



May 12, 2025

Via [WWW.REGULATIONS.GOV](http://WWW.REGULATIONS.GOV)

Russell T. Vought  
Director  
Office of Management and Budget  
725 17th Street NW,  
Washington, DC 20503

**RE: Request for Information: Deregulation**

Dear Mr. Vought:

Today the U.S. Chamber of Commerce submitted a comment in response to the Office of Management and Budget's "Request for Information: Deregulation." That comment suggested several policy priorities that the administration could deploy to reduce regulatory burden across the government as a whole.

I write to supplement that submission with details about a single agency: the Federal Trade Commission (FTC). Though President Trump has issued numerous and clear directives that agency heads help reduce "the overbearing and burdensome administrative state," the FTC has not yet announced publicly that it will rescind, or abandon, or pause *any* of its Biden-era rulemaking initiatives. To be sure, the FTC's delays are understandable given the very recent confirmation of Commissioner Meador and other personnel moves, but now that the FTC has three commissioners in place who have expressed their belief in free markets and limited regulation, it is time for the FTC to vigorously implement the President's deregulatory agenda.

Without such vigorous action, three holdovers from the Biden Administration (the so-called "Junk Fees Rule," the "HSR Rule," and the "Negative Option Rule") have gone or will this week go into effect, and FTC staff continue to defend judicial challenges to the two latter rules in federal court. This despite the fact that Chairman Ferguson and Commissioner Holyoak voted against two of those rules (the Junk Fees Rule and the Negative Option Rule) and stated of the HSR Rule that it "does not align exactly with [Holyoak's] preferences," and "the rule [Ferguson] would have written would be different."

To the extent that these rules (or any others that the FTC intends to carry over) qualify as “EO 14192 regulatory actions,” the agency has not yet publicized what “EO 14192 deregulatory actions” it intends to take to offset them “by the end of fiscal year accounting.” *See* Memorandum from Jeffrey B. Clark, Sr., Acting Administrator, Office of Information and Regulatory Affairs, *Guidance Implementing Section 3 of Executive Order 14192, Titled “Unleashing Prosperity Through Deregulation,”* March 26, 2025.

Fortunately, the agency has many opportunities to implement potential EO 14192 deregulatory actions. In addition to his Executive Order [Unleashing Prosperity through Deregulation](#), President Trump has issued executive orders [Ensuring Accountability for All Agencies](#), [Ensuring Lawful Governance and Implementing the President’s “Department of Government Efficiency” Deregulatory Initiative](#), and [Reducing Anti-Competitive Regulatory Barriers](#) (ironically tasking the FTC with this last initiative). Together, these executive orders call into question the need for and legality of at least eleven Biden-era rulemaking initiatives that the agency should “eliminate or propose for elimination on or before September 30, 2025.” Specifically, these rulemaking initiatives are:

Name	Status
COPPA Rule	Finalized ( <i>not rescinded or amended</i> ); effective July 1 ( <i>not extended by FTC</i> )
Junk Fees Rule	Finalized ( <i>not rescinded or amended</i> ); effective today ( <i>not extended by FTC</i> )
Negative Option Rule	Finalized ( <i>not rescinded or amended</i> )
Combatting Auto Retail Scams (CARS) Rule	Finalized; subject of lawsuit that the FTC has not withdrawn or settled
Funeral Rule modernization	Awaiting vote for NPRM; <i>not rescinded</i>
Commercial Surveillance and Data Security Rule	Awaiting vote for NPRM; <i>not rescinded</i>
Impersonator Rule	Awaiting vote for final rule; <i>not rescinded</i>
Energy Labeling Rule	Awaiting vote for final rule; <i>not rescinded</i>
Earnings Claims Rule (ANPRM)	Awaiting vote for NPRM; <i>not rescinded</i>
Earnings Claims Rule (NPRM)	Awaiting vote for final rule; <i>not rescinded</i>
Business Opportunity Rule	Awaiting vote for final rule; <i>not rescinded</i>

Moreover, the executive orders require that the FTC review and consider rescinding finalized rules – such as the Biden-era HSR Rule – that already impose undue burdens on the business community. Though the process for formal rule rescission is more

time-intensive, OIRA has also advised that “EO 14192 deregulatory action” can take the form of “guidance and interpretive/interpretative documents,” and “information requests that repeal or streamline recordkeeping, reporting, or disclosure requirements.”

The Chamber strongly supports President Trump’s efforts to streamline and modernize the regulatory review process. We believe that regulatory relief and reform are critical to fostering a business environment that encourages investment and growth. We also recognize that poorly drafted and overly burdensome regulations can stifle innovation, increase costs, and hinder economic recovery. We believe that it is essential that the regulatory process at every agency – including the FTC – is transparent, consistent, and based on sound technical foundations.

Accordingly, the Chamber commits to working with the FTC and OMB to achieve regulatory relief and reform that supports economic growth and innovation. We believe that a balanced approach to regulation, grounded in sound analysis and stakeholder engagement, will help create a more competitive and prosperous economy.

We look forward to continuing our collaboration with OMB and the FTC to promote a regulatory environment that benefits businesses, workers, and consumers alike.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Ashley Gum", with a stylized flourish extending to the right.

W. Ashley Gum  
Vice President  
Consumer Policy  
U.S. Chamber of Commerce

cc: April Tabor, Secretary, U.S. Federal Trade Commission