

Open Meeting of the Federal Trade Commission

September 15, 2022

Public Submissions

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Comments of

TechFreedom

Bilal Sayyed¹

**On Application of the *Noerr-Pennington* Doctrine
to the Petitioning of Non-U.S. Entities
to the
Federal Trade Commission Open Meeting
of September 15, 2022**

¹ Bilal Sayyed is Senior Competition Counsel at TechFreedom. He can be reached at [REDACTED]

Tim Wu¹ has called for overruling the *Noerr-Pennington* doctrine², condemning its protection of “corrupt and deceptive political practices” from antitrust liability.³

I had the good luck to work for Tim Muris when he was Chairman.⁴ He guided and directed agency staff to find cases and advocacy opportunities to constrain and limit the scope of the doctrine.⁵ The agency, especially the health care shop, has continued to seize opportunities to resist expansion of the doctrine.⁶

The Commission has an easy opportunity to continue this effort.

The Agencies’ Antitrust Guidelines for International Enforcement and Cooperation (or, in their earlier iteration, the Department of Justice’s Antitrust Enforcement Guidelines for International Operations) have consistently adopted the position that the *principles*

¹ Tim Wu is, as of this writing, the Special Assistant to the President for Technology and Competition Policy.

² The doctrine’s name comes from *Eastern R.R. Presidents Conference v. Noerr Motor Freight, Inc.*, 365 U.S. 127 (1961) and *United Mine Workers v. Pennington*, 381 U.S. 657 (1965).

³ Tim Wu, *Antitrust & Corruption: Overruling Noerr* (Columbia L. Sch., Working Paper No. 14-663, 2020).

⁴ Tim Muris was Chairman of the Federal Trade Commission (June 2001-August 2004), Director of the Bureau of Consumer Protection (1981-1983), and Director of the Bureau of Competition (1983-1985). In all three positions he pursued cases and opportunities to limit the scope of the *Noerr-Pennington* doctrine.

⁵ Timothy J. Muris, *Looking Forward: The Federal Trade Commission and the Future Development of U.S. Competition Policy* (Dec. 10, 2002) (discussing the expansion of *Noerr* immunity in a manner that potentially harms consumers, and the creation of the *Noerr* Task Force, shortly after he assumed the chairmanship of the agency, to identify opportunities to clarify the case law in a manner that promotes competition and enhances consumer welfare.).

This effort was successful. *See, e.g.*, FED. TRADE COMM’N, FTC STAFF REPORT: ENFORCEMENT PERSPECTIVES ON THE NOERR-PENNINGTON DOCTRINE (2006); *Union Oil Co. of Cal., Corp.*, 9305 F.T.C. (2004) (Commission Opinion rejecting application of *Noerr* to misrepresentation before administrative agencies); Timothy J. Muris, *Clarifying the State Action and Noerr Exemptions*, 27 HARV. J. L. & PUB. POL’Y 443 (2004); *An Overview of Federal Trade Commission Antitrust Activities: Hearing Before the S. Comm. on the Judiciary Antitrust Task Force*, 107th Cong. (2002) (Prepared Statement of the Federal Trade Commission); *Complaint, Biovail Corp.*, C-4060 F.T.C. (2002) (allegation that Biovail had illegally acquired an exclusive patent license and wrongfully listed that patent in the Orange Book for the purpose of blocking generic competition to, and maintaining its monopoly in the market for, its brand-name drug Tiazac); *Brief of Amicus Curiae The Federal Trade Commission, Buspirone Patent Litigation*, 185 F. Supp. 2d 363 (S.D.N.Y. 2002).

⁶ The Health Care shop has been particularly attentive to, and has litigated, expansive *Noerr* claims by participants in pharmaceutical markets. The agency’s experience makes clear that the doctrine can significantly impede efforts to maintain vigorous competition in health care markets. *See, e.g.*, *Federal Trade Commission v. Abbvie*, 976 F.3d 327 (3d Cir. 2020); *Federal Trade Commission v. Shire Viropharma*, 917 F.3d 147 (3d Cir. 2019); *Brief of Amicus Curiae Federal Trade Commission, Takeda Pharmaceutical v. Zydus Pharmaceuticals* (D. N. J. 2018); *Brief of Amicus Curiae United States of America and the Federal Trade Commission, Intellectual Ventures I LLC v. Capital One Financial Corp.*, No. 18-1367 (Fed. Cir. 2018); *Brief of Amicus Curiae Federal Trade Commission, Amphastar Pharmaceuticals v. Momenta Pharmaceuticals*, No. 16-2113 (1st Cir. 2016); *Supplemental Brief of Amicus Curiae Federal Trade Commission, Effexor XR Antitrust Litigation*, Nos 15-1274 (3d Cir. 2016).

underlying the *Noerr-Pennington* doctrine apply to the petitioning of foreign governments.⁷ In the words of the current guidelines, the Commission and the Department of Justice will not challenge genuine efforts to obtain or influence action by foreign government entities, even if the intent or effect of that effort is to restrain trade or monopolize trade, including in U.S. markets.⁸ This position is unnecessary and inconsistent with the Commission's interest in limiting the scope of exemptions from the antitrust law.

⁷ U.S. DEP'T. OF JUSTICE & FED. TRADE COMM'N, ANTITRUST GUIDELINES FOR INTERNATIONAL ENFORCEMENT AND COOPERATION § 4.2.4 (2017) ("The Agencies ... will not challenge under the antitrust laws genuine efforts to obtain or influence action by foreign government entities" "even if the intent or effect of that effort is to restrain or monopolize trade."); U.S. DEP'T. OF JUSTICE AND FED. TRADE COMM'N, ANTITRUST GUIDELINES FOR INTERNATIONAL ENFORCEMENT AND COOPERATION §3.34 (1995) ("Whatever the basis asserted for Noerr-Pennington Immunity...the Agencies will apply it in the same manner to the petitioning of foreign governments and the U.S. Government."); U.S. DEP'T. OF JUSTICE, ANTITRUST ENFORCEMENT GUIDELINES FOR INTERNATIONAL OPERATIONS §7 (1988) ("The Department's policy...is not to prosecute the legitimate petitioning of foreign governments by foreign or U.S. firms in circumstances in which the United States protects such activities by its own citizens."); U.S. DEP'T. OF JUSTICE, ANTITRUST DIVISION, ANTITRUST GUIDE FOR INTERNATIONAL OPERATIONS at Case N (1977) ("[T]he Department does not consider [*Noerr*] to be limited to the domestic area."). The examples and cases used to illustrate the agencies' position are relatively anodyne, suggesting that the agencies are not being fully transparent about the scope and degree of harm that can result to U.S. consumers and U.S. markets from the *Noerr*-protected conduct.

At least one effort was made to move away from this position. The Department's draft revision of the 1977 guidelines recognized that "Since the Noerr-Pennington doctrine rests on a construction of the Sherman Act that is derived at least in part by reference to the First Amendment right to petition, that doctrine may not apply to the petitioning of foreign governments by U.S. and foreign firms." U.S. Dep't. of Justice Antitrust Guidelines for International Operations (Draft Revision, June 8, 1988), 53 FR 21584, 21597 (Jun. 8, 1988). This position was not maintained in the final version of the revision. Note, however, that not much change in practice was proposed in the draft revision: "for reasons of comity", the draft stated, "the Department's policy is not to prosecute the legitimate petitioning of foreign governments by foreign or U.S. firms in circumstances in which the United States protects such activities by its own citizens." *Id.* See also American Bar Association Antitrust Section Reports to the ABA House of Delegates On Draft Antitrust Guidelines for International Operations, *reprinted* in 57 ANTITRUST L. J. 651 (1988) (recommending maintenance of the position in the 1977 International Guidelines); American Bar Association Antitrust Section Report: Analysis of Department of Justice Guidelines for International Operations Antitrust Enforcement Policy, *reprinted* in 57 ANTITRUST L. J. 957 (1989) (discussing the ABA task force comments on the Noerr issue disagreeing with the Department's position in the draft).

⁸ See, e.g., U.S. DEP'T. OF JUSTICE & FED. TRADE COMM'N, ANTITRUST GUIDELINES FOR INTERNATIONAL ENFORCEMENT AND COOPERATION (2017) at Example F (Corporation 1's launching of a campaign to foster the adoption and retention of regulations that would, if successful, result in the shutdown of Corporation 2, and the filing of a complaint with Country Alpha's Ministry of Mines, alleging severe health and safety concerns associated with Corporation 2's mining techniques, leading to the temporary shutdown of Corporation 2 is protected under the *Noerr-Pennington* doctrine, even though, through these actions, Corporation 1 obtains a monopoly in the U.S. market for Product X.).

The position was first adopted in the first iteration of the guidelines because *some* position on the application of *Noerr* to the petitioning of non-US government entities was thought necessary.⁹ It was not, at the time, compelled by the case law.¹⁰

Maintaining this position, today, is not required by the case law. While there is some appellate case law¹¹ that suggests *Noerr* would apply to the petitioning of foreign governments, these cases suffer from what Tim Wu has said of the doctrine more generally; that it has grown well beyond the scope of the underlying First Amendment basis.¹²

The Commission, in conjunction with the Department, should abandon this position, and amend the guidelines accordingly. If the Department is unwilling to do so, the Commission can indicate it does not agree with the position and will not be bound by it.

⁹ See Donald I. Baker & Bennett Rushkoff, *The 1988 Justice Department International Guidelines: Searching for Legal Standards and Reassurance*, 23 CORNELL INT'L L. J. 405 (1990). Mr. Baker was AAG when the 1977 guidelines were drafted and released. He explained:

In at least two areas...the 1977 Guide departed from state-of-the-law in 1977....The second area in which the Division staked out a clear position amid much confusion involved the application of the Noerr-Pennington doctrine overseas. The Division took the position that the doctrine protected lobbying efforts to cause a foreign government to impose restraints on U.S. commerce. The Division based its position on the premise, articulated in *Noerr*, that U.S. antitrust law was not intended to reach government-imposed restraint or efforts to procure them. Thus, the issue was broader than just the question of whether the First Amendment applied to positions addressed to foreign governments." (internal quotations and footnotes omitted). *Id.* at 413.

In an earlier piece, Mr. Baker makes clear the Department was not compelled to take this position. Recognizing the uncertainty with respect to the application of *Noerr* to petitioning of foreign governments, he states that while "there has been considerable uncertainty in this area...the Guide has the virtue of taking a firm position on this point." Donald I. Baker, *Critique of the Antitrust Guide: A Rejoinder*, 11 CORNELL INT'L L.J. 255, 260 (1978). See also Joseph P. Griffin, *A Critique of the Justice Department's Antitrust Guide for International Operations*, 11 CORNELL INT'L L.J. 215 (1978); Remarks of Douglas E. Rosenthal, of the Antitrust Division, On Guide for International Operations, reprinted at 805 BNA Antitrust & Trade Regulation Report G-1 (Mar. 15, 1977) ("we probably have not until now issued clear guidance as to our views" "on the availability of the Noerr-Pennington defense to joint attempts by competitors to persuade a foreign governmental authority to legislate or issue restrictive or monopolistic laws or rules").

¹⁰ The relevant case law at the time of the guidelines release did not compel the Department's position. *Occidental Petroleum v. Buttes Gas & Oil Co.*, 331 F. Supp. 92 (C.D. Cal. 1971) (application of *Noerr* appeared inappropriate to defendant's petitioning of the Ruler of Sharjah for territorial ownership), *aff'd* 461 F.2d 1261 (9th Cir. 1972). See also *United States v. AMAX, Inc.*, 1 Trade Cases ¶ 61,467 (N.D. Ill. 1977) (*Noerr* did not preclude government's challenge to defendants' petitioning of Canadian Government to set production quotas and selling prices for potash) (issued slightly after the release of the guidelines). The district court in *Bulkferts Inc. v. Salatin Inc.*, 574 F. Supp. 6, 9 (S.D.N.Y. 1983) found it "questionable ... whether the doctrine applies to activities influencing foreign governments."

¹¹ *Amarel v. Connell*, 102 F.3d 1494 (9th Cir. 1994); *Coastal States Marketing v. Hunt*, 694 F.2d 1358 (5th Cir. 1983).

¹² Tim Wu, *Antitrust & Corruption: Overruling Noerr* (Columbia L. Sch., Working Paper No. 14-663, 2020).

From: [REDACTED]
To: [REDACTED]
Subject: Speaker Request: Speaker Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Tuesday, September 13, 2022 5:35:04 PM

Submitted on September 13, 2022 | 5:34PM

Submitted by: Anonymous

Submitted values are:

First Name

Dwanet

Last Name

Perry

Affiliation

Gig Worker

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Competition

Register to speak during meeting

Yes

Submit written comment

Hello, my name is Dwanet Perry and I work with DoorDash delivering in New York City. I started dashing two years ago after I was laid off from my job. I had recently had my son, and wanted a job that could be flexible so I could spend time with him while figuring out my next steps. Signing up was free and easy and I was able to start delivering quickly, which meant having income quickly. Because of the flexible schedule I could create with DoorDash, I was able to not only spend time with my son, but I founded a candle-making business called Flame n Mama. Today, I work at a car dealership, deliver with DoorDash a few hours a week, and pursue my candle business, too. I don't think I'd be able to do all of this without the flexibility that comes with DoorDash.

I know many people have questions about this type of work, but one thing is clear: it works for me, and for millions of other people. Because of DoorDash, I'm able to earn when I want and take time off when I want - without needing permission from anyone. If my son gets sick or I have a big order for my business, I can take the week off and come back whenever I'm ready. If I want to buy something special or save up, I can deliver a few more hours, no questions asked.

I hope you hear my story and understand how valuable this is to me. More than anything, it's important that you take the time to listen to those who are impacted most: the Dashers, drivers, shoppers, and more - and understand that the flexibility we have today is crucial. We need this work to be protected and for everyone to see its value. Thank you.

From: [REDACTED]
To: [REDACTED]
Subject: Speaker Request: Speaker Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Tuesday, September 13, 2022 7:56:59 PM

Submitted on September 13, 2022 | 7:56PM

Submitted by: Anonymous

Submitted values are:

First Name

Kristin

Last Name

Sharp

Affiliation

Flex

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Competition

Register to speak during meeting

Yes

Submit written comment

Comment by Flex CEO Kristin Sharp

FTC Open Commission Meeting

September 15, 2022

My name is Kristin Sharp, and I am the CEO of Flex – the voice of the app-based economy. Flex represents America’s rideshare and delivery platforms, the workers who earn with them, and the people and communities that use them.

Our members include DoorDash, Gopuff, Grubhub, HopSkipDrive, Instacart, Lyft, Shipt, and Uber.

Flex’s mission is to stand with the millions of workers who value the flexibility and independence of app-based work and ensure their voices are heard. We believe workers deserve the opportunity to earn income on their own terms, and this innovative industry offers workers an unprecedented level of control over when, where, how—and how much—they work. Every day, workers tell us that flexibility is what brings them to these platforms, and it’s what

they value above all.

In this strong labor market, tens of millions of Americans—including those historically marginalized by the traditional employment model—are voting with their feet by choosing to work on app-based platforms. They do so to earn extra income, meet a financial goal, open or pursue their own business, or accommodate life or health circumstances that render traditional employment insufficient or unavailable. Many choose to work across multiple platforms, benefitting from the intense competition between companies in our industry.

Poll after poll shows these workers prefer a flexible, independent contractor status over being classified as an employee; in fact, research found that 82% of respondents prefer to remain independent contractors. Policymakers should take into account what app-based workers consistently and overwhelmingly say they want.

In addition, our industry has a positive impact on communities across the country. Our platforms and those who earn with them are expanding opportunity in underserved communities, connecting consumers with new food and transit options, and advancing sustainability initiatives.

As you consider our industry, we urge you to learn more about its impact and listen to the tens of millions of Americans who fundamentally value the power that app-based work puts at their (literal) fingertips each day.

We welcome an opportunity to collaborate with the FTC and convene a discussion to share more about our impact on both workers and the communities they serve.

Thank you again for having us here today.

From: [REDACTED]
To: [REDACTED]
Subject: Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Tuesday, September 13, 2022 7:50:54 AM

Submitted on September 13, 2022 | 7:50AM

Submitted by: Anonymous

Submitted values are:

First Name

Naresh

Last Name

Bhakta

Affiliation

AAHOA

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

FTC Operations

Register to speak during meeting

No

Link to web video statement

None

Submit written comment

Love to learn more.

From: [REDACTED]
To: [REDACTED]
Subject: Speaker Request: Speaker Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Tuesday, September 13, 2022 8:29:35 AM

Submitted on September 13, 2022 | 8:29AM

Submitted by: Anonymous

Submitted values are:

First Name

Nimesh

Last Name

Shah

Affiliation

As One

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Competition

Register to speak during meeting

Yes

Submit written comment

I would like to speak about transparency from franchisors. Currently, when small business owners sign a franchise, they are handed a 170 page document that is extremely partial and one sided. However, this document fails to give a true and accurate picture of what liabilities they can expect. For example, the franchisor can tell you to spend \$50k to replace all the signs because they are changing their branding worldwide. There is no limit to what can be asked of the franchisees. This has to be corrected.

From: [REDACTED]
To: [REDACTED]
Subject: Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Monday, September 12, 2022 10:13:44 AM

Submitted on September 12, 2022 | 10:12AM

Submitted by: Anonymous

Submitted values are:

First Name

Patrick

Last Name

Stewart

Affiliation

none / user / consumer

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Consumer Protection

Register to speak during meeting

No

Submit written comment

Valve + Steam Store

<https://www.valvesoftware.com/en/>

<https://store.steampowered.com/>

False, deceptive, or misleading statements, claims, or representations in Steam user reviews.

False, deceptive, or misleading statements, claims, or representations of partners products store pages, for given ESRB game ratings and or product features.

<https://store.steampowered.com/curator/41829969/>

<https://steamcommunity.com/groups/ESRBVALIDATIONNOTFOUND>

"if a game features an ESRB rating on Steam and it is not on the rating search on ESRB.org, then the rating was self-applied and not valid." - [REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Tuesday, September 13, 2022 12:21:32 PM

Submitted on September 13, 2022 | 12:21PM

Submitted by: Anonymous

Submitted values are:

First Name

Priyank

Last Name

Patel

Affiliation

ChoiceHotels Owner

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Competition

Register to speak during meeting

No

Submit written comment

ChoiceHotels need to lower their franchise fees.

From: [REDACTED]
To: [REDACTED]
Subject: Speaker Request: Speaker Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Tuesday, September 13, 2022 9:49:00 AM

Submitted on September 13, 2022 | 9:48AM

Submitted by: Anonymous

Submitted values are:

First Name

RICH

Last Name

GANDHI

Affiliation

Reform Lodging

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

FTC Operations

Register to speak during meeting

Yes

Link to web video statement

NJ

Submit written comment

There needs to be attention to franchisor saturating market and lack of commitment to existing franchise contracts hence implications on existing franchisee debt service commitments. Loan defaults looming

From: [REDACTED]
To: [REDACTED]
Subject: Speaker Request: Speaker Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Saturday, September 10, 2022 6:20:24 PM

Submitted on September 10, 2022 | 6:20PM

Submitted by: Anonymous

Submitted values are:

First Name

Saksham

Last Name

Singh

Affiliation

University of Wisconsin - Madison

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Consumer Protection

Register to speak during meeting

Yes

Submit written comment

- How can consumers protect against harmful nudges delivered by Big Tech players?

From: [REDACTED]
To: [REDACTED]
Subject: Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Sunday, September 11, 2022 10:12:55 PM

Submitted on September 11, 2022 | 10:12PM

Submitted by: Anonymous

Submitted values are:

First Name

Saksham

Last Name

Singh

Affiliation

University of Wisconsin-Madison

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Consumer Protection

Register to speak during meeting

No

Link to web video statement

[REDACTED]

Submit written comment

Good afternoon everyone, and thank you Chairperson Khan for this opportunity to share views and comments. I am Saksham Singh a PhD student at the Consumer Behaviour Programme at Wisconsin Madison.

My comment is on the use of dark patterns, harmful nudges and sludge by digital platforms and services online. In my own research work and drawing from work of others, consumers are seen to be exposed to harmful nudges or sludge which might work to decrease their welfare. This becomes especially relevant with low-income and vulnerable populations. Consumer protection measures will be require to tackle information assymetry, where some individuals might be more susceptible to online harm than others, given the inherent power structures of digital platforms.

As the FTC has already taken cognisance of Dark Patterns, it will be important to also understand how harmful nudges and sludge can compound the effect of dark patterns. The

issue of dark patterns and harmful sludge and nudge also is pervasive accros the design of not just financial products but also the design of platforms used by gig workers - which can lead to other related issues of labour rights and related loss of welfare. I would be very keen to understand the regulatory philosophy to tackle such harms.

From: [REDACTED]
To: [REDACTED]
Subject: Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Tuesday, September 13, 2022 6:59:57 PM

Submitted on September 13, 2022 | 6:59PM

Submitted by: Anonymous

Submitted values are:

First Name

Sarah

Last Name

Parker Ward

Affiliation

PhD in Emerging Media, Boston University

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Consumer Protection

Register to speak during meeting

No

Submit written comment

Good afternoon, and thank you for the opportunity to address the Commission. As a citizen, servant leader, media scholar, and mother, it is important to me to express my support for the FTC's continued investigation into dark patterns. Digital platforms have not only commodified attention, but are also ruefully robbing us of that commodity. As you are already aware, with access to vast troves of behavioral data, today's corporations wield immense analytic power with which they can purposefully design predatory user flows that inhibit free will and degrade the fabric of society in favor of increased revenue. Consumers deserve not only greater transparency into such design structures, but also easily understood safeguards against such deceptive practices. Please vote in the affirmative to issue the staff report "Bringing Dark Patterns to Light" and continue allocating resources to this vital line of work to protect the pocketbooks, health, and wellbeing of the American people and global community. Thank you for your consideration.

From: [REDACTED]
To: [REDACTED]
Subject: Speaker Request: Speaker Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Tuesday, September 13, 2022 4:56:21 PM

Submitted on September 13, 2022 | 4:56PM

Submitted by: Anonymous

Submitted values are:

First Name

Tilneka

Last Name

Singletary

Affiliation

DoorDash Dasher

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Competition

Register to speak during meeting

Yes

Submit written comment

Hello, my name is Tilneka Singletary and I'm a Dasher in Washington, DC area. For me, family comes first. I'm a proud and loving mother of my wonderful son. Parenting in my life looks a bit different: my son has special needs and I homeschool him while running two family businesses in my spare time. My schedule can be hard to predict - I'm an entrepreneur and a parent - so a traditional 9-to-5 wouldn't work for me. Dashing has become such a valuable way for me to earn extra money.

I started with DoorDash when my cousin, who also delivers with DoorDash, told me about it. I heard it was easy to sign up and I could earn quickly and whenever it worked for me – and that was right. With DoorDash, I can get in my car and earn whenever, wherever, and however I want. It's gone a long way in helping me to bring in a little more money each month for me and my family.

I know that you all are looking for ways to help Dashers like myself. It's why I'm here today to hopefully encourage you to listen to us - the people who are in this line of work and will be impacted first-hand by any decisions or regulations you make. We should be considering ways

to protect the freedom and flexibility of dashing that lets me set my schedule, enables me to provide the care and education my child needs, and support my family financially. This work works for me, and I never want to lose it. Thank you.

From: [REDACTED]
To: [REDACTED]
Subject: Speaker Request: Speaker Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Tuesday, September 13, 2022 6:52:41 PM

Submitted on September 13, 2022 | 6:52PM

Submitted by: Anonymous

Submitted values are:

First Name

Timothy

Last Name

Lee

Affiliation

Center for Individual Freedom (CFIF)

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Competition

Register to speak during meeting

Yes

Submit written comment

Center for Individual Freedom Statement to Federal Trade Commission Regarding “Policy Statement on Enforcement Related to Gig Work”

September 13, 2022

On behalf of 300,000 supporters and activists across America, the Center for Individual Freedom (CFIF) appreciates the opportunity to address the Federal Trade Commission (FTC).

The “gig economy” has introduced a universe of new opportunities for consumers, workers and businesses, and its role will only grow in future years. Even prior to the Covid pandemic, the U.S. Bureau of Labor Statistics estimates that 55 million Americans – nearly 36% of the workforce – sought gig work, and contributed \$1.3 trillion to the U.S. economy.

Accordingly, the FTC must avoid any damaging or disruptive policy changes that might threaten it.

In an era of increasingly precarious employment and social disruption, the gig economy allows Americans to utilize a broad array of earning opportunities, while also allowing employers to flexibly meet a wide array of needs. Ongoing advances in app-based telecommunications only make the gig economy easier and more popular on an almost daily basis.

For individuals, the gig economy empowers them to achieve a more optimal work-life balance depending upon their personal and family needs. For small businesses, it allows them to compete on a more even field and an increasingly globalized economy.

Importantly, the gig economy also offers underserved and underprivileged communities access to supplemental income and employment opportunities with low barriers to entry.

It is therefore imperative that the FTC pursue policies that advance, rather than potentially inhibit, the increasingly vital gig economy.

From: [REDACTED]
To: [REDACTED]
Subject: Speaker Request: Speaker Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Tuesday, September 13, 2022 10:04:02 AM

Submitted on September 13, 2022 | 10:03AM

Submitted by: Anonymous

Submitted values are:

First Name

Vimal

Last Name

Patel

Affiliation

Q Hotels Management

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Consumer Protection

Register to speak during meeting

Yes

Submit written comment

I want to speak about unfair business practices by the hotel brand IHG that harm franchisees and consumers. The recent data breach is another example of passing the cost to franchisees without being held accountable

From: [REDACTED]
To: [REDACTED]
Subject: Registration and Public Comment Submission Form for September 15, 2022 Open Commission Meeting
Date: Monday, September 12, 2022 4:57:32 AM

Submitted on September 12, 2022 | 4:57AM

Submitted by: Anonymous

Submitted values are:

First Name

Wendy

Last Name

Atkins

Affiliation

Sweepstakes Wendy Atkins of Brunswick ?ga

Full email address

[REDACTED]

Telephone

[REDACTED]

FTC Related Topic

Consumer Protection

Register to speak during meeting

No

Link to web video statement

No links no share

Submit written comment

Thanks u