreements that prohibit building owners and managers from hiring Guardian’s employees.
- **Southern Glazers Wine & Spirits** ([complaint](#), Dec. 2024): sued the largest U.S. distributor of wine and spirits for charging small businesses drastically higher prices than large chain stores, the first FTC enforcement action under the Robinson-Patman Act in decades.
- **Insulin** ([complaint](#), Sept. 2024): sued the three largest PBMs alleging that they inflated the prices patients pay for insulin and other lifesaving drugs through a rebate system.
- **Amazon** ([complaint](#), Sep. 2023; party’s motion to dismiss denied Sep. 2024): sued Amazon for charging fees for hundreds of thousands of businesses that rely on the platform to reach consumers—forcing many businesses to pay Amazon close to 50 percent of their total revenues.
- **U.S. Anesthesia Partners** ([complaint](#), Sep. 2023; parties’ motion to dismiss denied, May 2024; [consent with private equity firm](#), Jan. 2025): sued a large anesthesiology provider for illegally monopolizing the Texas anesthesiology market through a series of roll-ups, raising prices for patients and payors.
- **Anchor Glass** ([complaint and consent](#), Mar. 2023): ordered glass manufacturing company to drop noncompete restrictions on its workers.
- **Prudential Security** ([complaint and consent](#), Jan. 2023): ordered security guard firm to drop noncompetes on its low-wage workers.
- **Ardagh Glass** ([complaint and consent](#), Jan. 2023): ordered glass manufacturing company to drop noncompete restrictions on its workers.

- **O-I Glass** ([complaint and consent](#), Jan. 2023): ordered glass manufacturing company to drop noncompete restrictions on its workers.
 - **Mastercard** ([complaint and consent](#), Dec. 2022): ordered the payment network to stop illegally blocking merchants from routing debit card payments through its payment network, raising costs for businesses.
 - **Syngenta/Corteva** ([complaint](#), Sep. 2022; parties’ motion to dismiss denied Jan. 2024): sued the two largest pesticide manufacturers for preventing farmers from buying cheaper generic products, costing them billions of dollars.
 - **Alabama Board of Dental Examiners** ([complaint and consent](#), Sept. 2021): ordered dental licensing administrator to stop anticompetitive conduct that unreasonable excluded competing teeth alignment product and service providers.
 - **Broadcom** ([complaint and consent](#), July 2021): ordered semiconductor components market to stop requiring its customers to source components from Broadcom on an exclusive or near exclusive basis.
 - **Meta** (complaint, Dec. 2020; [amended complaint](#), Aug. 2021): defeated Meta’s summary judgment motion in the agency’s lawsuit alleging Meta engaged in a series of acquisitions and anticompetitive tactics, including Instagram and WhatsApp, to illegally maintain its monopoly.
 - **Daraprim** (complaint, Jan. 2020; [Second Circuit affirmed](#), Jan. 2024): Banned “Pharma Bro” Martin Shkreli from ever doing business in the pharmaceutical industry after Shkreli hiked the price of Daraprim from \$17.50 to \$750 per tablet.
 - **Surescripts** (complaint, Apr. 2019; [consent](#), July 2023): stopped health information technology company from illegally monopolizing two e-prescription drug markets.
- **Consumer Protection**
 - **Limiting Commercial Surveillance**
 - **General Motors** ([complaint and order](#), Jan. 2025): Banned carmaker from sharing drivers’ precise geolocation data without their consent for five years, in the FTC’s first privacy action concerning connected cars.
 - **Gravy Analytics** ([complaint and order](#), Dec. 2024): banned data broker from illegally selling location data, including selling sensitive inferences drawn from users’ data, like political activities and religious viewpoints.
 - **Mobilewalla** ([complaint and order](#), Dec. 2024): banned data broker from selling sensitive location data, and banned it from collecting data from online real-time-bidding auctions for purposes other than participating in those auctions.

- **Avast** ([complaint and order](#), May 2024): banned browser antivirus software Avast from selling users’ web browsing data for advertising purposes, and ordered it to pay \$16.5 million in redress for consumers.
 - **Monument** ([complaint and order](#), Apr. 2024): banned alcohol addiction treatment service from sharing consumers’ sensitive health data to third parties for advertising.
 - **Cerebral** ([complaint and order](#), Apr. 2024): banned telehealth firm from using any health information for most advertising purposes after it deceived users about substance use disorder treatment services.
 - **InMarket Media** ([complaint and order](#), Jan. 2024): banned data broker from selling users’ precise location data.
 - **X-Mode** ([complaint and order](#), Jan. 2024): prohibited data broker from selling consumers’ sensitive location data.
 - **Premom** ([complaint and order](#), May 2023): sued ovulation tracking app for violating the Health Breach Notification Rule and sharing health data with third parties, including two China-based firms, for advertising.
 - **BetterHelp** ([complaint and order](#), Mar. 2023): sued online counseling service for sharing sensitive data about consumers’ mental health with third parties for advertising.
 - **GoodRx** ([complaint and order](#), Feb. 2023): sued telehealth and prescription drug discount provider for violating the Health Breach Notification Rule and disclosing consumers’ personal health information to Facebook, Google, and other third parties for advertising.
 - **Kochava** ([complaint](#), Aug. 2022; FTC defeated motion to dismiss, Feb. 2024): sued data broker for selling users’ geolocation data, revealing information about people’s visits to doctors, including reproductive health clinics and addiction recovery facilities.
- **Curbing Lax Data Security Practices**
- **GoDaddy** ([complaint and order](#), Jan. 2025): ordered web hosting company to implement a robust data security company after its poor security practices exposed consumers and small businesses’ data to hackers.
 - **Marriott International** ([complaint and order](#), Oct. 2024): ordered hotel chains to implement a robust data security program after three large data breaches impacting more than 344 million customers worldwide.
 - **Verkada** ([complaint and order](#), Aug. 2024): ordered security camera firm to pay \$2.95 million fine and improve its data security practices after it inundated prospective customers with spam emails and failed to protect users’ personal data from being accessed by a hacker.

- **Blackbaud** ([complaint and order](#), Feb. 2024): ordered data services firm to delete unnecessary data and implement improved security practices after its poor security practices left users’ data exposed to hackers.
 - **Global Tel*Link** ([complaint and order](#), Nov. 2023): ordered prison communications provider to notify customers of any future security breaches after it failed to adequately secure users’ data from hackers.
 - **Vitagene/1Health.io** ([complaint and order](#), June 2023): ordered genetic testing company to strengthen protections for genetic data and direct labs to promptly destroy genetic samples after the company failed to protect privacy of DNA data and unfairly changed its privacy policies.
 - **Ring** ([complaint and order](#), May 2023): ordered home security company to pay \$5.8 million in consumer refunds after the company allowed any employee or contractor to access consumers’ private videos and failed to secure consumers’ cameras and videos from hackers.
 - **Drizly** ([complaint and order](#), Oct. 2022): ordered online alcohol marketplace to destroy unnecessary data and restrict future data collection after the company’s poor security practices left 2.5 million consumers’ personal data exposed in a data breach.
 - **Chegg** ([complaint and order](#), Oct. 2022): ordered educational technology company to improve security practices after its careless security practices exposed customers’ personal data.
 - **Twitter** ([order](#)) May 2022: charged Twitter for violating a 2011 consent order with the FTC by selling users’ account data for targeted advertising.
 - **CaféPress** ([complaint and order](#), Mar. 2022): ordered online merchandising platform to pay half a million dollars to compensate small businesses whose data were exposed in a major breach, and to implement stronger security practices.
 - **SpyFone** ([complaint and order](#), Sept. 2021): ordered stalkerware app to delete all secretly stolen data and banned the company and its CEO from the surveillance business after the company secretly harvested and shared data on people’s physical movements and online activities.
 - **MoviePass** ([complaint and order](#), June 2021): took action against movie subscription service for failing to secure its users’ data and misrepresenting the terms of the subscription service.
- **Protecting Kids and Teens Online**
- **Cognosphere** ([complaint and order](#), Jan. 2025): banned game developer from using in-game loot box practices that led to kids and teens paying hundreds of dollars for prizes they were unlikely to win in the popular kids’ video game Genshin Impact.

- **TikTok** ([complaint](#), Aug. 2024): sued shortform video app for allegedly violating COPPA by collecting and using personal information from children under 13 without parental consent.
- **NGL Labs** ([complaint and order](#), July 2024): banned anonymous messaging app from marketing its service to kids under 18 after its unfair practices exposed kids to cyberbullying and harassment.
- **Microsoft Xbox** ([complaint and order](#), June 2023): fined Microsoft \$20 million for illegally collecting kids’ data on its Xbox service without their parents’ consent.
- **Facebook** ([order](#), May 2023): held social media giant accountable for violating its privacy promises in a previous FTC consent order and proposed a blanket ban on monetizing children’s data.
- **Amazon Alexa** ([complaint and order](#), May 2023): fined Amazon \$25 million for promising parents that they could delete their kids’ Alexa voice recording and geolocation data, but then retaining it for years.
- **Edmodo** ([complaint and order](#), May 2023): prohibited online educational software from collecting more personal data from students than necessary after it illegally used kids’ data for advertising and outsourced COPPA compliance to school districts.
- **Epic Games** ([complaint and order](#), Dec. 2022): fined the maker of Fortnite \$275 million—the largest COPPA penalty ever obtained—for collecting kids’ personal information without their parents’ consent and for using default settings that exposed kids and teens to bullying and harassment.
- **Weight Watchers/Kurbo** ([complaint and order](#), Mar. 2022): ordered Weight Watchers to delete personal information it illegally collected from kids as young as eight and to destroy any algorithms it trained on that data.
- **OpenX** ([complaint and order](#), Dec. 2021): ordered real-time bidding platform to pay \$2 million for collecting personal information from children without parental consent and for collecting precise geolocation data even from users who asked not to be tracked.
- **Recolor Oy** ([complaint and order](#), July 2021): ordered online coloring book service to delete ill-gotten data after it collected children’s personal data without their parents’ consent.
- **Scrutinizing Emerging AI Products**
 - **accessiBe** ([complaint and order](#), Jan. 2025): ordered the company to stop misrepresenting that its AI-powered web accessibility tool could make any website compliant with accessibility guidelines.
 - **IntelliVision Technologies** ([complaint and order](#), Dec. 2024): ordered IntelliVision, which sells facial recognition software used in home security

systems, to stop making false or unsubstantiated claims that its facial recognition software was free of gender and racial bias.

- **Evolv Technologies** ([complaint and order](#), Nov. 2024) stopped security screening technology company from making unsupported claims that its products could detect weapons using AI.
 - **DoNotPay** ([complaint and order](#), Sept. 2024): prohibited an AI service that claimed to offer “the world’s first robot lawyer” from making unsubstantiated claims.
 - **Ascend Ecom** ([complaint and TRO](#), Sept. 2024): halted a bogus business opportunity scheme that claimed its “cutting edge” AI-powered tools could help consumers start online storefronts and quickly earn thousands of dollars each month in passive income.
 - **Ecommerce Empire Builders** ([complaint and TRO](#), Sept. 2024): halted a bogus business opportunity scheme that falsely claimed its AI-powered training programs and online storefronts could earn consumers money.
 - **Rytr** ([complaint and order](#), Sept. 2024): stopped an AI-enabled review generation service from offering a service for customers to generate fake consumer reviews or testimonials.
 - **FBA Machine** ([complaint and TRO](#), June 2024): halted a bogus business opportunity scheme that falsely promised consumers they could make guaranteed passive income using AI-powered online storefronts.
 - **NGL Labs** ([complaint and order](#), July 2024): banned anonymous messaging app from marketing its service to kids under 18 and ordering it to stop making unsubstantiated AI claims, including AI safety claims.
 - **Rite Aid** ([complaint and order](#), Dec. 2023): banned retail pharmacy chain from using facial recognition technologies when it wrongly accused innocent people, including children, of shoplifting.
 - **Automators** ([complaint](#), Aug. 2023; [order](#), Feb. 2024): banned bogus moneymaking scheme that claimed to use AI to boost earnings for consumers’ e-commerce storefronts from offering business opportunities.
 - **Amazon Alexa** ([complaint and order](#), May 2023): for the first time, banned Amazon from indefinitely retaining users’ data for training AI.
- **Combatting Junk Fees**
- **Greystar** ([complaint](#), Jan. 2025): sued the largest operator of rental apartments for charging consumers unavoidable junk fees and hiding the true cost of rental apartments.
 - **GrubHub** ([complaint and order](#), Dec. 2024): ordered food delivery platform to end junk fees for consumers, honestly advertise pay to drivers,

and list restaurants on its platform only with their consent, and returning \$25 million to consumers who were harmed.

- **Dave** ([complaint](#), Nov. 2024; [amended complaint](#), Dec. 2024): sued online cash advance app for deceptive claims about cash advances and charging consumers junk fees, including hiding a \$1 monthly “membership fee” and making it difficult to cancel the service.
 - **Invitation Homes** ([complaint and order](#), Sept. 2024): sued the largest corporate landlord of single-family homes for saddling renters with junk fees, unjustly withholding security deposits, and unfairly evicting people, and securing \$48 million to be refunded to renters who were harmed.
 - **Vonage** ([complaint and order](#), Nov. 2022): ordered internet phone service provider Vonage to refund \$100 million to consumers, end junk fees, and provide easy cancellation mechanisms after finding that the company used dark patterns to make it difficult for consumers to cancel.
 - **Benefytt Technologies** ([complaint and order](#), Aug. 2022): secured \$100 million in refunds after Benefytt lied to consumers about sham insurance plans and charged junk fees for unwanted add-on products.
 - **Simple Health** ([complaint](#), Nov. 2018; [court granted FTC’s summary judgment motion](#), Feb. 2024): obtained \$195 million judgement against a bogus health insurance plan that didn’t provide the promised coverage and left consumers on the hook for thousands of dollars in medical bills.
- **Challenging Dark Patterns and Subscription Traps**
- **Grubhub** ([complaint and order](#), Dec. 2024): required food delivery platform to offer a simple cancellation mechanism for its Grubhub+ subscription, in addition to ending junk fees for consumers.
 - **Dave** ([complaint](#), Nov. 2024; [amended complaint](#), Dec. 2024): sued online cash advance app for deceptive claims about cash advances and charging consumers junk fees, including hiding a \$1 monthly “membership fee” and making it difficult to cancel the service.
 - **Care.com** ([complaint and order](#), Aug. 2024): ordered the child and older adult care gig platform to refund consumers \$8.5 million after using inflated job numbers and earnings claims to attract caregivers, while locking consumers into hard-to-cancel subscriptions.
 - **Adobe** ([complained](#), June 2024): sued Adobe for hiding early termination fees for its subscription software and making it difficult for consumers to cancel their subscriptions.
 - **Doxo** ([complaint and order](#), Apr. 2024): took action against online bill payment service Doxo for using misleading search ads to trick consumers into paying their bills to Doxo rather than the biller, and for intercepting

users’ payments that lead to their utilities being shut off, their car and health insurance lapsing, and being charged late fees and fines.

- **FloatMe** ([complaint and order](#), Jan. 2024): ordered online cash advance provider to provide \$3 million refunds for falsely promising quick and free cash advances, making it difficult to cancel subscriptions, and for discriminating against consumers who receive public assistance.
 - **Brigit** ([complaint and order](#), Nov. 2023): ordered personal finance app to pay \$18 million in consumer refunds after it used deceptive promises of “instant” \$250 cash advances to lock consumers into a hard-to-cancel monthly membership.
 - **CRI Genetics** ([complaint and order](#), Nov. 2023): ordered genetic testing firm to stop deceiving user about the accuracy of its DNA reports, including by falsely claiming that it patented a proprietary algorithm for genetic matching; also ordered the company to stop using fake reviews and dark patterns that trapped users in its online billing.
 - **Publishers Clearing House** ([complaint and order](#), June 2023): ordered sweepstakes company to refund consumers \$18.5 million and stop using dark patterns to deceive consumers about how to enter its sweepstakes drawings, leading them to waste time and money.
 - **Amazon** ([complaint](#), May 2023): sued Amazon for enrolling consumers into Amazon Prime without their consent and making it difficult for them to cancel their subscriptions.
 - **Epic Games** ([complaint and order](#), Dec. 2022): secured \$245 million in consumer redress from Epic Games for using dark patterns to trick players into making unwanted purchases.
 - **Vonage** ([complaint and order](#), Nov. 2022): ordered internet phone service provider Vonage to refund \$100 million to consumers, end junk fees, and provide easy cancellation mechanisms after finding that the company used dark patterns to make it difficult for consumers to cancel.
 - **Credit Karma** ([complaint and order](#), Aug. 2022): ordered credit services company to return \$2.5 million to consumers who were tricked into applying for “pre-approved” credit offers they were not qualified for, denied credit, and saw their credit scores drop.
 - **F9 Advertising** (complaint, 2019; [order](#), Oct. 2023): shut down online skin cream marketer for charging consumers millions of dollars in undisclosed recurring subscription fees.
- **Challenging Deceptive Advertising**
- **H&R Block** ([complaint](#), Feb. 2024; [order](#), Nov. 2024): ordered H&R Block to make it easier to downgrade to a cheaper H&R Block product and stop making deceptive claims about “free” tax filing.

- **CRI Genetics** ([complaint and order](#), Nov. 2023): ordered genetic testing firm to stop deceiving user about the accuracy of its DNA reports, including by falsely claiming that it patented a proprietary algorithm for genetic matching; also ordered the company to stop using fake reviews and dark patterns that trapped users in its online billing.
- **LasikPlus** ([complaint and order](#), Jan. 2023): ordered laser eye surgery provider to refund \$1.25 million for luring consumers in with low promotional prices for which very few consumers were eligible.
- **Google/iHeartMedia** ([complaint and order](#), Nov. 2022): halted ads that promoted Google’s Pixel 4 phone using false and deceptive endorsements by radio personalities.
- **Opendoor** ([complaint and order](#), Aug. 2022): ordered online home buying firm to pay \$62 million and stop deceptive claims that tricked consumers into thinking that they could make more money selling their home to Opendoor than on the open market.
- **SPM Thermo-Shield** ([complaint and order](#), June 2022): ordered building wall coating maker to stop making deceptive energy efficiency claims.
- **Frontier Communications** ([complaint and order](#), May 2022): stopped internet service provider from lying to consumers and charging them for high-speed internet that it failed to deliver, and order the company to refund \$250,000 to consumers.
- **Walmart** ([complaint and order](#), Apr. 2022): fined retailer \$3 million for falsely marketing dozens of rayon textile products as bamboo, and touting that the “bamboo” products were environmentally friendly.
- **Kohl’s** ([complaint and order](#), Apr. 2022): fined retailer \$2.5 million for falsely marketing dozens of rayon textile products as bamboo, and touting that the “bamboo” products were environmentally friendly.
- **Intuit** ([complaint](#), Mar. 2022; [final opinion and order](#), Jan. 2024): issued a Commission opinion finding that the tax prep software company deceptively marketed its product as “free” and stop making deceptive claims about “free” tax filing.
- **Health Research Laboratories** (complaint, Nov. 2020; [order](#), Mar. 2022): banned companies from advertising or selling dietary supplements that claim to treat and cure disease.
- **Superior Products** (complaint, July 2020; [court order secured](#), Nov. 2022): ordered building exterior coating company to stop making deceptive energy efficiency claims in violation of the FTC’s R-Value rule, which concerns labeling and advertising of home insulation.
- **FGI** (complaint, July 2020; [court order secured](#), Oct. 2022): stopped paint maker from making deceptive insulin claims.

- **Redwood Scientific** (complaint, Oct. 2018; [court order secured](#), Mar. 2022): stopped marketers who falsely claimed that their dissolvable oral strips could assist in smoking cessation and weight loss.
- **Protecting Gig Workers**
 - **Handy** ([complaint and order](#), Jan. 2025): ordered home services gig work platform to stop making deceptive claims about how much money workers could earn, and secured \$2.95 million in refunds to workers.
 - **GrubHub** ([complaint and order](#), Dec. 2024): ordered food delivery platform to end junk fees for consumers, honestly advertise pay to drivers, and list restaurants on its platform only with their consent, and returning \$25 million to consumers who were harmed.
 - **Lyft** ([complaint and order](#), Oct. 2024): ordered rideshare platform to stop making deceptive claims about how much money drivers could earn hourly and through special incentives.
 - **Care.com** ([complaint and order](#), Aug. 2024): ordered the child and older adult care gig platform to refund consumers \$8.5 million after using inflated job numbers and earnings claims to attract caregivers, while locking consumers into hard-to-cancel subscriptions.
 - **Arise** ([complaint and order](#), July 2024): ordered customer service gig platform to stop making misleading claims about what consumers could earn for gig work, and secured \$7 million to refund to consumers.
 - **HomeAdvisor** ([complaint](#), Mar. 2022; [order](#), Jan. 2023): ordered home improvement gig platform to stop false and deceptive claims about the quality and source of the leads on its platform.
- **Protecting Auto Buyers**
 - **Lindsay Auto** ([complaint](#), Dec. 2024): sued a Maryland auto dealer for charging consumers for unwanted junk fees and add-ons.
 - **Leader Auto** ([complaint and order](#), Dec. 2024): reached \$20 million settlement with car dealerships allegedly deceiving consumers with bait-and-switch tactics and fake reviews.
 - **Asbury Auto** ([complaint](#), Aug. 2024): sued a Texas auto dealer group alleging that it charged consumers for unwanted add-ons and discriminated against Black and Latino consumers by targeting them with unwanted and higher-priced add-ons.
 - **Coulter Motor Company** ([complaint and order](#), Aug. 2024): secured \$2.35 million in consumer redress from an Arizona auto dealer group for deceptive pricing, charging for unwanted add-ons, and discriminating against Latino customers.

- **CarShield** ([complaint and order](#), July 2024): ordered a vehicle service contract administrator to stop deceiving customers about which repairs were covered under the service plans.
- **Vroom** ([complaint and order](#), July 2024): secured \$1 million in consumer refunds from online used car dealer for falsely claiming that it examined all vehicles before listing them for sale and failing to deliver cars on time.
- **Manchester City Nissan** ([complaint and order](#), Jan. 2024): sued a Connecticut auto dealer for deceiving consumers about the price of used cars, add-ons, and government fees.
- **Rhineland Auto** ([complaint and order](#), Oct. 2023): secured \$1.1 million for consumer refunds after a Wisconsin auto dealer group charged customers illegal junk fees and discriminated against American Indian customers by charging them higher financing costs and fees.
- **Passport Auto** ([complaint and order](#), Oct. 2022): secured \$3.3 million in consumer redress from an auto dealer group for charging consumers for unwanted add-ons and discriminating against Black and Latino consumers by targeting them with higher financing costs and fees.
- **Napleton Auto** ([complaint and order](#), Apr. 2022): reached \$10 million settlement with Illinois auto group for charging customers illegal junk fees and for discriminating against Black customers by charging them higher financing costs.
- **Championing American Manufacturing**
 - **Williams-Sonoma** ([complaint and order](#), Apr. 2024): ordered home products company to pay a record \$3.175 million fine for falsely claiming its products were made in America, in violation of a 2020 FTC order.
 - **Kubota** ([complaint and order](#), Jan. 2024): ordered tractor maker to pay \$2 million penalty for falsely labeling replacement parts as “Made in USA.”
 - **Old Southern Brass** ([complaint and order](#), Dec. 2023): ordered giftware company to stop falsely claiming its products were made in America and that the company was veteran-owned and donates 10% of its sales to military service charities.
 - **Chaucer & Bates Accessories** ([complaint and order](#), June 2023): stopped clothing accessories companies from falsely claiming that certain products were “Made in USA”, and returned \$140,000 to consumers.
 - **Cycra** ([complaint and order](#), Apr. 2023): ordered a motocross and ATV parts maker Cycra to stop making claims that its products were manufactured in the U.S., and secured \$180,000 in refunds to consumers.
 - **Instant Brands (Pyrex)** ([complaint and order](#), Jan. 2023): ordered home and kitchen product maker to stop making false claims that its glass

measuring cups were made in America when they were made in China, resulting in \$88,000 in refunds to consumers.

- **ALG Health** ([complaint and order](#), Aug. 2022): stopped personal protective equipment maker from falsely claiming that its mask and other products were “Made in USA” and that because they were Made in USA, they could provide superior protection from COVID-19.
 - **Electrowarmth** ([complaint and order](#), Aug. 2022): ordered heated mattress pad maker to stop making false “Made in USA” claims.
 - **Lions Not Sheep** ([complaint and order](#), May 2022): ordered apparel company to stop claiming its clothing was made in America when they were made in China and to pay a \$200,000 fine.
 - **Lithionics** ([complaint](#), Apr. 2022): took action against battery maker that falsely claimed its products were “Made in USA.”
 - **Resident Home (Nectar Sleep)** ([complaint and order](#), Oct. 2021): ordered mattress company to stop making false “Made in USA” claims after it violated a 2018 FTC order over similar law violations.
- **Protecting Small Businesses and Franchisees**
- **Seek Capital** ([complaint](#), Nov. 2024): sued a bogus business finance scheme that falsely promised businesses access to cash.
 - **Qargo Coffee** ([complaint and order](#), Oct. 2024): ordered coffee franchise to disclose to franchisees critical information required by the Franchise Rule, leaving prospective franchisees in the dark about whether to invest.
 - **Womply** ([complaint and order](#), Mar. 2024): ordered Womply to pay \$36 million after it made false promises to small businesses that it could help them receive emergency pandemic loans, when most applications never resulted in any funding.
 - **Biz2Credit** ([complaint and order](#), Mar. 2024): ordered Biz2Credit to pay \$33 million after it made false promises to small businesses about how long their emergency pandemic loan applications would take to process.
 - **Grant Bae** ([complaint and order](#), Dec. 2022): shut down grant-writing and business consulting scam that targeted minority-owned small businesses seeking help to survive the pandemic.
 - **First American Payment Systems** ([complaint and order](#), July 2022): ordered a payment processor to return \$4.9 million to businesses after it lured small businesses with promises of low fees, trapped them with hidden terms and surprise exit fees, and withdrew funds from their accounts without their consent.

- **BurgerIM** ([complaint](#), Feb. 2022): sued fast-food franchise company for allegedly making false promises to more than 1,500 consumers, some of whom were veterans, to induce them to purchase franchises.
- **Dun & Bradstreet** ([complaint and order](#), Jan. 2022): ordered a business credit report provider to enact better processes for businesses to correct errors after it deceived businesses about the value of its products and failed to correct errors on businesses’ credit reports.
- **Richmond Capital Group** (complaint, June 2020; [settlement with corporate defendants](#), June 2022; [jury issued summary judgment in trial against individual defendant Jonathan Braun](#), Oct. 2023): won a jury trial and a \$20 million judgment against a small business financing operation for preying on small businesses with unfair lending and collection practices, and a permanent ban against owner Jonathan Braun from the merchant cash advance and debt collection industries.
- **Protecting Americans’ Right to Repair**
 - **Weber** ([complaint and order](#), June 2022): ordered grill maker to stop illegally restricting customers’ right to repair their purchased products and to remove illegal terms in its warranty.
 - **Harley-Davidson** ([complaint and order](#), June 2022): ordered motorcycle maker to stop illegally restricting customers’ right to repair their purchased products and to ensure that dealers compete fairly with independent third-parties.
 - **Westinghouse** ([complaint and order](#), June 2022): ordered outdoor generator maker to stop illegally restricting customers’ right to repair their products and to ensure that dealers compete fairly with independent third-parties.
- **Addressing Fake Reviews**
 - **Sitejabber** ([complaint and order](#), Nov. 2024): ordered an AI-enabled online review platform to stop misrepresenting ratings and reviews.
 - **Rytr** ([complaint and order](#), Sept. 2024): stopped an AI-enabled review generation service from offering a service for customers to generate fake consumer reviews or testimonials.
 - **Hey Dude Shoes** ([complaint and order](#), Sept. 2023): fined online shoe seller \$1.95 million for suppressing negative reviews and not shipping merchandise on time.
 - **Roomster** ([complaint](#), Aug. 2022; [order](#), Aug. 2023): banned a rental listing platform and its owners from buying consumer reviews after they flooded the internet with thousands of fake 4- and 5- star reviews for listings that turned out to be fake.

- **The Bountiful Company** ([complaint and order](#), Feb. 2023): banned vitamin product marketer from review hijacking, or stealing or purposing reviews of another product, on Amazon.
- **Fashion Nova** ([complaint and order](#), Jan. 2022): banned online fashion retailer from suppressing negative customer reviews.
- **Vision Path** ([complaint and order](#), Jan. 2022): fined online contact lens seller \$3.5 million for using misleading reviews and for violating the FTC’s Contact Lens Rule.
- **Ensuring Fairness in Financial Products**
 - **Dave** ([complaint](#), Nov. 2024; [amended complaint](#), Dec. 2024): sued online cash advance app for deceptive claims about cash advances and charging consumers junk fees.
 - **Aqua Finance** ([complaint and order](#), May 2024): ordered household water treatment funding company to provide \$20 in consumer refunds and \$23.6 million in debt forgiveness to consumers who were deceived by its dealers’ deceptive financing terms.
 - **FloatMe** ([complaint and order](#), Jan. 2024): ordered online cash advance provider to provide \$3 million refunds for falsely promising quick and free cash advances, making it difficult to cancel subscriptions, and for discriminating against consumers who receive public assistance.
 - **Chargebacks911** ([complaint](#), Apr. 2023; [order](#), Nov. 2023): banned chargeback mitigation company from using unfair techniques to prevent consumers from winning chargeback disputes and prohibited the company from working with certain subscription marketers.
 - **Brigit** ([complaint and order](#), Nov. 2023): ordered personal finance app to pay \$18 million in consumer refunds after it used deceptive promises of “instant” \$250 cash advances to lock consumers into a hard-to-cancel monthly membership.
 - **Voyager** ([complaint and order](#), Oct. 2023): sued the CEO of and settled with a bankrupt crypto company that falsely claimed consumers’ deposits were FDIC-insured, leading consumers to lose more than \$1 billion in cryptocurrency after the company collapsed.
 - **TransUnion** ([complaint and order](#), Oct. 2023): fined credit reporting agency \$15 million for including inaccurate and incomplete eviction records in consumers’ background screening reports, hampering their ability to obtain housing.
 - **TruthFinder** ([complaint and order](#), Sept. 2023): fined background report providers TruthFinder and Checkmate \$5.8 million for lying to users about the accuracy of their background reports and deceiving consumers about whether they had criminal records.

- **Experian** ([complaint and order](#), Aug. 2023): ordered Experian Consumer Services, which offers consumers access to their Experian credit reports, to pay \$650,000 for violating the CAN-SPAM Act by sending consumers unsolicited email without a way to opt out.
- **Celsius** ([complaint and order](#), July 2023): banned crypto platform from handling consumers’ assets after it falsely promised that deposits would be safe and always available.
- **Walmart** ([complaint](#), June 2022; [amended complaint](#), June 2023): sued Walmart for allowing its money transfer services to be used by fraudsters.
- **The Credit Game** ([complaint](#), May 2022; [order](#), Dec. 2022): stopped a fraudulent scheme that falsely promised consumers it could repair their credit and for pitching to consumers a business opportunity to create their own bogus credit repair scheme.
- **Ygrene Energy** ([complaint and order](#), Oct. 2022): ordered home improvement financing provider to stop deceiving consumers about its financing terms and placing liens on homes with their consent.
- **Financial Education Services** ([complaint and order](#), May 2022): shut down a bogus credit repair scheme that lured in consumers with low credit scores and recruit them to join a pyramid scheme selling the same worthless credit repair services to others.
- **MyLife** ([complaint and order](#), Dec. 2021): fined online background report provider \$21 million for tricking users with deceptive “teaser” background reports, trapping them in difficult-to-cancel subscriptions, and failing to meet its obligations as a consumer reporting agency, including maintaining reasonable procedures to ensure its reports were accurate.
- **Protecting Students from Deception and Fraud**
 - **Superior Servicing** ([complaint and TRO entered](#), Nov. 2024; [PI issued](#) Dec. 2024): secured TRO and PI to stop a fraudulent student loan debt scheme that falsely promised debt relief and forgiveness.
 - **USA Student Debt Relief** ([complaint and order](#), July 2024): stopped a student loan relief scheme that targeted financially strapped consumers, including Spanish-speaking consumers in Puerto Rico, with false promises of lower payments and loan forgiveness.
 - **Panda Benefit Services** ([complaint and order](#), June 2024): halted a fraudulent student loan debt relief scheme that took more than \$20.3 million from consumers seeking debt relief by presenting to be affiliated with the Department of Education.
 - **Grand Canyon University** ([complaint](#), Dec. 2023): sued for-profit school for lying to prospective doctoral students about the cost and requirements

of its programs and about its nonprofit status, and making illegal telemarketing calls to consumers.

- **Sollers College** ([complaint and order](#), Oct. 2023): ordered a for-profit college to cancel \$3.4 million in student debt after luring in students with false job-placement rates and utilized illegal income-share agreements that left out important borrower rights.
 - **Apex Processing Center** ([complaint](#), Aug. 2023; [order](#), Feb. 2024; [order with leader of the operation](#), Apr. 2024): shut down a student loan debt relief operator after it pretended to be affiliated with the Department of Education and pocketed \$8.8 million using false promises of loan forgiveness.
 - **BCO Consulting** ([complaint](#), May 2023; [order](#), Oct. 2023): stopped fraudulent student loan relief operation after it pretended to be affiliated with the Department of Education and bilked students using false promises of loan repayment or debt forgiveness programs.
 - **SL Finance** ([complaint](#), May 2023; [order](#), Oct. 2023): stopped fraudulent student loan relief operation after it pretended to be affiliated with the Department of Education and other government relief programs, and cheated students using false promises of loan repayment or debt forgiveness programs.
 - **Saint James School of Medicine** ([complaint and order](#), Apr. 2022): secured \$1.2 million in refunds from a for-profit medical school that misled students about the school’s medical license exam test pass rate and residency matches, saddling students with debt.
 - **Arete Financial Group** (complaint, Nov. 2019; [orders secured](#) Jan. 2022): banned operators of a student loan debt relief scheme from the industry that lured borrowers using fraudulent ads, pretended to be affiliated with the Department of Education, and falsely promised to reduce or eliminate students’ loans in exchange for hefty fees.
 - **Moneta Management** ([complaint and order](#), July 2021): ordered payment processor to shut down after it assisted a criminal student debt relief scam.
- **Protecting Older Americans**
- **Stem Cell Institute of America** ([complaint](#), Aug. 2021; [final orders](#) Jan. 2025): ordered company to stop falsely claiming that its stem cell therapy treatments were effective in treating arthritis and joint pain, and secured \$3.3 million to refund to consumers.
 - **Quincy Bioscience** ([court ruled in favor of FTC](#), Dec. 2024): court ruled in favor of the FTC after seven years of litigation, including a jury trial, ordering Quincy Bioscience to stop making deceptive claims about Prevagen that mislead older Americans concerned about memory loss.

- **Care.com** ([complaint and order](#), Aug. 2024): ordered the child and older adult care gig platform to refund consumers \$8.5 million after trapping consumers into hard-to-cancel subscriptions and using inflated job numbers and earnings claims to attract caregivers.
- **Restoro-Reimage** ([complaint and order](#), Mar. 2024): ordered tech support scam to pay \$26 million after it tricked consumers, particularly older consumers, into buying computer repair services.
- **Square One** ([complaint](#), Nov. 2022): sued a fraudulent operation that promised to help older Americans get out of timeshare contracts and scammed consumers out of more than \$90 million.
- **Home Matters USA** ([complaint](#), Sept. 2022; [order](#), Feb. 2024): shut down mortgage relief scam that falsely promised to reduce homeowners' mortgage payments and prevent foreclosures, particularly targeting older Americans and veterans.
- **Gravity Defyer** ([complaint](#), June 2022): sued footwear company for making allegedly deceptive claims that its products could relieve arthritis, joint pain, and other medical conditions.
- **ZyCal Bioceuticals** ([complaint](#), Feb. 2020; [order](#), Feb. 2023): banned medical company from falsely claiming that their products could grow bone and cartilage and relieve joint pain.
- **Protecting Americans Seeking Substance Use Disorder Treatment**
 - **Evoke Wellness** ([complaint](#), Jan. 2025): sued marketers who tricked consumers looking for substance use disorder treatment clinics into calling Evoke's fraudulent telemarketers, rather than treatment clinics.
 - **Monument** ([complaint and order](#), Apr. 2024): banned alcohol addiction treatment service from sharing consumers' sensitive health data to third parties for advertising.
 - **Cerebral** ([complaint and order](#), Apr. 2024): banned telehealth firm from using any health information for most advertising purposes after it deceived users about substance use disorder treatment services.
 - **Rejuvica** ([complaint and order](#), July 2023): fined maker of a supplement called Sobrenix for making false claims that the product could eliminate alcohol cravings and consumption.
 - **Smoke Away** ([complaint and order](#), June 2023): fined a company for falsely claiming that its products could eliminate consumers' nicotine addiction and enable them to quit smoking.
 - **AWAREmed** ([complaint and order](#), Mar. 2023): fined a medical clinic for making false or unsupported claims for addiction treatment services, cancer treatment services, and other treatments.

- **R360** ([complaint and order](#), May 2022): fined addiction treatment center network for preying on people seeking treatment for addiction; first FTC action brought under Opioid Addiction Recovery Fraud Prevention Act.
- **Protecting Military Families**
 - **Career Step** ([complaint and order](#), July 2024): ordered online career training company to cancel \$27.8 million in debt and provide \$15.7 million in consumer refunds for luring in military families with deceptive ads that falsely inflated employment outcome and job placement claims
 - **FloatMe** ([complaint and order](#), Jan. 2024): ordered online cash advance provider to provide \$3 million refunds for falsely promising quick and free cash advances, making it difficult to cancel subscriptions, and for discriminating against consumers who receive public assistance, including military benefits.
 - **Old Southern Brass** ([complaint and order](#), Dec. 2023): ordered giftware company to stop falsely claiming its products were made in America and that the company was veteran-owned and donates 10% of its sales to military service charities.
 - **Harris Jewelers** ([complaint and order](#), July 2022): stopped a jewelry company from cheating military families with illegal financing and sales practices, in the FTC’s first action under the Military Lending Act.
- **Halting Deceptive Earnings Claims**
 - **RivX** ([complaint and order](#), Aug. 2024): shut down a “trucking automation” company after it scammed consumers out of millions of dollars with false promises of trucking industry investment opportunities.
 - **Weblio** ([complaint and TRO](#), Dec. 2023; [consent orders](#) Aug. 2024 and Sept. 2024): stopped a fraudulent business opportunity scheme that sold consumers a “blueprint to wealth” that failed to deliver on its promises, raking in millions of dollars for its operators.
 - **Traffic and Funnels** ([complaint and order](#), Dec. 2023): secured \$1 million in consumer refunds from a fraudulent scheme promising consumers that they could make money by paying for telemarketing training programs.
 - **Lurn** ([complaint and order](#), Sept. 2023): secured \$2.5 million to refund consumers after it sold a business coaching product that falsely claimed consumers could make significant income.
 - **Ganadores** ([complaint](#), June 2023; [orders](#), Jan. 2024): stopped a business opportunity scam that targeted Spanish-speaking consumers with false pitches for online businesses and real estate investments
 - **Nudge** ([order](#), May 2023): shut down a fraudulent real estate investment coaching scheme and secured \$16.7 in civil penalties.

- **WealthPress** ([complaint and order](#), Jan. 2023): ordered investment advice company to refund consumers \$1.2 million for making false earnings claims, when many consumers in fact lost money.
 - **DK Automation** ([complaint and order](#), Nov. 2022): stopped fraudulent moneymaking scheme that made falsely promised big returns on cryptocurrency investment schemes and bogus business programs.
 - **Warrior Trading** ([complaint and order](#), Apr. 2022): cracked down on a day trading investment scheme that sold consumers online programs while falsely promising to consumers how much money they could earn, and secured \$3 million to return to consumers.
 - **Universal Guardian Acceptance** ([complaint and order](#), Oct. 2021): ordered the funder and servicer of payment plans that were used by consumers to pay for investment “training” courses to offer debt relief.
 - **Blessings in No Time** ([complaint](#), June 2021; [order secured](#) July 2023): sued an investment pyramid scheme that lured people into joining their programs by falsely promising 800% investment returns.
 - **RagingBull** ([complaint and order](#), Dec. 2020; [settlement](#), Mar. 2022; [individual settlement](#), Sept. 2023): ordered online stock trading site to stop making false claims about how much consumers could earn from trading and to provide an easy cancellation mechanism for its services
 - **Success by Health (James Noland)** (complaint, Jan. 2020; [order](#), May 2023): shut down a pyramid scheme that used deceptive earnings claims.
 - **Zurixx** (complaint, Dec. 2019; [order](#), Feb. 2022): shut down a real estate investment coaching scheme that sold live seminars that cost consumers thousands of dollars, while promising huge returns that never materialized; obtained \$12 million for consumer redress.
 - **Digital Income System** (complaint, Nov. 2020; [orders](#), July 2021): halted fraudulent work-from-home scam that promised consumers that could earn money by selling memberships to others.
- **Stopping Illegal Robocalls**
- **Response Tree** ([complaint and order](#), Jan. 2024): banned lead generator from making or assisting others in making robocalls.
 - **MDK Media** ([orders](#), Nov. 2023): stopped cramming scheme that added \$100 million in bogus charges to consumers’ mobile phone bills.
 - **Viceroy Media Solutions** ([complaint and order](#), July 2023): stopped lead generator from assisting and facilitating millions of illegal robocalls.
 - **Fluent** ([complaint and order](#), July 2023): fined lead generator \$2.5 million civil penalty for using dark patterns to trick consumers into providing their

personal information and selling their information to robocallers and other telemarketers.

- **Yodel Technologies** ([complaint and order](#), July 2023): fined telemarketer \$1 million for initiating 1.4 billion calls to consumers whose numbers were on the Do Not Call registry.
 - **Solar XChange** ([complaint and order](#), July 2023): stopped telemarketers from making unwanted calls selling solar panels.
 - **Hello Hello Miami** ([complaint](#), July 2023): sued a gateway VoIP provider for facilitating 37.8 million illegal robocalls by foreign telemarketers.
 - **XCast** ([complaint](#), May 2023; [order](#), Jan. 2024): ordered a Voice over Internet Protocol (VoIP) provider to stop supporting illegal telemarketing practices that were being funneled over its network.
 - **Stratics Networks** ([complaint and order](#), Feb. 2023): stopped Voice over Internet Protocol (VoIP) service providers that carried illegal bogus debt service robocalls to consumers.
 - **VoIP Terminator** ([complaint and order](#), Apr. 2022): ordered VoIP provider to stop assisting and facilitating illegal robocalls.
 - **Environmental Safety International** ([complaint and order](#), July 2021): banned septic tank cleaning company from making illegal robocalls.
 - **Grand Bahama Cruise Line** (partial settlement, Jan. 2020; [settlement with remaining defendants](#), Sept. 2021): stopped an operation that made or facilitated millions of illegal robocalls pitching free cruise vacations.
 - **EduTrek** ([complaint](#), Apr. 2019; [court ruled in favor of FTC](#), Oct. 2023; [final order](#), Jan. 2024): banned telemarketing operation that made millions of illegal calls about educational programs and secured \$28.7 in penalties.
- **Protecting Americans During the COVID-19 Pandemic**
- **Razer** ([complaint and order](#), Apr. 2024): secured \$1.1 million to refund consumers who purchased face masks that were falsely advertised as N95.
 - **1 Invisible Mask** ([complaint and order](#), Oct. 2023): stopped marketers from selling a neck badge that purportedly creates a three-foot barrier of protection against viruses and bacteria, including COVID-19.
 - **doTERRA distributors** ([complaints and orders](#), Mar. 2023): obtained settlements with three multi-level marketing distributors who falsely claimed that the company’s essential oils and dietary supplements could treat, prevent, or cure COVID-19.
 - **ACRO Services** ([complaint](#), Nov. 2022; [orders secured](#) May 2023): shut down bogus credit card debt relief scheme.

- **Precision Patient Outcomes** ([complaint](#), Nov. 2022; [order](#), Feb. 2024): banned company from marketing a COVID-19 treatment that contained nothing more than basic ingredients.
 - **B4B Corp.** ([complaint](#), Mar. 2022): sued manufacturer for making allegedly deceptive claims that an herbal tea could treat and prevent COVID-19.
 - **Xlear** ([complaint](#), Oct. 2021): sued a marketer of medical products for making allegedly false claims that its saline nasal sprays could prevent and treat COVID-19.
 - **Trend Deploy** ([complaint](#), June 2021; [order](#), June 2023): secured court order to ban defendant from selling protective goods and services after he attempted to sell personal protective equipment he could not actually deliver.
 - **American Screening** ([complaint and order](#), Aug. 2020; [court order secured](#), Aug. 2022): secured \$14 million from a company that failed to deliver personal protecting equipment as promised.
 - **Glowyy** ([complaint and order](#) Aug. 2020; [court order secured](#), Aug. 2022): secured \$3 million from a company that failed to deliver personal protecting equipment as promised.
 - **SuperGoodDeals** ([complaint](#), July 2020; [order](#) Feb. 2024): took action against seller of personal protective equipment who falsely promised “next day” shipping during the height of the pandemic.
- **Combatting Scams, Fraud, and Deception**
- **GOAT** ([complaint and order](#), Dec. 2024): secured \$2 million in consumer redress for consumers who were harmed by the online marketplace’s poor customer service practices, in violation of the FTC’s Mail Order Rule.
 - **Consumer Impact Recovery** ([complaint and TRO](#), Nov. 2024): halted a bogus debt collection scheme that threatened consumers with jail time and harassing their family members.
 - **Legion Media** ([complaint](#), July 2024; [order](#), Sept. 2024): shut down a fraudulent operation that enrolled and charged consumers for personal health products they did not agree to buy.
 - **BlueSnap** ([complaint and order](#), May 2024): secured \$10 million for consumer refunds from a payment processor that knowingly processing payments for deceptive and fraudulent companies.
 - **Cancer Recovery Foundation** ([complaint](#), Mar. 2024): sued a sham charity for raising more than \$18 million from donors, only for just 1% to go toward the intended purpose of helping women battling cancer.

- **Nexway** ([complaint and order](#), Apr. 2023): ordered a payment processor to stop facilitating tech support scammers engaging in credit card laundering.
- **Home Matters USA** ([complaint](#), Sept. 2022; [court order secured](#) Feb. 2024): shut down mortgage relief scam that falsely promised to reduce homeowners' mortgage payments and prevent foreclosures, particularly targeting older Americans and veterans.
- **Legacy Cremation Services** ([complaint](#), Apr. 2022; [order](#), Apr. 2023): sued a funeral and cremation services company for misleading consumers about prices, threatening and failing to return cremated remains to consumers, and failing to provide required disclosures under Funeral Rule.
- **Alex Miller Credit Repair** ([complaint and order](#), Mar. 2022): shut down a fraudulent credit repair operation that falsely claimed it would remove negative information from credit reports.
- **Electronic Payment Systems** ([complaint and order](#), Mar. 2022): stopped credit card processor for ignoring signs that it was offering services for fictitious companies on behalf of a business opportunity scam.
- **American Vehicle Protection Corp.** ([complaint](#), Feb. 2022; [orders secured](#) Mar. 2023 and June 2023): banned operators of an extended vehicle warranty scam from the industry after bilking consumers out of more than \$6 million.
- **ITMedia** ([complaint and order](#), Jan. 2022): took action against lead generation company that collected personal information from consumers purporting to connect them to lenders, but instead selling their information to fraudulent marketers and predatory debt relief providers.
- **Automatic Funds Transfer Services** ([complaint and order](#), Nov. 2021): banned payment processor from processing debt relief payments after it facilitated a fraudulent student loan debt relief scheme, and returned \$500,000 to consumers.
- **Inmate Magazine Service** (complaint, Mar. 2021; [order secured](#) Sept. 2021): stopped operation that scammed prisoners and their families for charging magazine subscriptions that showed up late or not at all.
- **Inmate Call** (complaint, Oct. 2020; [order secured](#) Oct. 2021): halted deceptive prison calling scheme that falsely promised unlimited minutes for inmate calling plans that did not provide a single minute of talk time.
- **Critical Resolution Mediation** (complaint, Oct. 2020; [order secured](#) Sept. 2021): stopped debt collection operation that tried to collect debts from consumers that they did not actually owe.
- **Traffic Jam Events** (complaint, Aug. 2020; [Commission order issued](#) Jan. 2022): banned marketing services company from misleading consumers to believe their websites were affiliated with a government stimulus program.

- **National Landmark** (complaint, July 2020; [order](#), Dec. 2021): stopped a group of phantom debt collectors from using robocalls to falsely threaten consumers with legal action for unpaid debts.
- **GDP Network** (complaint, July 2020; [order obtained](#) Feb. 2022): shut down credit card interest rate reduction scam.
- **American Future Systems** (complaint, May 2020; [secured order](#) Apr. 2023): shut down a fraudulent debt collection operation that charged businesses, nonprofits, and first responders for subscriptions they did not order, then threatened bogus debt collection.
- **On Point Global** (complaint, Dec. 2019; [secured order](#) Apr. 2022): secured \$102 million in consumer refunds from scammers who ran deceptive websites offering government services, like renewing drivers' licenses or public benefits eligibility, and collected detailed personal information that was given to telemarketers.
- **Hornbeam Special Situations** (complaint, Aug. 2017; [order approved](#) Mar. 2022): fined payment processor \$2.3 million for assisting a fraudulent operation that enrolled consumers seeking payday loans or cash advances in a bogus coupon subscription.
- **Credit Bureau Center** (complaint, Jan. 2017; [resolved](#) June 2024): secured \$5.2 million in consumer refund from a fraudulent operation that used fake rental ads to impersonate property owners, offered unauthorized property tours if consumers first obtained “free” credit reports, and enrolled them in a monthly credit monitoring service without their permission.
- **Mail Tree** (complaint, May 2015; [orders obtained](#) June 2024 and Aug. 2024): shut down bogus sweepstakes operation that tricked consumers into paying money to secure large cash sweepstakes that they had not in fact won.
- **Publisher Business Services** (complaint, 2008; [order](#), May 2022): shut down a telemarketing operation that lured in consumers with cheap magazine subscriptions, hit them with expensive bills, and made it difficult to cancel them.

Rulemaking Index

- **Final Rules**

- **COPPA Rule** ([notice of proposed rulemaking](#), Jan. 2024; [final rule](#), Jan. 2025): strengthened protections around the use of children’s personal information and requires parents to opt in to third-party targeted advertising toward their kids.
- **HSR Rule** ([notice of proposed rulemaking](#), June 2023; [final rule](#), Oct. 2024): finalized changes to the premerger notification form and the associated rules implementing the Hart-Scott-Rodino Act, improving the FTC and DOJ’s ability to detect illegal mergers and acquisitions.
- **Health Breach Notification Rule** ([notice of proposed rulemaking](#), May. 2023; [final rule](#), Apr. 2024): modernized the Rule by clarifying that the rule applies to health apps and similar technologies not covered by HIPAA.
- **Click-to-Cancel Rule** ([notice of proposed rulemaking](#), Mar. 2023; [final rule](#), Oct. 2024): required businesses to make it just as easy for customers to cancel subscriptions as it is to sign up for them.
- **Noncompete Rule** ([notice of proposed rulemaking](#), Jan. 2023; [final rule](#), Apr. 2024): banned most noncompete clauses from employment contracts.
- **Eyeglass Rule** ([notice of proposed rulemaking](#), Dec. 2022; [final rule](#), June 2024): requires prescribers to provide patients with a free copy of their prescription, allowing them to shop around.
- **Junk Fees Rule** ([advanced notice of proposed rulemaking](#), Oct. 2022; [notice of proposed rulemaking](#), Oct. 2023; [final rule](#), Dec. 2024): bans junk fees in the live-event ticketing and short-term lodging industries.
- **Fake Reviews Rule** ([advanced notice of proposed rulemaking](#), Oct. 2022; [notice of proposed rulemaking](#), June 2023; [final rule](#), Aug. 2024): banned businesses from creating and purchasing fake online reviews, which deceive consumers and undermine honest businesses.
- **Combatting Auto Retail Scams (CARS) Rule** ([notice of proposed rulemaking](#), June 2022; [final rule](#), Dec. 2023): finalized a rule to stop scams in the car-buying process, saving consumers \$3.5 billion a year and leveling the playing field for honest dealers.
- **Telemarketing Sales Rule** ([notice of proposed rulemaking](#), Apr. 2022; [final rule concerning business-to-business calls](#), Mar. 2024; [notice of proposed rulemaking covering tech support scams](#), Mar. 2024; [final rule covering tech support scams](#), Nov. 2024): extends TSR protections to business-to-business calls to better protect small businesses, and to cover tech support scams that target older Americans.
- **Impersonator Rule** ([advanced notice of proposed rulemaking](#), Dec. 2021; [notice of proposed rulemaking](#), Sept. 2022; [final rule concerning government and](#)

[business impersonation](#), Feb. 2024; [supplemental NPRM concerning impersonation of individuals](#), Feb. 2024): banned impersonation scams of government agencies and businesses, including scams turbocharged by AI.

- **Safeguards Rule** ([final rule](#), Oct. 2021; [final rule with amendment concerning non-bank institutions](#), Oct. 2023): strengthened security safeguards for consumer financial data after their data is breached, and required non-banking institutions to report certain data breaches and other security events to the FTC.
- **Made in USA Rule** ([final rule](#), July 2021): prohibits false “Made in USA” labels, which undermine U.S. independent farmers and small businesses.

- **In-Progress Rules**

- **Business Opportunity Rule** ([advanced notice of proposed rulemaking](#), Nov. 2022; [notice of proposed rulemaking](#), Jan. 2025): proposed expanding the Rule to cover moneymaking opportunities, such as business coaching and investment opportunities.
- **Funeral Rule** ([advanced notice of proposed rulemaking](#), Oct. 2022): sought comment on potential updates to modernize the rule for the digital age.
- **Energy Labeling Rule** ([notice of proposed rulemaking](#), Oct. 2022): sought comment on whether the rule should be modernized and expanded to help reduce energy costs and strengthen right to repair.
- **Commercial Surveillance and Data Security Rule** ([advanced notice of proposed rulemaking](#), Aug. 2022): sought comment on the harms stemming from commercial surveillance and whether new rules are needed to protect people’s digital privacy and information.
- **Earnings Claims Rule** ([advanced notice of proposed rulemaking](#), Feb. 2022; [notice of proposed rulemaking and advanced notice of proposed rulemaking](#), Jan. 2025): proposed protections to combat deceptive earnings claims in the multilevel marketing industry.

Policy Statement Index

- [Antitrust Guidelines for Business Activities Affecting Workers](#) (Jan. 2025): explains how the FTC and DOJ will assess whether business practices affecting workers violate the antitrust laws.
- [Labor Exemption Policy Statement](#) (Jan. 2025): clarified that independent contractors and gig workers are shielded from antitrust liability when collectively bargaining for better pay or conditions.
- [AI Competition Policy Statement](#) (July 2024): with DOJ and international antitrust enforcers, affirmed commitment to protecting competition across the AI ecosystem.
- [Policy Statement on Franchisor Contractual Provisions](#) (July 2024): issued guidance to protect franchisees’ right to report law violations to the government.
- [Staff Guidance on Junk Fees Imposed on Franchisees](#) (July 2024): warns that undisclosed fees imposed on franchisees are unlawful.
- [2023 Merger Guidelines](#) (Dec. 2023): describes factors and frameworks the agencies utilize when reviewing mergers and acquisitions.
- [Orange Book Policy Statement](#) (Sept. 2023): warned pharmaceutical companies that improper Orange Book listings that delay the entry of cheaper generic drugs may be an unfair method of competition.
- [Biometrics Policy Statement](#) (May 2023): warned that the increasing use of consumers’ biometric information raises significant consumer privacy and data security concerns, and creates the potential for bias and discrimination.
- [Gig Work Policy Statement](#) (Sept. 2022): outlined enforcement priorities to protect gig workers from deception about pay and hours, unfair contract terms, and anticompetitive wage fixing and coordination between gig companies.
- [Rebates Policy Statement](#) (June 2022): put drug companies and prescription drug middlemen on notice that paying rebates and fees to exclude competitors offering lower-cost drugs can violate competition and consumer protection laws.
- [Section 5 Policy Statement](#) (Oct. 2022): restored the agency’s policy of rigorously enforcing Section 5 of the FTC Act, which bans unfair methods of competition.
- [Educational Technology Policy Statement](#) (May 2022): made clear that it is against the law for companies to force parents and schools to surrender their children's privacy rights in order to do schoolwork online or attend class remotely.
- [Dark Patterns Policy Statement](#) (Oct. 2021): warns companies against deploying illegal dark patterns that trick or trap consumers into subscription services.

- [**Prior Approval Policy Statement**](#) (Oct. 2021): required merging parties subject to a Commission order to obtain prior approval from the FTC before closing future transactions that affect the relevant market for which a violation was alleged.
- [**Health Breach Notification Rule Policy Statement**](#) (Sept. 2021): affirms that covered companies that hold fertility, heart health, glucose levels and other health data must notify consumers in the event of a breach.
- [**Right to Repair Policy Statement**](#) (July 2021): voted to ramp up law enforcement against companies that make it extremely difficult for consumers to repair their products or use a repair shop of their choice.

Research, Policy, and Advocacy Index

- **6(b) Market Inquiries**

- **Surveillance Pricing 6(b)** ([orders issued](#) July 2024; [initial findings issued](#) Jan. 2025): launched a 6(b) study into surveillance pricing tactics to examine how companies may exploit Americans' data to charge higher prices.
- **AI Partnerships 6(b)** ([orders issued](#) Jan. 2024; [initial findings issued](#) Jan. 2025): launched a 6(b) study into how investments and partnerships between dominant AI developers and cloud service providers can impact competition.
- **Social Media Advertising Fraud 6(b)** ([orders issued](#) Mar. 2023): launched inquiry to scrutinize the factors and incentives that allow fraud to spread on dominant social media and video streaming platforms.
- **Small Business Credit Reporting 6(b)** ([orders issued](#) Mar. 2023): scrutinizing the opaque small business credit reporting industry, which can determines the terms on which small businesses obtain the financing they need to stay in operate.
- **Pharmacy Benefit Managers 6(b)** ([orders issued](#) June 2022; study expanded to GPOs in [May 2023](#) and [June 2023](#); [first interim report issued](#) Jul. 2024; [second interim report issued](#) Jan. 2025): scrutinizing how prescription drug middlemen can raise prices for drugs and squeeze independent pharmacies. Published two interim reports: *Pharmacy Benefit Managers: The Powerful Middlemen Inflating Drug Costs and Squeezing Main Street Pharmacies* and *Specialty Generic Drugs: A Growing Profit Center for Vertically Integrated Pharmacy Benefit Managers*.
- **Grocery Supply Chain 6(b)** ([orders issued](#) Nov. 2021; [report issued](#) Mar. 2024): found that large grocers took advantage of pandemic supply disruptions to raise grocery prices and gain an advantage over smaller competitors. Findings detailed in the staff report, *Feeding America in a Time of Crisis: FTC Staff Report on The United States Grocery Supply Chain and the COVID-19 Pandemic*.
- **Social Media and Video Streaming Privacy 6(b)** ([orders issued](#) Dec. 2020; [report issued](#) Sept. 2024): found that major social media and video streaming services engaged in vast surveillance of consumers to monetize the personal information, while failing to protect users online, particularly kids and teens. Findings detailed in the staff report, *A Look Behind the Screens: Examining the Data Practices of Social Media and Video Streaming Services*.
- **Technology Acquisitions 6(b)** (orders issued Feb. 2020; [report issued](#) Sept. 2021): study found that large technology companies undertook hundreds of mergers outside of the view of the antitrust enforcement agencies.
- **Internet Service Provider Privacy 6(b)** ([orders issued](#) Aug. 2019; [report issued](#) Oct. 2021): found that ISPs collect extensive data and group consumers using sensitive characteristics, while providing few options for consumers to control

how their data is used. Detailed in staff report, *A Look at What ISPs Know About You: Examining the Privacy Practices of Six Major Internet Service Providers*.

- **Selected Research and Reports**

- **Serial Acquisitions and Roll-Up RFI** ([issued](#) May 2024): with DOJ, seeking public input into sectors and industries where serial acquisitions and roll-ups have led to consolidation and harmed competition.
- **Public portal to report anticompetitive practices in healthcare** ([launched](#) Apr. 2024): with DOJ and HHS, launched portal for consumers to report potentially unfair and anticompetitive healthcare practices.
- **Private Equity and Healthcare RFI** ([issued](#) Mar. 2024; [HHS issued report](#) Jan. 2025): with DOJ and HHS, studied the impact of private equity firms and other corporate owners on consolidation in the healthcare sector, patient outcomes, worker safety, and healthcare affordability.
- **Staff Report on Agency's Technology Expertise** ([issued](#) Mar. 2024): details the evolution of the agency's work to expand its technological expertise and how the agency's Office of Technology embeds subject matter expertise in the agency's enforcement and regulatory work.
- **Drug Shortage RFI** ([issued](#) Feb. 2024): with HHS, studying how two types of drug middlemen, group purchasing organizations (GPOs) and drug wholesalers, may contribute to chronic drug shortages of generic drugs.
- **Generative Artificial Intelligence and the Creative Economy Staff Report: Perspectives and Takeaways** ([roundtable held](#) Oct. 2023; [staff report issued](#) Dec. 2023): detailed key takeaways on how generative artificial intelligence tools are being used and affecting professionals in music, filmmaking, software development, and other creative fields.
- **Cloud Computing RFI** ([issued](#) Mar. 2023; [public panel](#), May 2023; [summary of conclusions](#), Nov. 2023): examined the cloud computing industry through the lenses of competition, single points of failure, security, and artificial intelligence.
- **Franchise RFI** ([issued](#) Mar. 2023; [issue spotlight issued](#) July 2024): sought comment on ways franchisors may exert control over franchisees and their workers, including contractual terms in franchise relationships.
- **Tenant Screening RFI** ([issued](#) Feb. 2023): with CFPB, studying how criminal and eviction records and algorithms affect tenant screening decisions and how they may drive discriminatory outcomes.
- **Protecting Kids from Stealth Advertising in Digital Media** ([workshop held](#) Oct. 2022; [staff paper issued](#) Sept. 2023): details potential harms to kids from blurred advertising, where advertising is not sufficiently distinguished from entertainment, educational, and other content.

- **Policy Paper on Certificates of Public Advantage** ([issued](#) Aug. 2022): details how COPAs, which purport to shield hospital mergers from antitrust laws in favor of state oversight, are often detrimental for patient costs, patient care, and healthcare worker wages.
- **Combatting Online Harms Through Innovation Report** ([issued](#) June 2022): report to Congress warned about using artificial intelligence to combat online harms like fraud, impersonation, fake reviews, bots, hate crimes, and harassment.
- **Infant Formula Crisis RFI** ([issued](#) May 2022; [report issued](#) Mar. 2024): details aspects of the U.S. infant formula market that rendered it vulnerable to supply disruptions in 2022.
- **Bringing Dark Patterns to Light** (workshop held Apr. 2021; [report issued](#) Sept. 2022): revealed how companies use sophisticated design practices, known as “dark patterns,” to trick consumers into buying unwanted products or services, or giving their privacy.
- **Federal Advocacy**
 - **Comment to the U.S. Department of Agriculture on the Fair and Competitive Livestock and Poultry Markets Proposed Rule** ([comment filed](#) Sept. 2024): supported the proposed rule and clarified the scope of what constitutes unfair practices under the Packers and Stockyards Act.
 - **Comment to the Food and Drug Administration regarding guidance on interchangeable biosimilar drugs** ([comment filed](#) Aug. 2024): stated that the proposed guidance would increase access to lower-cost prescription medications.
 - **Comment to the U.S. Patent and Trademark Office on Terminal Disclaimer Rule** ([comment filed](#) July 2024): stated that the proposed rule would limit patent abuse and help spur competition, including in pharmaceutical markets.
 - **Comment to the U.S. Patent and Trademark Office on disclosure of patent settlement agreements** ([comment filed](#) June 2024): supported proposed rule requiring disclosure of patent settlement agreements, allowing the FTC and DOJ to monitor these potentially anticompetitive agreements.
 - **Comment to the Federal Energy Regulatory Commission regarding common ownership in public utilities** ([comment filed](#) Apr. 2024): with DOJ, urged FERC to consider competitive risks of common ownership when assessing acquisitions involving less than a controlling interest in competing firms.
 - **Comment to the U.S. Copyright Office on Digital Millenium Copyright Act (DMCA) exemptions facilitating the right to repair** ([comment filed](#) Mar. 2024): with DOJ, urged U.S. Copyright Office to adopt regulations that would facilitate consumers’ and businesses’ right to repair their own products, a change that resulted in more easily fixable McDonald’s McFlurry machines.
 - **Comment to the National Institute of Standards and Technology regarding interagency guidance on Bayh-Dole march-in rights** ([comment filed](#) Feb.

2024); urged NIST to adopt an expansive and flexible approach to march-in rights as a check against high drug prices as it developed its interagency guidance regarding Bayh-Dole march-in rights.

- **Comment to the U.S. Copyright Office on artificial intelligence and copyright** ([comment filed](#) Nov. 2023): identifies how artificial intelligence may implicate competition and consumer protection policy.
- **Comment to the U.S. Department of Education regarding protecting postsecondary students** ([comment filed](#) June 2023): supported proposed regulations that would protect students from misrepresentations and deceptive educational recruitment practices.
- **Comment to the Departments of the Treasury, Labor, and Health and Human Services regarding substance abuse disorder enforcement** ([comment filed](#) Oct. 2023): supported proposed amendments to regulations implementing the Mental Health Parity and Addiction Equity Act and details FTC’s enforcement to fight substance use disorder treatment scams.
- **Comment to the Federal Energy Regulatory Commission regarding incumbents’ right of first refusal** ([comment filed](#) Aug. 2022): urged FERC not to restore a right of first refusal that would enable incumbent electricity transmission owners to block competitors from bidding to design, construct, and own certain new interstate transmission facilities.
- **Comment to the Food and Drug Administration regarding proposed rule on over-the-counter hearing aids** ([comment filed](#) Jan. 2022): supported the proposed rule establishing over-the-counter hearing aids and argued it would promote competition and innovation in the hearing aid market.
- **Comment to the Federal Reserve Board on debit card interchange fees and routing** ([comment filed](#) Aug. 2021): urged the Fed to clarify and strengthen the implementation of debit card fee and routing reforms to the Electronic Fund Transfer Act made under Dodd-Frank in order to promote competition.
- **State and Local Advocacy**
 - **Letters to state legislatures considering noncompete legislation** (sent to [Connecticut](#) in Feb. 2023; sent to [New York](#) in Dec. 2023; sent to [Oregon](#) in Feb. 2024; sent to [Ohio](#), [Pennsylvania](#), and [Rhode Island](#) in June 2024; sent to [Connecticut](#), [Indiana](#), [Missouri House](#), [Missouri Senate](#), [New Hampshire](#), [South Carolina House](#), [South Carolina Senate](#), [Washington House](#), [Washington Senate](#), [Virginia](#), and [Wyoming](#) in Jan. 2025): highlighted the FTC’s rulemaking and enforcement efforts around noncompetes.
 - **Letters to state legislatures and officials considering junk fee legislation or other measures** (sent to [Pennsylvania](#) in Apr. 2023; sent to [Alaska](#), [Arizona](#), [Colorado](#), [Connecticut](#), [Hawaii](#), [Illinois](#), [Massachusetts](#), [Minnesota](#), [New York](#), [North Carolina](#), [Rhode Island](#), and [Virginia](#) in February and March 2024; sent to

[Colorado](#) and [Bellingham, WA](#) in Jan. 2025): highlighted the FTC’s research, rulemaking, and enforcement efforts to address junk fees.

- **Letter to California legislature regarding negative option and subscription legislation** ([sent](#) June 2024): highlighted FTC efforts in the area as the state considers its own legislation.
- **Letters to state legislatures considering right to repair legislation** (sent to [New York](#) in Aug. 2022; sent to [Oregon](#) in Feb. 2024; sent to [Minnesota](#) in Mar. 2024): highlighted FTC efforts to protect consumers’ right to repair.
- **Letter to New York legislature and officials regarding unfairness** ([sent](#) Feb. 2024): highlighted the FTC’s unfairness authority as the state considered legislation that would add to existing laws prohibiting deceptive practices.
- **Comment to the Indiana Department of Health regarding Union Health/Terre Haute hospital merger** ([comment filed](#) Sept. 2024; [parties chose to delay merger](#) Nov. 2024): opposed an Indiana hospital merger and urged the Indiana Department of Health not to approve the parties’ application for a Certificate of Public Advantage.
- **Colorado right to repair bill testimony** ([testified](#) Feb. 2024): Commission testified in support of a right to repair bill; adopted by Colorado in May 2024.
- **Comment to the North Carolina House Health Committee regarding S-743** ([comment filed](#) June 2023): opposed pending bill that would prevent antitrust authorities from challenging the University of North Carolina Health Care System when it engages in anticompetitive mergers and conduct.
- **California right to repair bill testimony** ([testified](#) Apr. 2023): Commission testified in support of a right to repair bill.
- **Comment to the New York State Department of Health regarding SUNY Upstate/Crouse hospital merger** ([comment filed](#) Oct. 2022; [parties abandoned merger](#), Feb. 2023): opposed New York hospital merger and urged the Department of Health to reject the hospitals’ request for a certificate of public advantage.
- **Selected Workshops and Convenings**
 - **[Competition Snuffed Out: How Predatory Pricing Harms Competition, Consumers, and Innovation](#)** (Dec. 2024): presented real-world evidence and economic scholarship regarding modern predatory pricing strategies, and examined how predatory pricing caselaw maps to these new economic realities.
 - **[Private Capital, Public Impact: An FTC Workshop on Private Equity in Health Care](#)** (Mar. 2024): explored impact of private equity in health care.
 - **[FTC Tech Summit](#)** (Jan. 2025): explored the state of AI technology across the layers of the technology stack, and impacts on consumers and competition.
 - **Public Workshops on FTC/DOJ Merger Guidelines** ([Sept. 2023](#), [Oct. 2023](#), and [Nov. 2023](#)): discussed issues related to the 2023 Draft Merger Guidelines.

- [**Creative Economy and Generative AI**](#) (Oct. 2023): explored how emerging generative artificial intelligence tools are reshaping various creative industries and how members of creative fields are responding to these changes.
- [**Cloud Computing: Taking Stock and Looking Ahead**](#) (May 2023): discussed business practices of cloud computing providers, including issues related to security, competition, and emerging technology.
- [**Protecting Kids from Stealth Advertising in Digital Media**](#) (Oct. 2022): explored potential harms to kids from blurred advertising, where advertising is not sufficiently distinguished from entertainment, educational, and other content.
- [**The Future of Pharmaceuticals: Examining the Analysis of Pharmaceutical Mergers**](#) (June 2022): explored approaches to enforcing the antitrust laws in the pharmaceutical industry, organized jointly with DOJ, state attorneys general, and international enforcement partners.
- [**Making Competition Work: Promoting Competition in Labor Markets**](#) (Dec. 2021): explored competition issues affecting labor markets and welfare of workers, including labor monopsony, restrictive contractual clauses in labor agreements, information sharing among competing employers, and how antitrust relates to collective bargaining efforts in the gig economy.

Amicus Brief Index

Case name **bolded**; *full case citation in italics*.

- **Musk v. Altman** ([filed](#) Jan. 2025): with DOJ, filed statement of interest to address the proper standards for analyzing interlocking board member arrangements under Section 8 of the Clayton Act. *Elon Musk v. Samuel Altman, No. 4:24-cv-04722-YGR (N.D. Cal. 2024)*.
- **Epic v. Google** ([filed](#) Jan. 2025): with DOJ, aimed to correct misrepresentations of law in Google’s opening brief to the Ninth Circuit. *Epic Games v. Google, Nos. 24-6256, 24-6274 (9th Cir. 2024)*.
- **United Healthcare v. Gilead Sciences** ([filed](#) Sept. 2024): explained the legal standards that govern reverse-payment claims and address errors by the district court. *United Healthcare Services v. Gilead Sciences, No. 24-1585 (9th Cir. 2024)*.
- **Teva v. Amneal** ([filed](#) Sept. 2024): explained that Teva has improperly listed patents in the Food and Drug Administration’s (FDA) Orange Book and urged the court to order those listings removed. *Teva v. Amneal, No. 24-1936 (Fed. Cir. 2024)*.
- **Shanahan v. IXL** ([filed](#) Aug. 2024): explained that COPPA can’t force parents into arbitration. *Shanahan v. IXL, No. 3:24-cv-02724 (N.D. Cal. 2024)*.
- **Epic v. Google** ([filed](#) Aug. 2024): outlines how the court should consider potential remedies when determining effective relief to restore competition after Google was found liable for illegal monopolization. *Epic Games v. Google, No. 3:20-cv-05671-JD (N.D. Cal. 2020)*.
- **Nelson v. Experian** ([filed](#) Mar. 2024): with CFPB, clarified the reasonable reinvestigation requirement for consumer reporting agencies under the Fair Credit Reporting Act. *Nelson v. Experian Information Solutions, No. 24-10147 (11th Cir. 2024)*.
- **Teva v. Amneal** ([filed](#) Mar. 2024): explained that Teva has improperly listed patents in the Food and Drug Administration’s (FDA) Orange Book and urged the court to order those listings removed. *Teva v. Amneal, No. 2:23-cv-20964 (D.N.J. 2023)*.
- **Cornish-Adebiyi v. Caesars Entertainment** ([filed](#) Mar. 2024): with DOJ, filed statement of interest explaining that hotels cannot collude on room pricing and cannot use an algorithm to engage in practices that would be illegal if done by a real person. *Cornish-Adebiyi v. Caesars Entertainment, No. 1:23-cv-02536-KMW-EAP (D.N.J. 2023)*.
- **U.S. Soccer Federation v. Relevant Sports** ([filed](#) Mar. 2024): with DOJ, urged Supreme Court to deny a petition for certiorari concerning the concerted action requirement of Section 1 of the Sherman Act. *United States Soccer Federation, Inc. v. Relevant Sports, LLC, No. 23-120 (U.S. 2023)*.
- **Duffy v. Yardi** ([filed](#) Mar. 2024): with DOJ, filed statement of interest in a case involving algorithmic collusion in the residential housing market, explaining that price fixing

through an algorithm is still price fixing. *Duffy v. Yardi Systems*, No. 2:23-cv-01391-RSL (W.D. Wash. 2023).

- **Glover v. Ocwen Loan Servicing** ([filed](#) Feb. 2024): with CFPB, clarifies a provision of the Fair Debt Collection Practices Act. *Glover v. Ocwen Loan Servicing*, No. 23-12578 (11th Cir. 2023).
- **Ritz v. Nissan-Infiniti LT** ([filed](#) Feb. 2024): with CFPB, clarifies requirements for furnishers under the Fair Credit Reporting Act. *Ritz v. Nissan-Infiniti LT*, No. 3:20-cv-13509 (3rd Cir. 2023).
- **CoStar Group v. Commercial Real Estate Exchange** ([filed](#) Jan. 2024): addressed legal errors in the district court’s opinion. *CoStar Group v. Commercial Real Estate Exchange*, No. 23-55662 (9th Cir. 2023).
- **Roberts v. Carter-Young** ([filed](#) Dec. 2023): with CFPB, clarifies requirements for furnishers under the Fair Credit Reporting Act. *Roberts v. Carter-Young*, No. 23-1911 (4th Cir. 2023).
- **Mylan v. Sanofi** ([filed](#) Nov. 2023): explains that improper Orange Book listings, such as those alleged in Mylan’s case, can cause significant harm to competition, including delaying consumer access to a lower-priced competing drug that would save patients money while also potentially offering better access and higher quality medications. *Mylan Pharmaceuticals v. Sanofi-Aventis*, No. 23-836-MRH (W.D. Pa. 2023).
- **Khalilah Suluki v. Credit One Bank, NA** ([filed](#) Sept. 2023): with CFPB, urged the Second Circuit to reverse a district court decision that overlooked FCRA’s requirement that a furnisher of credit information delete information when its accuracy cannot be verified. *Khalilah Suluki v. Credit One Bank, NA*, No. 21-cv-1156 (S.D.N.Y. 2023).
- **Applied Medical Resources v. Medtronic** ([filed](#) July 2023): clarified antitrust standards regarding exclusive dealing and bundling arrangements. *Applied Medical Resources Corp. v. Medtronic, Inc.*, No. 8:23-cv-00268-WLH-DFM (C.D. Cal. 2023).
- **In re Bystolic Antitrust Litigation** ([filed](#) June 2023): urged the appeals court to reverse a district court’s decision to dismiss a case involving the hypertension drug market and recognize that large reverse payments made to generic drug companies may violate the antitrust laws. *In re Bystolic Antitrust Litigation*, No. 23-410 (L) (2nd Cir. 2023).
- **CFPB v. Townstone Financial** ([filed](#) June 2023): urged reversal of a District Court opinion dismissing an action brought by the Consumer Financial Protection Bureau under the Equal Credit Opportunity Act. *CFPB v. Townstone Financial*, No. 23-1654 (7th Cir. 2023).
- **Jones v. Google** ([filed](#) May 2023): explained that COPPA does not preempt state privacy laws that are consistent with COPPA. *Jones v. Google*, No. 21-16281 (9th Cir. 2021).
- **Sage Chemical v. Supernus** ([filed](#) Mar. 2023): explains antitrust concerns raised by strategies used by branded pharmaceutical companies to block generic competition. *Sage Chemical v. Supernus Pharmaceuticals*, No. 1:22-cv-1302-CJB (D. Del. 2022).

- **Holden v. Holiday Inn Club Vacations** ([filed](#) Dec. 2022): with CFPB, clarifies requirements for furnishers under the Fair Credit Reporting Act. *Holden v. Holiday Inn Club Vacations*, No. 22-11734 (11th Cir. 2022).
- **Jazz v. Avadel** ([filed](#) Nov. 2022): explains how the FDA’s Orange Book listing process can be abused, emphasizing the harm to competition and consumers. *Jazz Pharmaceuticals v. Avadel CNS Pharmaceuticals*, No. 21-691-GBW (D. Del. 2022).
- **Louis v. Bluegreen Vacations Unlimited** (filed Nov. 2022): with CFPB, defended servicemembers’ right to sue under the Military Lending Act. *Louis v. Bluegreen Vacations Unlimited, Inc.*, No. 22-12217 (11th Cir. 2022).
- **Deslandes v. McDonald’s** ([filed](#) Nov. 2022): with DOJ, argued that the antitrust laws protection competition for workers. *Deslandes v. McDonald’s*, Nos. 22-2333, 22-2334 (7th Cir. 2022).
- **Ingram v. Experian** ([filed](#) Sept. 2022): with CFPB, asks the appeals court to overturn a lower court’s decision that could create an exception to the Fair Credit Reporting Act allowing furnishers of credit information to decline to investigate when consumers dispute inaccurate information in certain circumstances. *Ingram v. Experian*, No. 21-2430 (3rd Cir. 2021).
- **Regeneron v. Novartis** ([filed](#) June 2022): with DOJ, addressed errors in the district court’s analysis of whether the plaintiff’s antitrust complaint adequately pleaded a relevant product market. *Regeneron Pharmaceuticals v. Novartis Pharma*, No. 22-427 (2nd Cir. 2022).
- **Sessa v. TransUnion** ([filed](#) May 2022): with CFPB, asks the court to overturn a lower court decision, which held that TransUnion was not liable for failing to investigate a wrongfully reported debt because the inaccuracy was “legal” and not “factual.” *Sessa v. TransUnion*, No. 22-87 (S.D.N.Y. 2022).
- **Oxbow Carbon Minerals v. Union Pacific Railroad** ([filed](#) Dec. 2021): urges the court to affirm the district court, which correctly interpreted a provision of the Staggers Act of 1980 to allow admission of evidence of alleged collusion among rail carriers. *Oxbow Carbon Minerals v. Union Pacific Railroad Co.*, No. 21-7093 (D.C. Cir. 2021).
- **Fralish v. Bank of America** ([filed](#) Dec. 2021): with CFPB, DOJ, and Board of the Federal Reserve, that the term “applicant” as used in the Equal Credit Opportunity Act is best read to protect existing holders of credit as well as those who have sought, but not yet granted, credit from unlawful discrimination. *Fralish v. Bank of America*, No. 21-2846 (7th Cir. 2021).
- **Patel v. 7-Eleven** ([filed](#) Dec. 2021): advised the Supreme Judicial Court of Massachusetts that the FTC’s Franchise Rule does not address and cannot be used to determine whether franchisees governed by the FTC rule are employees under state law. *Patel v. 7-Eleven*, No. SJ-13166 (Mass. 2021).
- **Henderson v. The Source for Public Data** ([filed](#) Oct. 2021): with CFPB and North Carolina Department of Justice, argued that the lower court’s decision would undermine

the Fair Credit Reporting Act by granting immunity to consumer reporting agencies under Section 230 of the Communications Decency Act. *Henderson v. The Source for Public Data, L.P.*, No. 21-1678 (4th Cir. 2021).

Public Knowledge Condemns Trump's Lawless Attack on FTC Independence

By Shiva Stella

March 18, 2025

Today, President Donald Trump claimed to have [terminated Democratic Commissioners](#) Rebecca [Kelly Slaughter](#) and [Alvaro Bedoya](#) at the Federal Trade Commission. This act violates both the statute that created the FTC and clear Supreme Court precedent.

The following can be attributed to Elise Phillips, Policy Counsel at Public Knowledge:

“This reckless, new attempt to undermine a federal agency’s independence and bipartisan structure is flatly illegal – contrary to both the statute that created the FTC, and longstanding Supreme Court precedent – and will undoubtedly be overturned by the courts.

“This news cannot come as a surprise, as President Trump has demonstrated blatant hostility to the executive branch’s independent agencies. From his [attempted firing](#) of the National Labor Relations Board chair, to the [firing](#) of the Consumer Financial Protection Bureau chair, to his [executive order](#) unlawfully stating that he has the power to terminate staff at independent commissions at will, President Trump is on a clear path that punishes political opponents and threatens his fellow party members should they prove disloyal.

“The judiciary, as a co-equal branch of government, has served as a check on this administration’s abuses of power. The Trump administration’s hostility toward both the courts and independent agencies serves only as further proof of this administration’s chronic lawbreaking and disregard for constitutional checks and balances.

“The FTC was designed explicitly as a bipartisan, independent agency to protect consumers from industry abuses, including unlawful mergers, price gouging, supply chain manipulation, and reduced product quality. Even FTC Chairman Andrew Ferguson [frequently highlights](#) the important role of minority commissioners, proudly citing his record of issuing dissenting opinions. It is shameful that he has cheered on the undermining of his own agency’s independence. Does he think President Biden should have fired him, given his clear disagreement with the administration’s priorities? Does he see a meaningful role for Republican commissioners during a future Democratic administration? The hypocrisy is astounding.

“As Public Knowledge has [previously stated](#), the FTC must conduct business as it was designed – as a bipartisan, independent agency that addresses ongoing consumer harms

like price gouging, supply chain shocks, and inferior product quality. We are confident that the courts will swiftly restore the FTC's bipartisan structure, ensuring it continues to protect consumers from the harms caused by corporate consolidation and unchecked industry practices."

You may view our blog post, "[Competition and Consumer Protection Need Reinforcements: Why the FTC Should Remain Independent](#)," for more information.

Members of the media may contact Communications Director Shiva Stella with inquiries, interview requests, or to join the Public Knowledge press list at shiva@publicknowledge.org or 405-249-9435.

March 21, 2025

The Honorable Brett Guthrie
Chairman
U.S. House Committee on Energy
and Commerce

The Honorable Frank Pallone
Ranking Member
U.S. House Committee on Energy
and Commerce

The Honorable Ted Cruz
Chairman
U.S. Senate Committee on
Commerce, Science, and
Transportation

The Honorable Maria Cantwell
Ranking Member
U.S. Senate Committee on
Commerce, Science, and
Transportation

Dear Chair Guthrie, Chair Cruz, Ranking Member Pallone, and Ranking Member Cantwell,

This week, President Donald Trump unlawfully attempted to terminate duly appointed and Senate-confirmed Commissioners Alvaro Bedoya and Rebecca Kelly Slaughter from their positions at the Federal Trade Commission (FTC), years before their terms would expire. This illegal action is a direct attack on the independence of an agency that has long served as a cornerstone of consumer protection and worked to create a fair playing field for all businesses in the United States.

The 25 undersigned public interest organizations are alarmed at the president's unlawful actions to dismantle the FTC's independence and impede commissioners' work on behalf of everyday Americans. We urge you to investigate these unlawful attempted firings and act swiftly to restore the FTC's independence, using all tools available to Congress. Additionally, President Trump's nomination of Mark Meador to serve as a commissioner at the agency should not advance until Commissioners Bedoya and Slaughter once again have full and permanent access to their Senate-confirmed positions.

The FTC plays a vital role in safeguarding American consumers, with a bipartisan history of protecting the public from harm, including elder fraud, children's privacy violations, and deceptive advertising. The Commission is also essential in maintaining fair competition, preventing monopolistic practices, and fostering a marketplace where innovation and consumer choice can thrive. Without an independent FTC, corporations would face fewer barriers to exploiting individuals through practices like intrusive data collection and AI-driven manipulation. In today's digital landscape, where personal information is increasingly at risk, the FTC's role in enforcing consumer protections has never been more critical.

To effectively carry out this work, Congress established the FTC as an independent agency. Congress and the U.S. Supreme Court have been clear that the president has no authority to fire FTC commissioners except in cases of inefficiency, neglect of duty, or malfeasance in office.¹ Policy disagreements or association with a political party that is not the president's own certainly do not meet that bar.

We would also note that President Trump himself originally nominated Commissioner Slaughter to the agency in 2018.²

Your committees play a critical role in helping ensure that the Commission performs its responsibilities effectively. The House of Representatives conducted extensive oversight of the FTC in the 118th Congress, including three committee hearings to receive oral testimony from former FTC Chair Lina Khan. We urge you to continue this active oversight, demand answers from FTC leadership, and use all tools available as members of Congress to reverse the president's destructive actions.

Sincerely,

AFT

Americans for Financial Reform Education Fund (AFREF)

Asian Americans Advancing Justice | AAJC

Center for Democracy & Technology

Center for Digital Democracy

Center for Responsible Lending

Center for Science in the Public Interest

Check My Ads Institute

Consumer Action

Consumer Federation of America

Demand Progress

Electronic Privacy Information Center (EPIC)

Fight for the Future

Free Press

Muslim Advocates

National Association of Consumer Advocates

National Consumer Law Center

National Consumers League

¹ "Humphrey's Executor v. United States," *Supreme Court of the United States*, May 27, 1935. <https://tile.loc.gov/storage-services/service/ll/usrep/usrep295/usrep295602/usrep295602.pdf>

² "President Donald J. Trump Announces Intent to Nominate and Appoint Personnel to Key Administration Posts," *The White House*, March 26, 2018. <https://trumpwhitehouse.archives.gov/presidential-actions/president-donald-j-trump-announces-intent-nominate-appoint-personnel-key-administration-posts/>

New America's Open Technology Institute

Public Citizen

Public Knowledge

Tech Justice Law Project

Travelers United

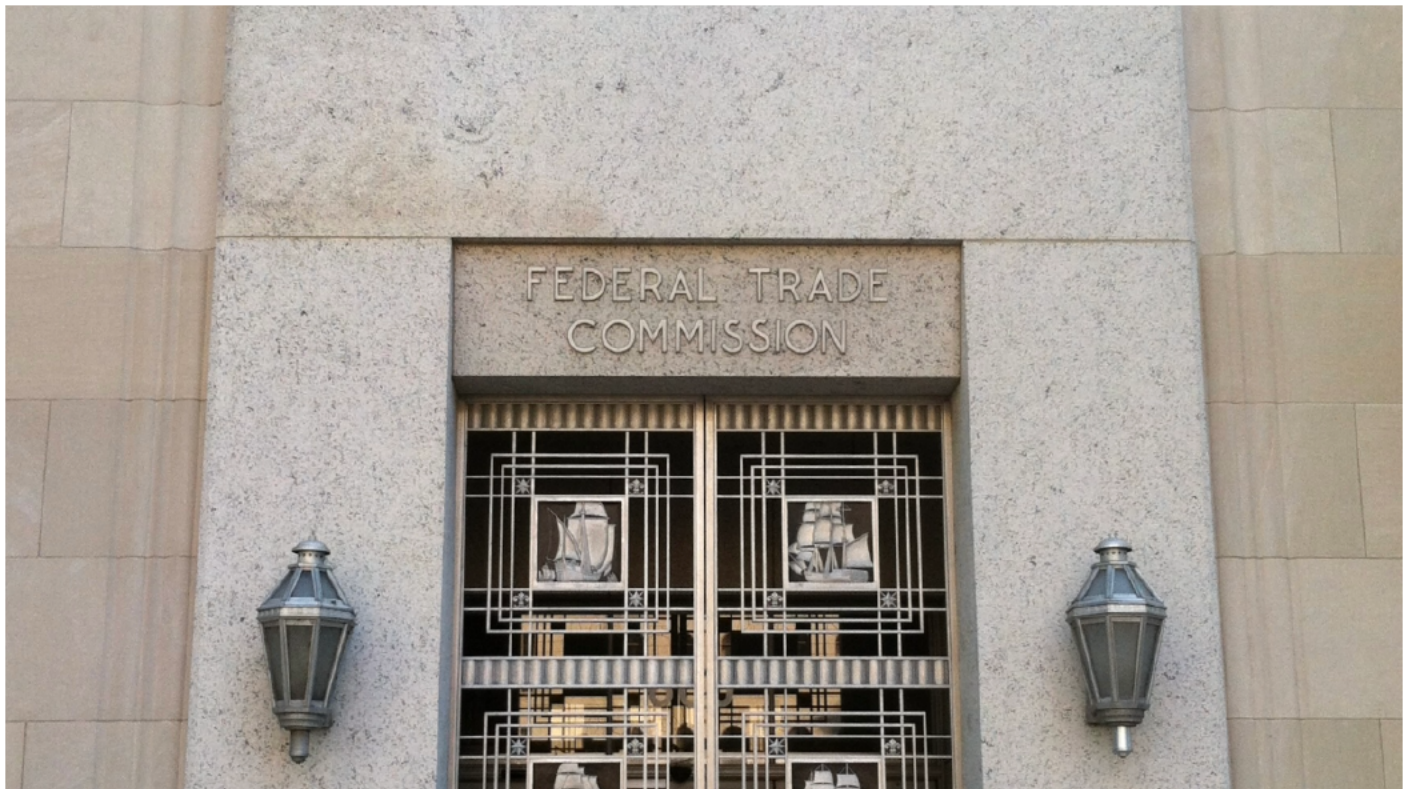
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We Must Fight Back Against Trump's Illegal FTC Firings

CRAIG AARON, JESSICA J. GONZÁLEZ / MAR 19, 2025

Craig Aaron and Jessica J. González are the co-CEOs of Free Press Action. FTC Commissioner Alvaro Bedoya served on the board of Free Press prior to entering public service.



Federal Trade Commission entrance doorway in Washington, DC ([Wikimedia Commons](#))

Writing for [Tech Policy Press](#) three weeks ago, we warned of the Trump regime's plans to "terminate uncooperative bureaucrats" and "remove sitting commissioners without cause." We pleaded with congressional leaders to suspend business as usual and challenge the mounting attack on independent agencies.

On Tuesday, our fears were realized. President Trump moved, without cause, to dismiss the two Democratic commissioners at the Federal Trade Commission (FTC), Rebecca Kelly Slaughter and

Alvaro Bedoya.

The attempted firing of Slaughter and Bedoya is an unlawful assault on the FTC's independence. It imperils the checks and balances undergirding our democracy and undermines key consumer protections at a time of major privacy breaches and rising consumer prices for basic goods.

This move follows previous attempts by the administration to shutter key consumer agencies like the Consumer Financial Protection Bureau and remove a Democratic appointee (since reinstated by a judge) at the National Labor Relations Board, which protects workers from unfair labor practices.

The attack on the FTC marks a significant escalation in Trump's crusade against independent and dissenting voices, particularly those who oversee the tech industry. As Bedoya said on X on Tuesday: "This is corruption plain and simple."

Trump appears determined to upend an agency responsible for stopping scams, blocking illegal mergers, uncovering corporate collusion, and exposing other exploitative practices that Trump's billionaire backers and fellow grifters want to get away with.

When it comes to the billionaires and tech CEOs who lined up behind Trump at his inauguration — Jeff Bezos, Sundar Pichai, Mark Zuckerberg, and Elon Musk — the FTC is involved with ongoing enforcement actions against companies they control or oversee.

The FTC is working with 17 states to sue Amazon for anti-competitive practices. Meta has been under an FTC consent order due to the company's rampant violations of user privacy since 2012. Google has faced multiple FTC actions for both deceptive practices and privacy violations, including collecting the personal data of children without their parents' consent. And Musk's X has faced multiple FTC enforcement actions, including an agency consent order resulting from the platform's violations of user privacy.

"The FTC is an independent agency founded 111 years ago to fight fraudsters and monopolists," Bedoya said in a statement. "Now, the president wants the FTC to be a lapdog for his golfing buddies."

Beyond weakening the FTC's oversight over big tech, the Trump administration's broader goal is to overturn long-standing Supreme Court precedent in Humphrey's Executor v. United States — a ruling that overturned the illegal firing of an FTC commissioner in 1933 and upheld that the President could not remove commissioners of independent agencies like the FTC for political expediency.

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The unlawful sacking of Bedoya and Slaughter is an invitation to the Court's conservative majority to kill off independent agencies altogether, including the Securities and Exchange Commission and the Federal Communications Commission. Trump's power grab is unlikely to end with the FTC, as he signed an executive order in February seeking to expand the White House's authority over all federal regulatory agencies.

At the FTC, it's not enough for the Trump regime to have a majority of votes on the Commission, like every previous presidential administration. Trump wants to silence any dissenting voices.

"The President illegally fired me," Slaughter said in a statement. "Because I have a voice. And he is afraid of what I'll tell the American people."

By contrast, Republican FTC Chair Andrew Ferguson released a statement claiming the president's move was "necessary to ensure democratic accountability for our government."

Ignore the doublespeak. This is exactly how totalitarian regimes operate.

The attempt to fire Slaughter and Bedoya is an affront to our democracy, an attack on accountability, and a blatantly illegal power grab that must be stopped.

The courts must block Trump's abuse of power and restore the Democratic commissioners to their positions. The precedent here is clear and long established.

Congress should refuse to consider any of Trump's nominees until duly appointed officials are restored to their positions, not just at the FTC but also at essential government bodies like the NLRB and the Privacy and Civil Liberties Oversight Board.

Senate Democrats must condemn these illegal firings. And they must refuse to enable the Republican majority's efforts to wreck and dismantle federal regulatory agencies and, in the process, cede their own constitutional power and responsibilities. Until the independence of agencies like the FTC is respected and protected, and constitutional order is restored, senators must stop proceeding as if everything is normal.

Unfortunately, despite the clear warning signs, too many members of Congress have failed to act. Just last week, the Senate Commerce Committee advanced Trump's latest FTC nominee out of committee with bipartisan support. He now awaits a vote on the floor.

Congressional leaders should follow the lead of the Democratic FTC commissioners, who are pushing back and refusing to stay silent. "We are not going to go," Slaughter said on Tuesday, "and we are certainly not going to go quietly."

Bedoya shared his own message, which may not have been intended for leaders on Capitol Hill but certainly needs to be heard there. "To everyone who is watching all of this unfold, don't be scared," he said, "Fight back."

AUTHORS



CRAIG AARON

As President and co-CEO, Craig Aaron has led Free Press for nearly two decades, including overseeing major campaigns to safeguard Net Neutrality, stop media consolidation, oppose unchecked surveillance, defend public media and sustain quality journalism.



JESSICA J. GONZÁLEZ

As Free Press Co-CEO, Jessica J. González leads efforts to change our media system so that it can support a just and multiracial democracy. A public-policy lawyer by training, Jessica knows that the biggest problems in our media can be solved only by organizing and building power with ordinary people...

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Father of South Carolina teen who killed self speaks after Nigerian man charged in case

Son of state Rep. Brandon Guffey died by suicide in 2022



Gavin Guffey, son of state Rep. Brandon Guffey, died by suicide in 2022

By [Jason Puckett](#)

Published: Jan. 27, 2025 at 5:47 PM EST



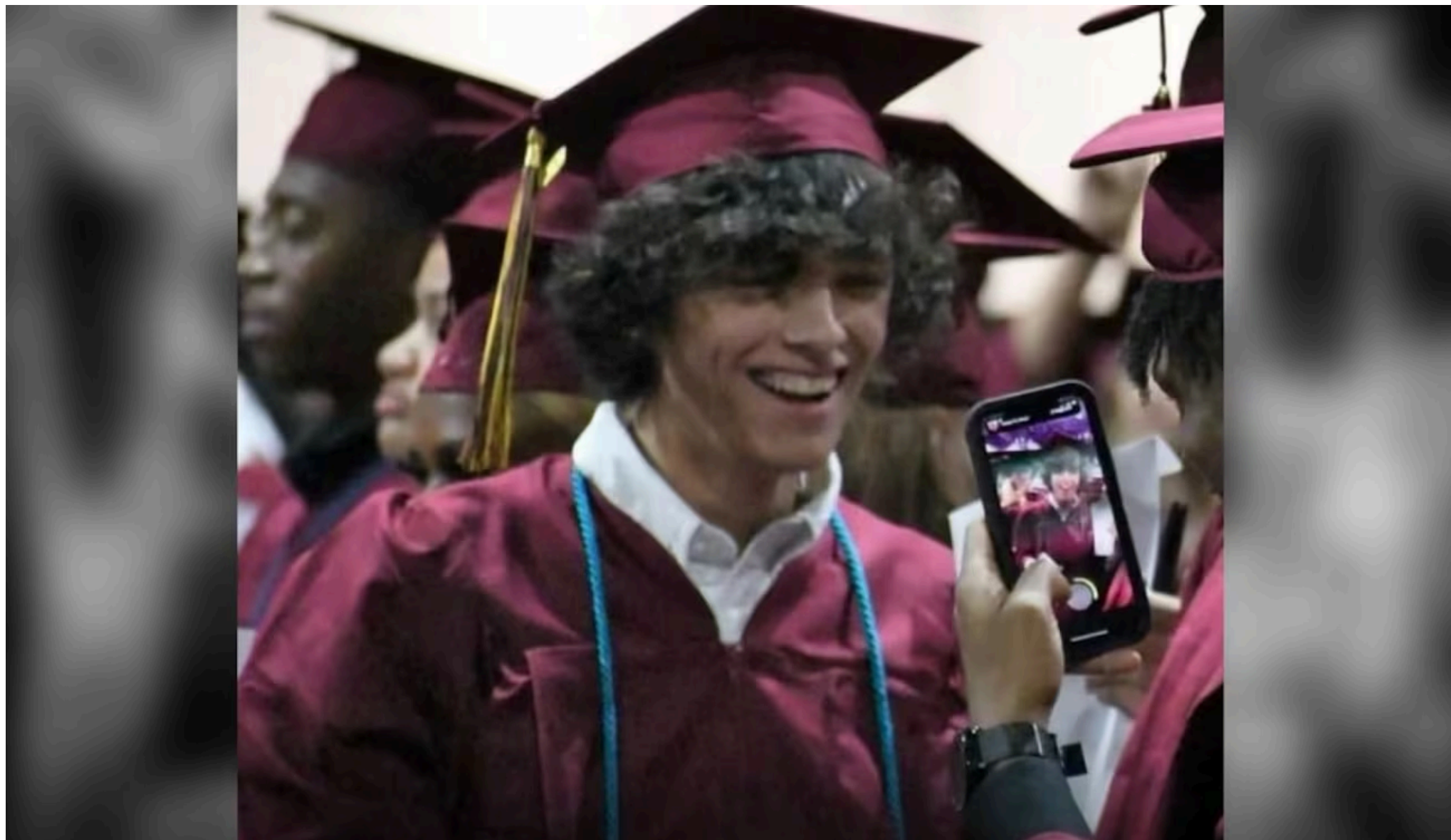
COLUMBIA, S.C. (WBTV) – a Nigerian man accused of sexually extorting a 17-year-old boy was [extradited to the United States and arraigned Monday](#) in South Carolina.

Hassanbunhussein Lawal, 24, was charged on Monday, Jan. 27 in connection with the death of Rock Hill teen Gavin Guffey, [who killed himself in 2022](#). Guffey is the son of South Carolina state Rep. Brandon Guffey.

Adair Boroughs, U.S. attorney for the District of South Carolina, said Lawal posed as a teen girl online and asked Gavin Guffey for inappropriate photos.

"Once received, he harassed, taunted, and extorted Gavin, demanding money or the photos would be shared with family members and classmates," Boroughs said.

Gavin Guffey shot and killed himself in July 2022.



S.C. State Rep. Brandon Guffey said his 17-year-old son, Gavin, was the target of a 'sextortion' scam. The 17-year-old committed suicide in 2022. (Source: Submitted photo)

More than two years after Gavin Guffey's death, Lawal -- who is from Nigeria -- was extradited to the U.S. and charged with multiple crimes, including:

- Child exploitation resulting in death.
- Production and distribution of child sexual abuse material.
- Coercion and enticement of a minor.
- Cyberstalking resulting in death.
- Interstate threat with intent to extort.
- Aiding/abetting.

Prosecutors say they believe that Lawal was also talking to six other minors at the time he's accused of [talking to Gavin Guffey](#).

Lawal pleaded "not guilty" to his charges on Monday. He faces up to life in prison if found guilty.

"I hope the message is clear," Boroughs said. "If you use the internet to exploit children in our state, you will be held accountable in our courts."

---> **Related:** [Nearly 200 cases dismissed after North Carolina trooper allegedly made 'misleading' statements](#)

State Rep. Brandon Guffey was in a press conference held Monday to announce the charges against Lawal. The representative said he was thankful for the work of the combined prosecutors, investigators, and representatives of the Nigerian government.

Rep. Guffey said the work is not over, however.

"It's just the start of the next fight," Rep. Guffey said. "We brought Lawal here to hold him accountable for his crimes, and we will continue to fight to not only save kids like Gavin, but [also] any other kids who may feel like Gavin did before he took his life."

Since Gavin Guffey's death, Rep. Guffey has worked to combat sexploitation. He [sponsored and helped pass "Gavin's Law"](#) in 2023. The law made sexual extortion -- commonly referred to as sextortion -- a felony offense in South Carolina, punishable by up to 20 years in prison.

“Gavin was just such a light,” Rep. Guffey said. “I can’t save Gavin ... but I can hope to save other kids in pushing forward and not let that light be extinguished. We need more light in this world.”



Nigerian man extradited, charged in Gavin Guffey ‘sextortion’ case (WIS News 10)

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STATEHOUSE

SC House passes bill requiring parental consent for social media

Meanwhile, Rep. Brandon Guffey called on Congress to protect children from online threats

BY: **SKYLAR LAIRD** - FEBRUARY 19, 2025 6:39 PM



📷 Rep. Brandon Guffey, R-Rock Hill, testifying at a U.S. Senate Judiciary Committee meeting on Wednesday, Feb. 19, 2025. (Screenshot courtesy of C-Span)

COLUMBIA – [A bill](#) requiring children to get permission from their parents before signing up for social media profiles passed the House on Wednesday.

As the state House debated, Rep. Brandon Guffey, R-Rock Hill, testified in front of a U.S. Senate committee about his son's suicide over a sextortion scam.

Under [the proposal](#) representatives passed 90-17, parents would have to give consent for their children to create a social media account. And social media companies would have to put safeguards

in place for children using their platforms, such as limiting who can message them and what they can see.

A similar bill passed the House 113-1 [last year](#). This time around, legislators raised concerns over parental rights, privacy concerns and a requirement that the state create educational programs about social media.

Another perfunctory vote, expected Thursday, will send the bill to the Senate, which did not take up last year's similar version.

House debate

Representatives agreed that overuse of social media can be a problem for children's mental health. The question became whether it should be up to legislators to control how people use social media.

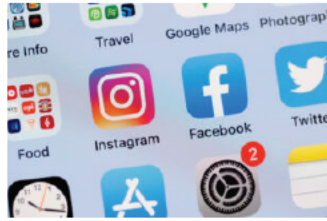
"Why does the government need to do what any parent can already do, given the evils of social media?" said House Minority Leader Todd Rutherford, D-Columbia. "We agree they're evil, but if they're evil and you're a parent, why don't you do it?"

As technology rapidly develops, parents who didn't grow up with the same challenges are overwhelmed trying to protect their children, said Rep. Travis Moore, a sponsor on the bill.

"These are not issues parents individually can handle, in my opinion," the Roebuck Republican replied.

The proposal would affect more than just parents, said Rep. Justin Bamberg, D-Bamberg.

SC teens would need parent permission for social media under House bill



COLUMBIA — People under the age of 18 would need parental permission to use social media under a bill legislators advanced to the House floor Tuesday. In an effort to combat some of the same issues legislators raised as reasons to restrict social media, Meta, the company that operates Facebook and

Instagram, released free videos ... [Continue reading](#)



SC Daily Gazette

Social media sites would be required to verify the ages of everyone making an account in order to prevent people under the age of 18 from signing up.

Bamberg, the only “no” vote last year, said that lead to adults needing to provide personal information to social media companies.

“I ain’t giving my Social Security number to anybody to have a damn Facebook,” Bamberg said. “I don’t believe in that.”

But Moore said there’s nothing in the bill requiring that. Verification won’t go that far, he said.

“Acceptable methods” listed in the bill for obtaining consent include providing a toll-free number for the parent to call, allowing the adult to respond to an email, coordinating a video conferencing call, or collecting information from a “government-issued identification of the minor’s parent,” then deleting it.

Bamberg proposed requiring companies create a separate platform for children to use, similar to YouTube Kids, a version of the video site designed for children. The child-friendly sites would require parental consent and put in place the safeguards required in the bill without requiring proof from adults, Bamberg said.

His proposed amendment failed 73-30.

Some of the representatives who changed their minds to oppose the bill included members of the ultra-conservative Freedom Caucus, who pointed to a section that would require the state Department of Education to develop programs teaching students how to safely use social media.

Rep. Jordan Pace, a Goose Creek Republican who leads the Freedom Caucus, attempted to remove that part of the bill, claiming that the educators involved in developing the curriculum might attempt to add liberal viewpoints.

That won't happen with GOP Superintendent Ellen Weaver at the helm of the agency overseeing public K-12 schools, said Rep. John McCravy, a leader in the Legislature's Family Caucus.

Before her 2022 election, Weaver led the conservative think tank Palmetto Promise Institute and before that, worked for former GOP U.S. Sen. Jim DeMint.

If the education department did create programs with which the Statehouse's ruling Republicans disagreed, they have the power to intervene, said McCravy, R-Greenwood.

"I think it's worth it to educate our children of the dangers that are on the internet, of the dangers that are on social media," he said.

Legislators threw out Pace's amendment 91-15.

Guffey's testimony

At the same time as his colleagues were debating the bill, Guffey gave an emotional recounting of his son's suicide to the U.S. Senate Judiciary Committee during a general discussion on protections for children online.

Guffey's 17-year-old son, Gavin Guffey, died by suicide July 27, 2022. Guffey had sent explicit photos to an Instagram account he believed to be a young woman. The person running the account

threatened to leak those photos unless Guffey continued to send him money.

A 24-year-old Nigerian man was [brought to the U.S.](#) last month to face federal charges of child exploitation resulting in death, child pornography distribution, coercion and enticement of a minor, cyberstalking resulting in death, and interstate threats with the intent to extort.

Meta, the company that owns Instagram and Facebook, removed the profile with which Guffey had been interacting but didn't erase others believed to be connected, Rep. Guffey told the committee Wednesday.

Nigerian man faces life in a US prison for sextortion that led to death of SC legislator's son



COLUMBIA — A Nigerian man was charged Monday with sexually exploiting a legislator's child over social media, causing the 17-year-old to kill himself. Hassanbunhussein Abolore Lawal, a 24-year-old from Nigeria, is suspected of posing as a young woman on Instagram in 2022 in order to coerce Gavin

Guffey, as well as several other people, into ... [Continue reading](#)



SC Daily Gazette

Those accounts attempted to extort Gavin Guffey's 16-year-old brother and 14-year-old cousin, the legislator said.

At one point, he received a message reading, "Did I tell you your son begged for his life?" the Rock Hill Republican told the committee.

"I vowed at that moment I would make it my life's mission to protect children online and would not stop," Guffey told the committee.

Since his son's death, Brandon Guffey has done advocacy work relating to children's internet safety.

In his two years of advocacy, he's worked with families of about 40 teens who died by suicide after being sexually exploited on the internet.

He called online safety "the greatest threat to the next generation" and criticized Congress for not doing more to thwart it.

"Right now, we have too many politicians making decisions based on their next election and not enough leaders making decisions based on the next generation," Guffey said.

SC Daily Gazette reporter Shaun Chornobroff contributed to this article.



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SKYLAR LAIRD



Skylar Laird covers the South Carolina Legislature and criminal justice issues. Originally from Missouri, she previously worked for The Post and Courier's Columbia bureau.

SC Daily Gazette is part of [States Newsroom](#), the nation's largest state-focused nonprofit news organization.

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CRIME Published January 30, 2024 4:00am EST

South Carolina lawmaker whose son died by suicide after sextortion scam files lawsuit against Meta

Brandon Guffey's son fell victim to a sextortion attempt on Instagram in July 2022



By **Audrey Conklin** | **FOXBusiness**

Meta whistleblower calls on Big Tech execs to talk about teen harassment

Former Facebook engineering director Arturo Bejar argues the government should force social media platforms, like Instagram, to protect children from abuse because they won't do it themselves.

This story discusses suicide. If you or someone you know is having thoughts of suicide, please contact the Suicide & Crisis Lifeline at 988 or 1-800-273-TALK (8255).

A South Carolina lawmaker who lost his son to suicide after the teenager [fell victim to a sextortion scam](#) is now suing Meta, which owns Facebook and Instagram.

State Rep. Brandon Guffey is alleging that [Meta engaged in deceitful practices](#) to get users, particularly children, addicted to the company's social media platforms, resulting in "pain and suffering" due to poor mental health.

"I'm bringing the suit because of my personal experience of the pain of a father who lost a son," Guffey told Fox News Digital. "And I believe it's due to... criminal negligence. I believe that they designed addictive algorithms that target children. They've concealed

research on the harmful effects, and they've misled the public, about the correlation between their products and our current mental health crisis across the globe."

Guffey also noted that 42 attorneys general across the country sued Meta in October, alleging that the social media giant knew its platforms were harmful to children but continued to market them to young users to increase profits; misled the public about dangers related to social media use; and knowingly collected data from users younger than 13.

SOUTH CAROLINA LAWMAKER EXPOSES DANGERS OF 'SEXTORTION' AFTER TEENAGE SON'S SUICIDE

Gavin Guffey, 17, died by suicide after being targeted in a sextortion scheme. (Handout / Fox News)

Guffey's lawsuit makes similar claims, highlighting an increase in mental health and suicide concerns involving America's youth. The complaint also notes U.S. Surgeon General Dr. Vivek Murthy's March 2023 advisory warning of a growing [youth mental health crisis](#) specifically caused by social media.

WARNING SIGNS OF SUICIDE: WHAT TO KNOW ABOUT PREVENTION, RED FLAGS AND HOW TO DEAL WITH THE ISSUE

Stock Symbol	META
Stock Name	META PLATFORMS INC.
Stock Price	626.31
Stock Change	+7.46
Change %	+1.21%
Stock Symbol	SNAP
Stock Name	SNAP INC.
Stock Price	9.63
Stock Change	+0.09
Change %	+0.94%

"Meta conducted extensive internal studies (previously concealed) establishing its knowledge of the defective and addictive products and the impacts these products would have on adolescents," his complaint states. "Nevertheless, in order to capitalize on their platforms, Meta continued exploiting users by implementing defective algorithms – in foreseeably unsafe ways and in dereliction of their basic duties of care – targeting young people, inducing harmful, unhealthy, and compulsive use by kids. "

Brandon Guffey, right, has been exposing the dangers of sextortion after his son, Gavin, second from right, died by suicide in July 2022. (handout)

A Meta spokesperson told Fox News Digital in a statement that it wants "teens to have safe, age-appropriate experiences online," and the company has "over 30 tools and resources to support them and their parents."

"We encourage teens and adults to report suspicious content, activity or accounts to us if they feel unsafe; we reach out to law enforcement in cases of imminent harm," the spokesperson said. "Teens can also use NCMEC's Take It Down, a new tool we supported that helps prevent young people's intimate images from being posted online in the future."

FACEBOOK AND INSTAGRAM ACCUSED OF ALLOWING PREDATORS TO SHARE TIPS WITH EACH OTHER ABOUT VICTIMIZING CHILDREN

One evening in July 2022, Guffey's 17-year-old son, Gavin Guffey, received a message from someone posing as a girl on Instagram, and the pair began chatting on the [social media app](#).

That person convinced Gavin to turn on "vanish mode" in their Instagram chat, which allows messages to disappear after they are received, so they could exchange photos.

Guffey's 17-year-old son received a message from someone posing as a girl on Instagram, and the pair began chatting on the social media app. (Lorenzo Di Cola/NurPhoto / Getty Images)

After exchanging photos, that person demanded money from Gavin, who replied that he only had \$25 in his account. After sending the \$25, the perpetrator demanded more.

"He even said... 'I'm sitting in my room with a gun. If these pictures go out, I'm going to end it right now,'" the state lawmaker previously told Fox News Digital. "I don't know if any of the pictures were shared."

META IS 'NEW TOBACCO' AFTER STATES SUE OVER ALTERED REALITIES FOR KIDS, LEGAL GURU SAYS: 'ELECTRONIC MORPHINE'

Gavin, who had just graduated from high school that spring and had a passion for art and music, shot himself that evening.

After his death, the scammer he met on Instagram tracked down Rep. Guffey and Gavin's teenage cousin on Instagram and began demanding money from them.

Gavin Guffey, who died by suicide in July 2022 after falling victim to a sextortion

attempt, had just graduated from high school. (Handout / Fox News)

"[The perpetrator] went as far as within 30 days of me burying my son to say, 'Did I tell you your son begged for his life?'" the state representative recalled, adding that he considers sextortionists to be terrorists. No arrests have been made in the investigation.

The FBI defines [sextortion as a "serious crime"](#) in which perpetrators threaten to expose a victim's sensitive or private information in exchange for sexually explicit material or money. The agency recently announced that it received more than 13,000 reports of online financial sextortion involving at least 12,600 victims between October 2021 and March 2023.

DOZENS OF STATES SUE META OVER SOCIAL MEDIA 'PROFOUNDLY ALTERED' MENTAL, SOCIAL REALITIES OF AMERICAN YOUTH

The average age of sextortion victims is between 14 and 17 years old, the FBI said in a press release last week, but the agency noted that any child can become a victim. Offenders of financially motivated sextortion typically originate from African and Southeast Asian countries, according to the FBI.

Sextortion can lead to suicide and self-harm. Between October 2021 and March 2023, the majority of online financial extortion victims were boys. These reports involved at least 20 suicides, the FBI said.

META MAY BE USING YOUR FACEBOOK, INSTAGRAM TO 'FEED THE BEAST' OF NEW TECH

"I equate it to... these digital companies are the tobacco companies of our kids' generations," Guffey said. "They are fully aware of the problems that they're causing, and they care more about profits than they do about people."

Since his son's death, Guffey has made it his life's mission to spread awareness about the dangers of sextortion and unsafe social media use in general. This lawsuit against Meta is part of that mission, he said.

| "I'm fighting until the day of my death. This is my mission."

- Rep. Brandon Guffey

"They have a permanent opponent," Guffey said. "... And I'll fight it on every front. I'll fight it through legislation on the state level. I'll fight it through going to conferences and getting other states to push this legislation. I'll fight it through the media as I'm screaming my message from the mountaintops, and I'll fight it in court. I'm not going away."

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As far as solutions go, Guffey said he believes Meta "already knows" how to make its social media apps less addictive and safer for minors.

The state representative believes the company should have tools to track down nude images and block whoever is involved in sending them, prevent algorithms from being used to curate content for minor users, and ensure that minors' data will not be collected, among other possible solutions.

Conversation 81 Comments

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angelssix

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30 January, 2024

While I think this case is tragic, what is infinitely more tragic is the lack of parenting going on. Kids need to be educated about these hideous humans out there and taught how to avoid putting themselves in these circumstances to begin with. I hate my stepmother but one thing she did do for me a...

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C **Clarke82**

...

30 January, 2024

I feel bad for the parents losing a child but what could have helped the most was better parenting. I have 3 children around his age and you have to be involved in your kids life.

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T **TheCat24**

...

30 January, 2024

This parent is looking for someone to blame, when it was up to them to monitor or stop their child from using social media. It is no surprise that social media is toxic, any person with a conscience has known that for many years.

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tweeter4774

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30 January, 2024

Tragic loss of a child, no doubt. But... In reality, this was mostly in the mind of the kid.

If someone had a picture of me naked and tried to get money from me, I think I would get a pretty good laugh! Seriously, who would want to see that? If they did want to see it, how long would the fascination...

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M **mickeyfinn650**

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30 January, 2024

That lawsuit is pure nonsense. He should sue himself instead for bad parenting - but of course, he is blind to that. If his children were brought up in a home with good Christian values incidents like this would never happen. Children and young people lack a coping mechanism which is among the prin...

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R **radcon545**

...

30 January, 2024

He can try it, but doubt that it will go anywhere. No one forced the kid to use Facebook or Instagram.

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P **packerfan1000** ...
30 January, 2024
This is like the parents suing Rock bands claiming their lyrics are dangerous.
Reply 1 Share

pappawtom ...
30 January, 2024
I agree with this dad. Social media is very addicting no matter what name it goes by. If you don't believe that then keep track of how many times you check your phone for something on social media. It is right there in your pocket or purse and when you have nothing to do at the moment then you w...
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1 reply

H **hh65abc** ...
30 January, 2024
What? No arrests have been made? That means they know who did it but they have no jurisdiction in the country it came from.
Reply 1 Share

C **callthekettleblack** ...
30 January, 2024
No one wants to lose a child. But isn't it ironic that this isn't the first either, and because it was a "lawmakers" child, something may get done? Is that what it takes in this country, to be the child of an elitist lawmaker?
Reply 1 1 Share
2 replies

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