



Office of Commissioner  
Melissa Holyoak

UNITED STATES OF AMERICA  
**Federal Trade Commission**  
WASHINGTON, D.C. 20580

**Concurring Statement of Commissioner Melissa Holyoak**

Spring 2024 Unified Agenda Entry containing the Semiannual Regulatory Agenda

July 5, 2024

The Commission's Semiannual Regulatory Agenda for Spring 2024 identifies a number of far-reaching regulations, some of which seem likely to exceed the Commission's authority to issue such rules. Given that we are voting on whether to approve the Agenda for publication, and that I understand this Agenda accurately reflects the current Commission's plans, I am voting to publish them. With that said: in my dissenting statements on the Non-Compete Clause Rule at the Open Commission Meeting in April<sup>1</sup> and on the Health Breach Notification Rule,<sup>2</sup> I have made clear that I will not support rules that regulate market conduct beyond the parameters delegated by Congress. Our limited resources are far better spent protecting consumers and competition within the bounds authorized by Congress. I will continue to examine the Commission's future efforts with these principles in mind.

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<sup>1</sup> Transcript, Open Comm'n Meeting, 8-9 (Apr. 23, 2024), [https://www.ftc.gov/system/files/ftc\\_gov/pdf/transcript\\_-\\_ftc\\_open\\_commission\\_meeting-4.23.24.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/transcript_-_ftc_open_commission_meeting-4.23.24.pdf).

<sup>2</sup> Statement of Commissioner Holyoak, Joined by Commissioner Ferguson, Regarding the Health Breach Notification Rule, FTC Matter No. P205405 (Apr. 26, 2024), <https://www.ftc.gov/legal-library/browse/cases-proceedings/public-statements/statement-commissioner-holyoak-joined-commissioner-ferguson-regarding-health-breach-notification>.

