



UNITED OF C... my heartfelt thanks to the... that consumers should not have to sign up for yet another service that comes with privacy and security

as subscription monitoring services require sharing financial account and other sensitive information...
effectively manage their subscriptions) <https://www.regulations.gov/comment/FTC/Cmt.of>
Consumer Action, Consumer Federation of America, Demand Progress Education Fund, National A

³ See Fed. Trade Comm'n, Negative Option Rule, Final Rule Statement of Basis and Purpose (Oct. 16, 2024) (draft as submitted to the Office of the Federal Register), at 138–44.

under the FTC Act to issue rules under section 18 has limits; sometimes, as here, those limits prevent us from codifying in a rule practices that we might, as a matter of policy, prefer to require explicitly.

Congress and state legislatures, by contrast, have plenary authority to require such a reminder. This spring, for example, in a show of bipartisanship, Virginia Governor Glenn Youngkin signed into law legislation sponsored by Delegate Michelle Lopes Maldonado, H.B. 744, which requires that subscriptions that renew annually provide to the consumer a notice of the upcoming renewal and the opportunity to cancel via between 30 and 60 days before the consumer is charged for the renewal.⁴ The comment record compiled in this rulemaking proceeding strongly supports the wisdom of federal and state legislators' carefully considering adopting such a law, and the Final Rule's omission of such a provision should be understood only as a reflection of the Commission's cautious approach to its jurisdictional limits and not as related to the merits of a policy that requires annual reminders for subscription services.

⁴ See 2024 Va. Acts, H. 744, Apr. 4, 2024 (to be codified at § 59.1-207.46(E)), <https://legacylis.virginia.gov/cgi-bin/legp604.exe?241+ful+CHAP0452+pdf>.