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(Submitted Electronically)

Federal Trade Commission/Office of the Secretary
Room H-135 (Annex W)
600 Pennsylvania Avenue, NW
Washington, DC 20580

Re: Proposed Business Opportunity Rule
Matter Number R511993

Dear Sir or Madam:

I am troubled over your serious consideration of the referenced Business Opportunity Rule. I believe that this rule, rather than providing protection for the public from unfair/deceptive practices, will result in the loss of income opportunities for millions of people in the direct selling industry. If passed, this rule will, in fact, interfere with a legitimate business opportunity for many who desire better lives for their families and have no other way of obtaining it. Direct selling businesses provide an opportunity for people to better their lives, rather than continuing the 8-to-5 rat race, living paycheck-to-paycheck without any hope of improvement of income, quality of life, etc. In my business, I provide one of the best lines of children's educational books on the market. Unfortunately, portions of the proposed rule will make it almost impossible to provide an opportunity to market these incredible books to families concerned about their children's education. I appreciate your consideration of my comments. Note that I am extremely hesitant to submit this letter electronically, as your website indicates the info will be publicly available on the FTC website – however this issue is so important to me that I felt it necessary to take the risk.

I have been an independent educational consultant with Usborne Books at Home ("UBAH") for slightly more than a year. In that time, I have had moderate success. I'm not "getting rich quick" – nor was I promised that. I went into this business with my eyes wide open – fully knowing that many, many people quit before even giving it a chance; fully knowing that some people make a lot of money, some people don't; fully knowing that my success would be dependent on how much I chose to work; but also fully knowing that I was lucky to have an opportunity such as this. Even though my success hasn't been huge, I have been able to provide my children with the "extras" that every parent desires to give their kids. My children are taking ballet, art classes, and playing soccer. This very week they will begin a Suzuki violin class. These are enrichment activities that I *may* have been able to provide them while working a full-time job – but I would not have had the TIME to take them to all the lessons. Direct selling not only provides an opportunity for people to increase their income

but provides a way to take advantage of that opportunity on their own time and schedule – without being tied to a 40-hour work week (not including commuting time). I am also lucky to be able to stay home with my children – a priceless benefit. Yet another priceless benefit is the sense of entrepreneurship that I've been able to show my children – at young ages they've already been exposed to “real world” marketing, personal and professional selling (through our school/library division), sales management, marketing research, information technology, advertising, and consumer behavior. They now know that if you want something and want to be successful, you have to work to get it – it won't just be handed to you on a silver platter. Where *else* could they have these kinds of experiences? The continuation of all of these benefits for my family is dependent upon the continuing success of the direct selling industry.

As for particular portions of the proposed rule, I find the seven-day waiting period particularly absurd. UBAH offers monthly consultant kit specials, most costing less than \$100. In UBAH, there is no yearly renewal fee to continue as a consultant. As far as I know, in any direct selling business the only “penalty” for not working the business is de-activation of consultant status. Big deal. I could walk into Best Buy this afternoon and buy a \$3,000 big-screen TV without any kind of waiting period. I could walk into a car dealership this afternoon and buy a \$50,000 car without any required waiting period. But yet, on an opportunity that I've decided will give me a chance to make my family's life better, you want me to wait SEVEN DAYS? I could sink my family financially by buying an exorbitantly-priced automobile on the spot; but on an opportunity that might HELP my family's financial status there is a waiting period? Absolutely ludicrous. I won't even address the issue of record-keeping.

As a freelance litigation paralegal, I can vouch for the fact that people are litigation-happy – many people feel they are “owed” a living, will sue for anything to try to make a buck, and many less-than-ethical attorneys will take worthless lawsuits to also try to make a buck. Yet under the proposed rule I have to release **any** information regarding lawsuits involving misrepresentation, or unfair or deceptive practices, regardless of the eventual outcome of the suit? This will put me at an unfair advantage even though neither I nor UBAH has done anything wrong. I suspect that if the FTC passes this proposed rule, the FTC itself will be subject to lawsuits from direct selling companies and consultants.

In this day of identity theft and other confidentiality issues, this proposed rule will require me to disclose at least 10 prior “purchasers” when someone indicates interest in my business. I can't even approach the counter at my pharmacy when someone else is standing there, and I get a copy of the privacy practices every-other time I'm there – yet this rule will require me to give name and contact info of my fellow consultants to someone they've never even met. What kind of can of worms will THAT requirement open? Not one that I really want to be a part of. How many of us would buy a car if the purchase contract had language to the effect of “...your contact information can be disclosed in the future to other buyers.” Would YOU buy a car with that requirement in the contract? What business is it of anyone else's that *I* want to start (or have started) my own business? When you apply for a job in today's world, you are NOT given the names and contact information for the last 10 people who held that particular position. That would be a massive breach of confidentiality. Yet that is exactly what this rule will require in MY job as a direct seller.

As I'm sure you've heard from thousands of direct selling consultants/representatives, I do appreciate the work that the FTC does to protect consumers. However, this proposed new

rule will have many unintended and far-reaching consequences. There are already policies/requirements in place to protect against illegal pyramid schemes. The FTC cannot *possibly* protect every single individual in this country – at some point each person must take responsibility for his/her OWN decisions. In this day of high-profile corporate scandals, misrepresentation and bad management, I believe the direct selling industry provides a breath of fresh air and an opportunity to determine your own destiny.

This country has long been known as the Land of Opportunity. Please don't take the direct selling opportunity away from millions of people who want and/or need it.

Respectfully,

Rebecca Keck