

Healthcare Facility Mergers,³ and a fourth on the Competitive Impact of Supply Chain Disruptions in Consumer Goods.⁴ The Commission also has launched numerous expansive rulemakings, including the Commercial Surveillance and Data Security Trade Regulation Rule⁵ and the Unfair or Deceptive Fees Trade Regulation Rule.⁶

Given the diversification of American commerce and the growth of our national economy, our staff are consistently called to expand the scope of their work – and, despite limited resources, staff have never failed to rise to the challenge. But we do, in fact, have limited resources, limited statutory authority, and limited bandwidth. As result, hard choices must be made.⁷ I would hope that the Commission’s law enforcement efforts will not be diluted too significantly by the expenditure of resources in so many other arenas. To facilitate transparency and accountability, it would be helpful for the public to understand how many full-time employees are being allocated for this 6(b), for the other ongoing 6(b) studies, and for the rulemakings underway.

Again, I commend the staff for the excellent presentation today and the thorough work on this 6(b) study.

II. 6(b) Orders Concerning Small Business Credit Reporting Agencies

Thank you, Chair Khan. And thank you to the staff from our Eastern Central Regional Office, the Bureau of Consumer Protection, and the Bureau of Economics for their work on this recommendation.

Eastern Central Regional Office: Dana Barragate, Harris Senturia, and Sammi Nachtigal

Bureau of Economics: Margaret Patterson

Bureau of Consumer Protection: Katherine Worthman and Rebecca Unruh

As with the Social Media Ad Fraud 6(b), staff have crafted a thorough set of inquiries. And our 2022 Dun & Bradstreet case demonstrated that the topic of this 6(b) likely will be beneficial to small businesses throughout the U.S. As I noted earlier, though, there are many worthwhile projects for the agency to pursue; in a world of finite resources, prudent governing requires hard choices about where to deploy these scarce resources.

Thank you again to all of the staff for your work on these matters. It is always a privilege to work with the dedicated and talented staff at the FTC.

³ FTC: Order to File Special Report (Jan. 2021), https://www.ftc.gov/system/files/documents/reports/order-file-special-report-physician-6b-order/model_order_to_file_special_report.pdf.

⁴ FTC: 6(b) Orders to File Special Report on the Competitive Impact of Supply Chain Disruptions in Consumer Goods (Nov. 2021), <https://www.ftc.gov/reports/6b-orders-file-special-report-competitive-impact-supply-chain-disruptions-consumer-goods>.

⁵ Trade Regulation Rule on Commercial Surveillance and Data Security, 87 FR 51273 (Aug. 22, 2022)

⁶ Unfair and Deceptive Fees Trade Regulation Rule, 16 CFR Part 464, https://www.ftc.gov/system/files/ftc_gov/pdf/R207011UnfairDeceptiveFeesANPR.pdf.

⁷ Christine S. Wilson, Governing is Hard: Antitrust Enforcement in the First Year of the Biden Administration (Jan. 26, 2022), https://www.ftc.gov/system/files/documents/public_statements/1600479/governing_is_hard_antitrust_enforcement_in_the_first_year_of_the_biden_administration_0.pdf.