

PREPARED STATEMENT OF THE FEDERAL TRADE COMMISSION
Hearing on Compliance with Committee Oversight
Before the
COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON RESPONSIVENESS AND ACCOUNTABILITY TO
OVERSIGHT
UNITED STATES HOUSE OF REPRESENTATIVES

WASHINGTON, D.C.

March 29, 2023

Chairman Cline, Ranking Member Swalwell, and distinguished Members of the Committee, I am Jeanne Bumpus, Director of the Office of Congressional Relations, of the Federal Trade Commission (“Commission” or “FTC”).¹ Thank you for the opportunity to address the FTC’s responses to requests from the Committee on the Judiciary (“Committee”) since the beginning of the 118th Congress.

The FTC is the only federal agency with the broad mission of both protecting consumers and maintaining competition in most sectors of the economy. Its jurisdiction includes privacy and data security, consumer fraud, and anticompetitive mergers and conduct in the pharmaceutical, defense, technology, hospital, retail food, and other sectors that affect every American every day. The FTC’s 1200 public servants work tirelessly every day to meet this broad and critical mission.

The FTC shares your view that congressional oversight is vital to a well-functioning democracy, and we appreciate that. We are committed to cooperating with the Committee’s efforts to seek information, consistent with our obligation to protect the agency’s ongoing initiatives and law enforcement efforts. The FTC appreciates that oversight is a critical aspect of the legislative process and can both inform whether additional legislation is necessary, as well as shed valuable light on the FTC’s operations.

Providing information to Congress is a fundamental and regular part of what we do each day. The FTC works with Members and Committees to provide them with expert, thoughtful, and timely information, irrespective of party or position. The FTC devotes significant time and resources to supporting Congress’s needs for information, working with Bureaus and Offices

¹ This written statement presents the view of the Federal Trade Commission. The oral statement and responses to questions reflect my own views and do not necessarily reflect the views of the Commission or any Commissioner.

across the agency to respond to requests. Commission officials and subject matter experts are in constant communication with Members and congressional staff to provide technical assistance on proposed legislation; respond to numerous Congressional letters received each year; assist with constituent services and outreach efforts aimed at helping constituents avoid fraud; and provide detailed information and briefings about our programs and operations. The Commission is eager to continue to share our work and collaborate with Congress to improve and enhance our service to the American people.

On February 14 of this year, Chairman Jordan wrote to the FTC asking a series of questions and requesting documents related to the Commission's recent issuance of a Notice of Proposed Rulemaking on Non-Compete Clauses in employment contracts, which initiated the public process for providing comment on the proposed rule and potential alternatives. After receiving the letter, the FTC immediately began working to reply. On February 28, the FTC sent a letter and an initial production of documents to the Committee. In that letter, the FTC provided answers to numerous questions and made clear that we are committed to responding to the Committee's document requests in a timely manner. A week later we provided additional documents, and to date have sent approximately 1400 pages of documents, and continue to reach out to committee staff to keep them apprised of our efforts and discuss how best to provide additional responsive materials. In addition, we received a request from the Committee on March 10, 2023, for documents connected to Mr. Musk's purchase of Twitter and any FTC investigation of the company. As we did before, we reached out to Committee staff to begin discussions about this request, and we provided a letter on March 27. On March 13, the FTC received a letter asking that we testify today about the agency's responsiveness to the Committee's requests.

In conclusion, I emphasize again that the FTC recognizes that congressional oversight is an important part of our system of government. The Commission remains committed to working with Congress in good faith, consistent with longstanding Commission policy. We look forward to engaging with your staff to continue to produce responsive materials to meet the Committee's oversight requests while ensuring the FTC can continue to protect the independence, integrity, and effectiveness of the Commission's law enforcement efforts and core agency processes. The FTC stands ready to continue its longstanding efforts to work with Congress, and I am happy to answer any questions you may have.