2020 Annual Highlights



Federal Trade Commission
April 2021

FEDERAL TRADE COMMISSION

April 2021

Rebecca Kelly Slaughter	Acting Chair
Noah Joshua Phillips	Commissioner
Rohit Chopra	Commissioner
Christine S. Wilson	Commissioner

CONTENTS

I. A Message from Acting Chair Rebecca Slaughter

II. Introduction

III. Enforcement

- A. Health Care
- B. Technology
- C. Consumer Products and Services
- D. Stopping Activities Related to Deceptive and Unfair Marketing
  - i. Report Fraud
- E. Money for Consumers
- F. Privacy
- G. Industrial and Manufactured Goods
- H. Energy

IV. Policy

- A. Research and Study
- B. Amicus & Advocacy
- C. Testimony
- D. Reports and Guidelines

V. Education

VI. International Cooperation

A message from Acting Chair Rebecca Slaughter

A year ago when the ABA gathered (virtually) for Spring Meeting, we could not have anticipated the full scope of what was to come: loss, sickness, isolation and economic devastation for so many. Like most organizations, it has been more than a year since FTC staff came together in the office, had regular childcare, or enjoyed a true respite from the cares of work and home. Despite these incredible challenges, the talented and dedicated staff of our agency never wavered in their commitment to our missions of promoting competition and protecting consumers. Their resourcefulness and tenacity over the past year is reflected in the collection of important enforcement actions, policy initiatives and outreach efforts highlighted here—I'm incredibly proud of their work and grateful for the opportunity to serve as Acting Chair during this pivotal time.

Over the course of the past year, the Commission brought a record number of merger enforcement actions. The Commission authorized staff to block or unwind seven mergers, and another eleven deals were abandoned as a result of our investigations and in the face of staff recommendations to block them. We also brought a number of critical anticompetitive conduct cases all while keeping up strong consumer protection enforcement particularly related to scams stemming from COVID-19. The Commission took quick action against a host of schemes trading on the hardships and anxiety caused by the pandemic, from bogus work-from-home scams to sham COVID treatments, to others that falsely claimed to provide access to small business relief programs or fast delivery of personal protective equipment. This critical work continues to be a top priority.

The Commission is committed to adapting our approach to cases and remedies to ensure we are addressing evolving market trends and effectuating deterrence. I want to highlight in particular just a few of our many law enforcement efforts that capture the direction the Commission is headed. Late last year, the Commission filed the groundbreaking monopolization case seeking to unwind Facebook's acquisitions of Instagram and WhatsApp to resolve our allegations that Facebook has illegally maintained its personal social networking monopoly. On the consumer protection front, the FTC announced a novel algorithmic disgorgement remedy as part of our settlement of allegations that the developer of the photo app Everalbum deceived consumers about its use of facial recognition technology. The Commission also turned its attention to the growing area of health apps, settling allegations that the developer of a period and fertility-tracking app, Flo, unlawfully shared user health information by requiring the company to notify affected users about the disclosure of their personal information and instruct any third party that received users' health information to destroy that data. Seeking structural reform, meaningful disgorgement and direct, clear notice to affected consumers demonstrate the FTC's strong capacity for an evolving and effective enforcement strategy across both missions.

The Commission also initiated multiple important policy and outreach efforts that will help us better serve the public, including those from marginalized or vulnerable communities, a few of which I want to particularly highlight. The Commission issued orders under Section 6(b) of the FTC Act to nine social media and video streaming companies to provide data on how they collect, use, and present personal information, their advertising and user engagement

practices, and how their practices affect children and teens. This year the Commission also launched an improved website, ReportFraud.ftc.gov, where consumers can easily report scams, frauds, and bad business practices. And recently, the FTC launched a new initiative, the Community Advocate Center, aimed at partnering with community legal aid organizations to expand our outreach to lower-income communities to encourage them to report fraud and provide them with advice to help recover. The Commission remains committed to constant learning and growth—through study, analysis and refinement of how we collect data and partner with advocates and experts.

A year into the pandemic, we are all feeling the hope of brighter days ahead and the resolve to address the unprecedented challenges facing our markets, our workers and our consumers. In recent days, the Commission announced a multilateral working group dedicated to building a new approach to pharmaceutical mergers and a new rulemaking group charged with strengthening existing rules and initiating new rulemakings to prohibit unfair or deceptive practices and unfair methods of competition. I am proud of the work the Commission has accomplished over the past year and inspired as I look ahead with staff and my fellow Commissioners to new opportunities to advance our mission.

Introduction

The Federal Trade Commission is a bipartisan federal agency with a unique and important mission: protect consumers and promote competition. In 2020, the FTC continued to promote competition by challenging harmful mergers and anticompetitive business conduct that harms consumers. As part of its active merger enforcement agenda, the Commission sued to block or unwind an unprecedented nine mergers and negotiated settlements to prevent harm in another 12 transactions. Ten other deals were abandoned in the face of antitrust concerns raised in FTC investigations. The Commission also continued to build on its track record of aggressive and innovative non-merger antitrust enforcement, including a complaint against defendants Martin Shkreli and Kevin Mulleady along with the companies they used to protect a 4000% price increase on a life-saving drug, as well as the groundbreaking monopolization case against Facebook for illegally maintaining its personal social networking monopoly, which seeks to unwind Facebook's acquisitions of Instagram and WhatsApp.

On the consumer protection front, the Commission was quick to take action as the pandemic unfolded. The FTC employed a multi-prong strategy to halt unscrupulous marketers from taking advantage of consumers with false and deceptive claims related to supposed treatments for COVID-19. The FTC sued multiple companies that failed to deliver on promises to quickly ship critical personal protective equipment and companies that lured consumers into income scams. The agency also sent hundreds of warning letters, made sure that deceptive claims for hundreds of products were quickly removed, sued companies that did not correct their claims, and sent out more than one hundred blog posts to educate consumers about COVID-19 scams

and remind businesses about their responsibilities regarding honest advertising. Just as consumers were struggling to adapt to rapidly-changing circumstances, millions headed to virtual platforms to stay connected — and the FTC challenged misleading claims by Zoom that gave users a false sense of security about how their information was handled. The Commission continued its work on other fronts, too, including: distributing $483 million back to consumers who lost money to frauds; bringing its first law enforcement crackdown on deceptive claims related to cannabidiol (CBD) products; bringing its first case enforcing the Better Online Ticket Sales (BOTS) Act; spearheading an initiative with federal and state partners to tackle schemes related to fake promises of financial independence; and launching a new user-friendly site where consumers can easily report scams.

Enforcement

For decades, the Commission has seen itself primarily as a law enforcement agency, promoting competition and protecting consumers through court and administrative actions. Critical to success as an enforcement agency is the ability to keep up with changing behaviors in the market — and research, study, and rulemaking are fundamental to the Commission's enforcement efforts.

Health Care

The Commission promotes competition among providers of health care services and products to encourage cost containment, higher quality care, increased access, and the development of innovative new treatments. Using enforcement as its primary tool, the Commission has worked to stop anticompetitive mergers and conduct that might diminish competition in health care markets.

One key enforcement strategy is to block mergers that would allow providers to raise rates or decrease quality for vital services. For instance, the Commission challenged three hospital mergers this year. Methodist Le Bonheur Healthcare abandoned its acquisition of two Memphis-area hospitals, after the Commission charged that the transaction was likely to result in higher health care costs and lower quality service in the Memphis area. The Commission also filed suit to block Hackensack Meridian Health's proposed acquisition of Englewood Healthcare Foundation, alleging that the proposed transaction would eliminate close competition between the two hospital systems and leave insurers with few alternatives for inpatient general acute

care services in Bergen County, New Jersey. The case is pending. In September, Commission staff, working with the Pennsylvania Attorney General, presented evidence before a federal district court on charges that the proposed merger of Jefferson Health and Albert Einstein Healthcare Network would violate the antitrust laws. After the district court denied the agency's motion for a preliminary injunction, the case was dismissed.

The Commission is also attentive to labor market effects arising from mergers. For example, two providers of in-home nursing services, Aveanna Healthcare and Maxim Healthcare, abandoned their plans to merge after the Commission's investigation raised concerns about the merger's potential effects on the hiring and wages of private duty nurses in numerous locations throughout the country. Health care workers and their patients benefit from robust competition for nursing services and health care industry mergers can threaten such competition.

The Commission also continues to review carefully mergers between medical device manufacturers. At the end of 2020, the Commission required Stryker Corp. to divest its total ankle replacement and finger joint businesses to settle charges that Stryker's proposed acquisition of Wright Medical Group N.V. would harm competition in those markets. The Commission also required Össur Hf and College Park Industries, Inc. to divest College Park's myoelectric elbow business. The Commission required the divestiture after concluding that Össur would likely be the next entrant into the U.S. myoelectric elbow market and would compete directly with College Park. In April, the Commission closed its investigation of Johnson & Johnson's proposed acquisition of fibrin sealant surgical patch TachoSil from Takeda

Pharmaceuticals after the parties abandoned the deal. The Commission's investigation focused on the potential loss of competition between TachoSil and Johnson & Johnson's Evarrest — the only two fibrin sealant patches approved in the U.S. to stop bleeding during surgery.

The Commission reviews pharmaceutical mergers to preserve competition in these vital markets. For instance, recently, the Commission announced settlements in mergers involving generic drugs used to treat hypertension, epileptic seizures, bacterial conjunctivitis, and certain types of dysfunctional uterine bleeding, as well as drugs used to treat exocrine pancreatic insufficiency, moderate-to-severe Crohn's disease, and moderate-to-severe ulcerative colitis.

Also on the merger front, the Commission preserved competition for three animal health products to resolve charges that Elanco Animal Health, Inc.'s proposed $7.6 billion acquisition of Bayer Animal Health would be anticompetitive. In another matter, the Commission required divestitures to preserve competition for various specialty and emergency veterinary services.

The Commission also continues to combat anticompetitive conduct by pharmaceutical firms. In January 2020, the Commission filed a complaint against Vyera Pharmaceuticals, LLC that alleges Martin Shkreli and Kevin Mulleady orchestrated the company's scheme to purchase the life-saving drug, Daraprim, and raise its price by more than 4,000 percent. The defendants then kept the price high through anticompetitive acts that deterred and prevented other competitors from making a rival generic version. The FTC is joined by the attorneys general from seven states. The case is pending.

In 2020, the Commission continued its longstanding commitment to preventing consumer harm, tackling a breadth of false treatment claims regarding COVID-19. Protecting consumers from these claims as quickly as possible was the first priority, so the FTC pursued a rigorous warning letter program. The FTC, on its own, and with FDA, issued over 350 warning letters to marketers making prevention, cure, and treatment claims, and the vast majority of recipients took quick steps to correct problematic claims.

When warning letter recipients do not correct their problematic claims, however, the FTC can — and does — follow up with law enforcement suits. In fact, the agency charged Golden Sunrise Nutraceutical, Inc. — a warning letter recipient that did not correct its claims — with deceptively advertising a $23,000 treatment plan as a scientifically proven way to treat COVID-19. Going forward, under a new federal law, the COVID-19 Consumer Protection Act, the FTC has the authority to obtain first-time civil penalties for scams related to COVID-19. This new law provides another tool in the FTC's fight against operators engaged in such deception.

In other health-related matters, the Commission approved a Part 3 administrative complaint against Health Research Laboratories, LLC for unsubstantiated claims that their dietary supplements can treat cardiovascular and other diseases. The complaint is scheduled to be heard before an administrative law judge in July 2021.

In its first law enforcement crackdown on deceptive claims in the growing market for cannabidiol (CBD) products, the FTC sued six sellers of CBD-containing products for allegedly making a wide range of scientifically unsupported claims about their ability to treat serious health conditions like, cancer, heart disease, hypertension, and Alzheimer's disease. Under an administrative settlement, the marketer behind Whole Leaf Organics is barred from making baseless claims that his CBD-based product can treat or prevent the risk of COVID-19.

Teami, LLC, a marketer of teas and skincare products, paid $1 million to settle FTC charges that it promoted its products using deceptive health claims and endorsements by well-known social media influencers who did not adequately disclose they were being paid to do so.

Last year the FTC brought a number of cases against the marketers of health-related products, including actions against supposed cures for joint pain and inflammation, for cancer and diabetes, for ailments and physical damage related to aging, and for growing new bone to alleviate pain, as well as an action against an app that didn't keep users' health information private.

Technology

Competition in technology sectors is an important driver of innovation and growth in the economy, leading to new or better-quality products and lower prices that benefit consumers. This year more than ever, technology products and services have become central to our lives, allowing us to work and learn remotely, and to stay connected with friends and family.

Accordingly, ensuring that technology markets are competitively robust and consumers are adequately protected is more important than ever. In December, the Commission filed a federal court action against Facebook, alleging that the company is illegally maintaining its personal social networking monopoly through various anticompetitive acts, including its strategic acquisitions of up-and-coming rivals Instagram and WhatsApp and imposition of anticompetitive conditions on software developers. The case is pending.

The FTC also has a pending suit against the consummated merger of two makers of body-worn cameras used by law enforcement. The FTC filed charges in January 2020, alleging Axon's acquisition of Safariland's VieVu body-worn camera division and associated non-compete and non-solicitation agreements harmed competition. Safariland, LLC agreed to settle the charges, and rescinded the non-compete and non-solicitation provisions. After the Ninth Circuit rejected Axon's federal suit challenging the FTC's administrative proceedings, the case to unwind the acquisition itself remains pending.

In December, CoStar Group, Inc. and its chief competitor for apartment internet listing services, RentPath Holdings, Inc., abandoned their deal after the Commission challenged it as anticompetitive. CoStar operates a network of websites, including Apartments.com, ApartmentFinder.com, and ForRent.com, which are two-sided platforms that match prospective renters with available apartments. RentPath operates similar websites, including Rent.com and ApartmentGuide.com. The complaint alleged that the acquisition would significantly increase concentration in the already highly concentrated markets for internet

listing services advertising for large apartment complexes in 49 individual metropolitan areas across the U.S.

On the consumer protection front, as the pandemic took hold, millions of users flocked to video communications platforms. Zoom Video Communications, Inc. agreed to settle FTC charges that the company misrepresented the level of encryption it offered and the time it took to store meetings in Zoom's secure cloud storage in an encrypted format, and installed software on certain users' computers that circumvented a privacy and security safeguards for certain users offered by their browser. The settlement prohibits Zoom from making a wide variety of privacy- and security-related misrepresentations, requires Zoom to implement an information security program (including a security review for all new software before release and restrictions on circumventing third-party security safeguards), and independent program assessments by a qualified third party.

The FTC also took action to halt the use of technology to promote deception and fraud related to COVID-19. The Commission sent warning letters to Voice over Internet Protocol (VoIP) Coronavirus-related telemarketing calls. And, last year, the Commission also brought its first consumer protection case against a VoIP provider, Globex Telecom, Inc., which agreed to pay $1.9 million to settle charges from the FTC and the State of Ohio that they facilitated an illegal bogus credit card interest rate relief scheme. In addition, Alcazar Networks Inc. settled the FTC's charges that they facilitated tens of millions of illegal telemarketing phone calls.

In other deceptive and unfair marketing, the FTC brought its first cases enforcing the Better Online Ticket Sales (BOTS) Act. Three ticket brokers will pay $3.7 million to settle allegations they used automated software to illegally buy tens of thousands of event tickets, then resold the tickets at higher prices.

Consumer Products and Services

The Commission works to preserve competition for purchases consumers make every day. For example, this year the Commission challenged two mergers involving wet-shave razors. Procter & Gamble, maker of Gillette razors, proposed to acquire Billie, Inc., a direct-to-consumer company that began selling women's razors and body care products in November 2017. After the Commission moved to block the merger, the parties abandoned the deal. The Commission also blocked Edgewell Personal Care Company's acquisition of Harry's. The Commission's complaint alleged that the transaction threatened to eliminate the disruptive competitive force that Harry's brought to the wet shave razor industry in the past years, and to make the market more vulnerable to coordination. The parties abandoned the deal one week after the Commission issued its complaint.

In April, the Commission challenged Altria Group's acquisition of a 35% stake in e-cigarette supplier JUUL Labs, Inc. coupled with the parties' non-compete agreement. The complaint alleges that once JUUL became the market leader in 2018, Altria abandoned its own e-cigarette business, acquired the minority stake to become JUUL's largest shareholder, and committed not to develop a competing e-cigarette in violation of federal antitrust law. The case is pending.

In another matter, Eldorado Resorts, Inc. agreed to divest casino-related assets in the Bossier City-Shreveport area of Louisiana and the South Lake Tahoe area of Nevada to resolve Commission charges that Eldorado's acquisition of Caesars Entertainment Corporation would harm competition for casino services in those areas. The Commission also preserved competition for six types of wine and spirits products, requiring E. & J. Gallo Winery to divest several products and remove others from its asset purchase agreement with Constellation Brands, Inc. to settle charges that their proposed deal would harm competition in the U.S. for entry-level on-premise sparkling wine, low-priced sparkling wine, low-priced brandy, low-priced port, low-priced sherry, and high color concentrates.

Earlier in the year, three rent-to-own companies agreed to abandon anticompetitive reciprocal purchase agreements to settle Commission charges that they negotiated and executed the agreements in violation of federal antitrust law. According to the complaint, these agreements swapped customer contracts from rent-to-own stores in various local markets, leading one firm to close down stores and exit a local market where the other party continued to maintain a presence. These reciprocal agreements likely led to store closures that may not have occurred otherwise, resulting in reduced competition for quality and service among the remaining stores. The settlement prohibits the three companies from enforcing non-compete clauses in effect from past reciprocal agreements.

Stopping Activities Related to Deceptive and Unfair Marketing

The FTC moved quickly to stop unscrupulous marketers seeking to take advantage of the COVID-19 pandemic. The Commission brought several cases against companies that failed to deliver on their promises to get consumers goods in high-demand as a result of the pandemic. A federal court in Ohio issued a temporary restraining order against 25 counterfeit websites that allegedly tricked consumers into paying for Clorox and Lysol products that the defendants never delivered. The Commission also brought actions against three online merchandisers and SuperGoodDeals.com, Inc., based, in part, on violations of the Mail, Internet, or Telephone Order Merchandise Rule (Mail Order Rule) and promises they would quickly ship facemasks, sanitizer, and other personal protective equipment (PPE).

The FTC took action against Traffic Jam Events, LLC to stop a scheme that allegedly deceived consumers with mailers that promised to get them federal COVID-19 stimulus benefits but was actually luring them to a used car sale.

The FTC also took action to protect workers. The FTC alleged that Amazon failed to pay Amazon Flex drivers the full amount of tips they received from Amazon customers over a two and a half year period. As part of a settlement, Amazon will pay more than $61.7 million, representing the full amount the company allegedly withheld from drivers, which will be used by the FTC to compensate drivers.

The impact of income opportunity scams has intensified as scammers take advantage of the COVID-19 pandemic and financial crisis. The Commission, along with 19 federal, state, and local partners, led Operation Income Illusion, a nationwide crackdown of more than 50 law enforcement actions against scams that target consumers with fake promises of income and financial independence that have no basis in reality.

The FTC also continued its efforts on behalf of small businesses. The FTC and the Small Business Administration (SBA) sent warning letters to eight companies that targeted small businesses seeking SBA loans as a result of the Coronavirus pandemic.

The Commission also continued its work in other areas. The FTC won a $120.2 million judgment against the primary Sanctuary Belize defendants, successfully putting an end to the largest land fraud in FTC history. Other cases included actions against the operator of a deceptive crowdfunding scheme and a rent-to-own company that paid $175 million for allegedly misleading buyers. The Commission also brought cases stopping deceptive negative option practices, including Age of Learning, Inc. (paid $10 million); Nutraclick (paid $1.04 million); and AH Media Group, LLC (paid $4.3 million). In other cases, the FTC took action against two companies (Williams-Sonoma, Inc. and Gennex Media, LLC) for making unsubstantiated Made in USA claims; a mobile banking app for false promises about interest rates and access; a company selling phone plans that ripped off the families of incarcerated love ones; an alleged pyramid scheme that lured consumers with false promises of financial independence; operators of a deceptive business coaching scheme; companies selling misleading ad listings to small

businesses, and an operation that tricked consumers by lying about being affiliated with the SBA. The FTC continues its vigorous enforcement against operations that assist companies defrauding consumers. In 2020, the FTC brought six cases involving payment processors — RevenueWire, Inc., Apex Capital Group, LLC, Qualpay, Inc., Complete Merchant Solutions, LLC (CMS), Madera Merchant Services, LLC, and First Data Merchant Services LLC — for enabling deceptive practices or scams. In four of the cases, the defendants were banned from payment processing, either completely or for certain types of businesses.

The FTC, with more than 50 federal and state law enforcement partners, brought **Operation Corrupt Collector,** a nationwide law enforcement and outreach initiative to protect consumers from deceptive and abusive debt collection practices. In one case, the FTC alleged Critical Resolution Mediation LLC threatened consumers with arrest and imprisonment and tried to collect debts that consumers did not actually owe. A federal court shut down the operation. Other debt collection cases were against a sprawling fundraising operation that solicited for sham charities (the FTC alleged defendants kept for themselves 90% of the money raised) and against a seller of get rich quick "training programs" (that allegedly promised buyers they'd make significant income but, in reality, had data showing most buyers of the training made little to no money.)

The FTC also brought actions against companies that hurt people looking for housing, looking to borrow money, reduce their credit card rates, pay down their debt, or fix their credit. The FTC charged pay day lender Lead Express, Inc. (Harvest Moon Financial) with deceptively

overcharging consumers millions of dollars and withdrawing money repeatedly from consumers' bank accounts without their permission. A federal court has entered a temporary restraining order halting the operation and freezing the defendants' assets. Credit repair company BoostMyScore LLC agreed to settle FTC charges they misled consumers with promises to improve credit scores and increase access to lower mortgage rates. Grand Teton Professionals LLC are banned from the credit repair business to settle the FTC's charges that they falsely promised to remove all negative items and "hard" credit inquiries from consumers' credit reports. And AppFolio, Inc., a provider of background reports to property management companies, paid $4.25 million to settle the FTC's charges the firm didn't follow reasonable procedures to ensure the accuracy of its reports about potential tenants.

This year, the FTC also brought actions against several companies that falsely promised struggling student loan borrowers that — in return for paying an illegal upfront fee — the defendants could lower or eliminate their debt. SLAC, Inc., CD Capital Investments, LLC, Elegant Solutions, Inc. (Mission Hills Federal), and American Financial Benefits Center were banned from the debt relief business, and courts entered combined judgments of nearly $40 million against CD Capital Investments and Elegant Solutions.

Report Fraud

This year the FTC launched a new streamlined and user-friendly website, ReportFraud.ftc.gov, where consumers can easily report scams, frauds, and bad business practices. The FTC has long encouraged consumers to report these issues to the agency when they encounter them —

whether or not they lost money to the fraud. Recently, the FTC also launched a new initiative, the Community Advocate Center, aimed at partnering with community legal aid organizations to expand our outreach to lower-income communities to encourage them to report fraud and provide them with advice to help recover.

Money for Consumers

A critical aspect of the FTC's mission is returning money to consumers harmed by illegal business practices. In 2020, 1.66 million consumers received $106.8 million in redress directly from the FTC. An additional $376.9 million went to consumers in redress administered by others.

In the Western Union case, approximately $147 million was sent to 33,000 consumers in the second distribution of refunds. Western Union was aware that fraudsters around the world used the company's money transfer system to bilk consumers, and that some Western Union agents were complicit in the frauds.

The FTC sent more than 541,000 refund checks — totaling more than $34 million — to consumers who allegedly were tricked by Office Depot, Inc. and a software provider into buying computer repair products and services. In the Jeremy Lee Marcus, et al. case, the FTC sent more than $16 million to more than 27,000 people who lost money to a debt relief scam.

In the I Works, Inc., et al. matter, the FTC sent full refunds — totaling more than $12 million — to more than 147,000 people who lost money to I Works' deceptive "trial" memberships and bogus government-grant and money-making schemes.

Privacy

In 2020, the Commission continued its initiatives to protect the privacy of consumers. Recently, the FTC began to seek more comprehensive remedies against technology companies that failed to live up to consumer privacy promises. The FTC settled allegations that the developer of the photo app Everalbum deceived consumers about its use of facial recognition technology and its retention of user photos and videos by requiring the deletion of models and algorithms developed from user data. The Commission also turned its attention to the growing area of health apps, settling allegations that the developer of a period and fertility-tracking app, Flo, shared user health information with outside data analytics providers after promising that such information would be kept private. As part of the settlement, Flo must notify affected users about the disclosure of their personal information and instruct any third party that received users' health information to destroy that data.

The FTC continued its actions protecting children's online privacy through enforcement of the Children's Online Privacy Protection Act Rule (COPPA Rule). App developer HyperBeard, Inc. agreed to pay $150,000 and to delete personal information it illegally collected from children under 13. Miniclip, S.A., a digital game maker, settled the FTC's allegations that it misled

consumers into thinking it was a current member of the Children's Advertising Review Unit's (CARU) COPPA safe harbor program.

The Department of Justice (DOJ), on behalf of the FTC, sued MyLife.com, Inc., alleging that the company deceived consumers with "teaser background reports" that often falsely claimed to include information about arrest, criminal, and sex offender records.

Two recent cases required the defendants to put in place comprehensive data security programs to settle the FTC's allegations: Ascension Data & Analytics, LLC (which failed to ensure that its vendor was adequately securing personal data, leaving the sensitive information of more than 60,000 consumers exposed on the internet for a year); and SkyMed International, Inc. (which left unsecured a cloud database of approximately 130,000 membership records so they were in plain text and easily accessible.)

The agency entered a modified administrative order against Facebook, formally adding approved amendments to its 2012 privacy order to include provisions that were incorporated into the FTC's 2019 settlement with the company.

The FTC also brought charges against eight companies that allegedly misrepresented their participation in the EU-U.S. Privacy Shield framework (Privacy Shield), which enables companies to transfer consumer data legally from EU countries to the U.S. The orders settling the FTC's charges were released in January, March, July, and October.

Industrial and Manufactured Goods

The Commission works to maintain competitive markets for industrial and manufactured goods. For instance, the FTC successfully blocked the formation of a joint venture to combine the coal mining operations of Peabody Energy Corp. and Arch Coal in Wyoming's Southern Powder River Basin. After a nine-day evidentiary hearing, the district court found that the proposed joint venture was likely to increase Peabody and Arch Coal's incentive and ability to increase prices and reduce output. The parties abandoned the transaction shortly after the court's ruling. In another matter, the Commission required the divestiture of three polyurethane foam-pouring plants to resolve charges that FXI Holdings, Inc.'s acquisition of Innocor was likely to harm competition for low-density conventional polyurethane foam used in home furnishings in three regional markets: the Pacific Northwest (Oregon and Washington); the Midwest states of Indiana, Michigan, and Ohio; and Mississippi.

Energy

Promoting competitive energy markets is another Commission priority. To resolve concerns that Arko Holdings Ltd.'s acquisition of Empire Petroleum Partners would reduce competition for both retail gasoline and retail diesel fuel, the Commission required divestitures of retail fuel assets in local markets across four states: Indiana, Maryland, Michigan, and Texas. The Commission also required divestitures to settle charges that Tri Star Energy, LLC's proposed acquisition of assets from Hollingsworth Oil Company, Inc. likely would harm competition in two local Tennessee markets for retail gasoline and retail diesel fuel. In another matter, retail

fuel station and convenience store operator Alimentation Couche-Tard Inc. and its former affiliate, CrossAmerica Partners LP, agreed to pay a $3.5 million civil penalty to settle allegations that they failed to divest 10 retail fuel stations in Minnesota and Wisconsin as required by a Commission order.

Policy

Research and Study

The Commission issued orders under Section 6(b) of the FTC Act to nine social media and video streaming companies: Amazon.com, Inc., ByteDance Ltd., which operates the short video service TikTok, Discord Inc., Facebook, Inc., Reddit, Inc., Snap Inc., Twitter, Inc., WhatsApp Inc., and YouTube LLC. The orders require the recipients to provide data on how they collect, use, and present personal information, their advertising and user engagement practices, and how their practices affect children and teens. The Commission also continued work on its Section 6(b) orders issued last year to five large technology firms, Alphabet Inc. (including Google), Amazon.com, Inc., Apple Inc., Facebook, Inc., and Microsoft Corp requiring them to provide information about prior acquisitions not reported to the antitrust agencies under the Hart-Scott-Rodino (HSR) Act.

In the fall of 2020, the Bureau of Economics hosted its Thirteenth Annual Microeconomics Conference. The two-day workshop brought together scholars working in areas related to the FTC's antitrust, consumer protection, and public policy missions. The agency also hosted a workshop to examine the potential benefits and challenges to consumers and competition raised by data portability. An FTC workshop on non-compete agreements in the workplace also examined antitrust and consumer protection issues. The FTC held a joint workshop with the FDA on the competitive marketplace for biosimilars. The FTC also held a hearing hosted with DOJ to discuss proposed Vertical Merger Guidelines.

On the consumer protection front, the FTC hosted four workshops about: privacy; the Franchise Rule; the Safeguards Rule; and voice cloning technologies.

Amicus & Advocacy

The Commission authorized staff to submit two amicus briefs in 2020 in which the agency believed that its experience and expertise would be useful to the court. In the Seventh Circuit, the FTC brief in *UFCW Local 1500 Welfare Fund, et al. v. AbbVie Inc., et al.*, addressed two legal errors committed by the district court in applying *FTC v. Actavis, Inc*., 570 U.S. 136 (2013). First, the court seemingly ruled that because the settlements merely allowed "early" competition before AbbVie's patents expired, they did not contain "Actavis-like" reverse payments and were procompetitive as a matter of law. Second, the court erred to the extent it based dismissal on the public policy favoring settlement. In a joint brief with the Consumer Financial Protection Bureau before the Second Circuit, the Commission urged a reversal in *TeWinkle v. Capital One, N.A.* The brief argued that the term "applicant" as used in the Equal Credit Opportunity Act (ECOA), 15 U.S.C. § 1691(a)(1), is best read to refer to existing holders of credit as well as persons who have sought but not yet been granted credit.

Providing policymakers with a framework to analyze competition issues is an important component of the FTC's mission to promote competition for the benefit of consumers. In response to select requests, the FTC advises local, state, and federal entities on the potential competitive implications of pending governmental actions that may have a major impact on consumers.

The FTC responded to the Centers for Medicare and Medicaid Services' (CMS) request for comments on its Interim Final Rule with Comment Period (IFC). The comment supports the IFC's provisions that reduce or eliminate restrictive Medicare payment requirements for telehealth and other communication technology-based services during the COVID-19 public health emergency. Staff also wrote to DHS and the Office of the National Coordinator for Health Information Technology to comment on the 21st Century Cures Act: Interoperability, Information Blocking, and the ONC Health IT Certification Program Proposed Rule.

Finally, FTC staff, together with the staff of the Antitrust Division of the DOJ, submitted a comment to California raising concerns that California Assembly Bill 1541 would harm competition along the chain of beer distribution in California, to the detriment of California's consumers.

The Commission continued to oppose the issuance of certificates of public advantage (COPAs), which immunize mergers from antitrust scrutiny. One such advocacy was filed in Texas, relating to the Hendrick Health System and Shannon Health System. Staff also filed comments recommending states allow Advanced Practice Registered Nurses and Certified Registered Nurse Anesthetists to work within the scope of their practice. The advocacies were sent to Ohio, Kansas, and Texas.

Testimony

The Chairman and FTC staff testified twice to the U.S. Congress in 2020:

Oversight of the FTC (Chairman Joseph Simons, August 5, 2020), before the *Senate Committee on Commerce, Science, and Transportation* (Statement of Commissioner Rebecca Kelly Slaughter; Statement of Commissioner Noah Joshua Phillips; Statement of Commissioner Rohit Chopra; Statement of Commissioner Christine Wilson); and Consumer Protection Issues Arising from the Coronavirus Pandemic (Andrew Smith, July 21, 2020), before the *Senate Committee on Commerce, Science, and Transportation, Subcommittee on Manufacturing, Trade, and Consumer Protection.*

Reports and Guidelines

During 2020, the FTC published reports and issued working papers addressing competition issues. The FTC and the DOJ Antitrust Division issued new Vertical Merger Guidelines that outline how the federal antitrust agencies have evaluated the likely competitive impact of vertical mergers and whether those mergers comply with U.S. antitrust law. These new Vertical Merger Guidelines mark the first time the FTC and the DOJ have issued joint guidelines on vertical mergers.

As the spread of COVID-19 took hold of the country, the FTC's Bureau of Competition and the DOJ's Antitrust Division jointly announced that they would seek to protect workers on the front lines of the pandemic — including doctors, nurses, first responders, and those who work in grocery stores, pharmacies, and warehouses, among other essential service providers — by using various antitrust laws against those who seek to exploit the current circumstances to engage in anticompetitive conduct in the labor market.

In February 2020, the FTC joined the FDA to release a joint statement promoting competition in biologics markets. The statement listed the joint goals of the two agencies to support appropriate adoption of biosimilars, deter false or misleading statements about biosimilars, and deter anticompetitive behaviors in the industry.

Concerning consumer protection, the Commission filed reports to Congress about: social media bots and deceptive advertising; retailers' shipping policies; protecting older adults; and two reports outlining the agency's work related to consumer privacy. The Commission also issued the Consumer Sentinel Network Data Book 2020 and the National Do Not Call Registry Data Book for Fiscal Year 2020.

The agency put out reports about the staff's study of auto buying practices and about Made in USA claims. Staff also released perspectives papers about: online ticket sales; video game loot boxes; and small business financing.

The Commission released six Data Spotlights drawing on reports submitted from consumers across the country. In 2020, spotlights discussed report data related to: income opportunity schemes; the use of gift cards in scams; fake check scams; scams that begin on social media; online shopping; and the military and identity theft.

Education

The Commission's consumer and business education program is a critical part of the agency's consumer protection mission. The program produces and distributes actionable, practical, plain-language guidance on dozens of issues and reaches tens of millions of people each year through the FTC's website, the media, and partner organizations. In 2020, the Consumer Center blog published 470 consumer blog posts (243 in English, 227 in Spanish) sent to more than 367,000 subscribers: more than 312,000 in English and 55,000 in Spanish. The FTC's blog posts from 2020 (in English) logged more than 7.9 million views. Last year, the FTC's consumer and business education videos (in English & Spanish) were viewed two million times on the Consumer Center, Business Center, and the FTC's YouTube channel.

As early as the beginning of February 2020, the FTC began educating consumers about scams related to the COVID-19 pandemic and since that time, developed a multimedia campaign with a dedicated website. This FTC's Coronavirus webpage contains a library of more than 100 consumer and business posts and scam alerts on topics ranging from stimulus payments and health claims to charity fraud, government imposter scams, as well as misinformation and rumors. Of the posts penned last year, the most popular post was Checks from the government (published March 2020). The post, which logged 1,605,395 views, reminded people that the government would not ask them to pay or share sensitive information to get a stimulus payment. The webpage also includes free one-page infographics that other organizations can share with consumers. FTC staff regularly updates the page, linking to related consumer and

business alerts, law enforcement actions, consumer report data, and other details about the FTC's efforts to educate consumers and combat scams related to COVID-19.

In response to the pandemic, FTC staff also has conducted national and local outreach with partners to reach a variety of audiences, including older consumers, ethnic media, housing organizations, re-entry groups, library patrons, and the military community by using webinars, tele-town halls, Twitter chats, Facebook Live events, as well as interviews with local and national media. During the pandemic, FTC staff have participated in hundreds of virtual webinars, presentations, and interviews — in English, Spanish, and Mandarin.

In its other work, the FTC expanded its Stop Gift Card Scams campaign to give retailers, industry associations, and state and local law enforcement agencies a new toolkit to help them protect people against gift card scams. The toolkit includes materials to alert customers buying gift cards about possible fraud: a carousel or display rack sign, an infographic card for **c**ashiers, a bookmark for customers to take away, and a sticker for retail windows or a checkout counter. These resources are available in English or Spanish. Anyone can download, print, and hand them out. People also can share tips about avoiding these scams in messages sent directly to customers or by posting the tips on social media.

The FTC created resources in English and Spanish to alert people to the importance of emergency preparedness, particularly during the pandemic. The FTC developed and promoted free resources as the Atlantic hurricane season got underway, including: a mobile-friendly site,

ftc.gov/weatheremergencies; a new blog post, Hurricane Season 2020 and COVID-19 with helpful tips on how to prepare during a pandemic; a new infographic to share on social media; and a one-page handout, Picking Up The Pieces After a Disaster, with space for local groups to customize. The handout has tips on avoiding common post-disaster scams, protecting personal information, and getting back on your feet financially. Partners can customize the piece with local consumer protection and emergency service contacts, print or email the customized copies, and distribute them throughout their communities.

In 2020, the FTC also continued collaborating with its robust network of outreach partners through promotions that included National Consumer Protection Week, Tax Identity Theft Week, Financial Literacy Month, Military Consumer Month, and National Small Business Week.

The Commission also keeps businesses up-to-date on their rights and responsibilities. In 2020, the FTC's Business Center blog — with 101,471 subscribers — featured 144 blog posts for businesspeople and attorneys. During the same period, the public ordered more than 309,000 copies of 17 business publications (in English and Spanish).

The FTC's Business Center blog published information warning businesses about COVID-related frauds even before the ramifications of the pandemic were widely recognized, including posts about Coronavirus scams targeting business, how to avoid scammers when applying for Coronavirus-related SBA loans, the first FTC case alleging a phony SBA connection, and posts announcing each new round of warning letters to further encourage compliance with the law.

The FTC and its regional partners in Cleveland, Ohio, also hosted a virtual workshop to discuss advertising and data security basics for small businesses. The *Green Lights & Red Flags: FTC Rules of the Road for Business* workshop brought together Ohio business owners and marketing executives with national and state legal experts to provide practical insights to business and legal professionals about how established consumer protection principles apply in today's fast-paced marketplace.

International Cooperation

International Law Enforcement

The FTC cooperates on investigations and enforcement with competition, consumer protection, and privacy agencies around the world to halt deceptive, unfair, and anticompetitive business practices that affect U.S. consumers.

Competition

The FTC cooperated on 32 merger and anticompetitive conduct cases of mutual concern with international counterpart agencies in calendar year 2020. This included cooperating on the highest annual number of conduct investigations since it began tracking this activity. FTC staff engaged in substantive case cooperation with staff of the competition agencies of Australia, Brazil, Canada, China, the European Union (EU), Germany, Israel, Japan, Mexico, New Zealand, Singapore, South Africa, and the U.K.

The FTC's case cooperation facilitated consistent approaches and outcomes with other investigating authorities across a range of sectors, including in the digital economy and pharmaceutical and medical device industries. With regard to the latter, the FTC worked with agencies in the EU, Australia, New Zealand, and Canada on the Pfizer (Upjohn) Mylan merger, regularly holding multilateral calls as the investigation and subsequent remedy discussions progressed. The FTC also cooperated with Canada, the EU, Mexico, and South Africa during its review of the AbbVie/Allergan merger, working closely with the staff of the EC to analyze proposed remedies.

The Commission also continued to improve its enforcement cooperation tools. In September 2020, the FTC entered into the Multilateral Mutual Assistance and Cooperation Framework (MMAC) to promote enhanced case cooperation among the U.S. antitrust agencies and the competition agencies of Australia, Canada, New Zealand, and the U.K. The MMAC provides the basis for additional agreements that would permit sharing confidential information and investigative assistance between the parties.

To further promote collaboration on cross-border competition cases, the FTC also exchanges experience and enforcement techniques with its counterpart agencies through bilateral engagement, technical assistance, and participation in multilateral fora. In November 2020**,** for example, senior merger case handlers from the antitrust agencies of the U.S., Canada, and Mexico convened virtually to address merger investigative process and techniques, maintaining their annual roundtable that facilitates effective regional cooperation.

Through the FTC's technical assistance program, staff provided in-person competition law enforcement training to case teams in Bahrain, India, Indonesia, and Peru, as well as a regional program for ASEAN countries. We placed resident advisors in the Antimonopoly Committee of Ukraine, where we also engaged in competition advocacy to and education of ministries and the judiciary. Following pandemic-related travel restrictions, the FTC continued its technical assistance program by conducting virtual training for competition agency staff from Mexico, Nigeria, Peru, and Ukraine, and regional programs for agencies in Africa, the Caribbean, and Eastern Europe.

Consumer Protection and Privacy Law

In the consumer protection area, the FTC engaged in enforcement-related mutual assistance with foreign agencies or multilateral organizations in 41 consumer protection and privacy matters. Foreign authorities assisted the FTC by sharing consumer complaints, obtaining corporate records, and providing other investigative information.

A key tool for the FTC to combat cross-border fraud and other misconduct that harms American consumers is the SAFE WEB Act. The Act confirms the FTC's statutory authority to sue foreign wrongdoers for conduct with a nexus to the U.S. and supports information sharing and investigative assistance with the agency's foreign counterparts. These efforts are even more critical in the current COVID-19 environment. First passed in 2006, and renewed in 2012, the Act was scheduled to sunset in 2020. Throughout the past year, the FTC worked with members

of Congress to obtain its reauthorization. On September 24, 2020, Congress reauthorized the SAFE WEB Act, and the legislation was signed into law on October 20.

The Commission has continued to rely on the SAFE WEB Act's provisions, which allow the FTC to reach foreign conduct that has a "reasonably foreseeable" effect on U.S. consumers or that involves "material conduct" in the U.S., as the basis for challenging harmful practices by foreign defendants. For example, the FTC sued On Point Global, LLC, a sprawling international scheme that used a network of companies, many located abroad, to operate hundreds of websites that falsely promised consumers quick and easy access to government services, such as driver's license renewals. The scheme induced consumers to give out their credit card information, personal data, or both. The FTC also reached settlements with a Canadian-based payment processing company, RevenueWire, and its chief executive. The defendants paid $6.75 million to settle charges that they laundered credit card payments for scammers, including for two tech support scams that the FTC had previously sued.

The FTC used the SAFE WEB Act's investigative assistance and information-sharing provisions to work with foreign authorities in a wide range of actions, including matters relating to COVID-19. This year, for example, the FTC used its SAFE WEB authority to share information with foreign law enforcement agencies about companies based in their jurisdictions that have been facilitating robocalls for COVID-19-related government imposter scams. The FTC referred to foreign counterparts its warning letters to foreign companies that made unsubstantiated claims that their products and therapies could treat, prevent, or cure COVID-19. In response, some

foreign agencies issued their own cease-and-desist letters or took other actions against companies in their jurisdictions. To date, most of the foreign entities that received warning letters have complied with the FTC's request to cease making all such claims for products that they promote or make available in the U.S. The FTC also pursued additional enforcement cooperation with foreign counterparts on COVID-19 matters, including by leading the International Consumer Protection and Enforcement Network (ICPEN) joint sweep on COVID-19 scams together with Colombia's Superintendency of Industry and Commerce (SIC).

Along with joint work on COVID-19, the FTC continued work on joint projects with foreign counterparts through multilateral organizations including ICPEN, the Global Privacy Enforcement Network (GPEN), the Unsolicited Communications Working Group (UCENet), and the International Mass Marketing Fraud Working Group (recently renamed the Global Anti-Fraud Enforcement Network (GAEN). Members of GAEN, which includes both civil and criminal agencies, pursued coordinated actions against tech support scams that resulted in arrests, civil injunctions, and coordination with Indian law enforcement on India-based call center fraud. The FTC entered into an updated memorandum of understanding this year with Nigeria's Federal Competition and Consumer Protection Commission, and Nigeria's Economic and Financial Crimes Commission, to cooperate on consumer fraud investigations and enforcement.

The FTC also expanded its online tools for sharing data about international scams, launching two new interactive dashboards that provide details about international complaints submitted to Consumer Sentinel and to econsumer.gov, a site created by ICPEN members to gather and

share consumer complaints about international scams. With Brazil's National Secretary of Consumer Protection (SENACON) and Colombia's SIC joining econsumer.gov this year, the econsumer.gov initiative now includes agencies in 41 countries. Econsumer.gov complaints help inform the FTC's enforcement. For example, the agency received hundreds of complaints from consumers located in Canada and more than fifty other countries, in addition to thousands from U.S. consumers, against online retailer Fashion Nova for its ecommerce practices. The company agreed to pay $9.3 million to settle the FTC's allegations that it failed to notify customers about shipping delays and offer them the right to cancel with a full refund.

International Policy Initiatives

The FTC promotes sound approaches to competition, consumer protection, and privacy issues by building relationships with counterpart agencies around the world.

Competition

On the competition front, the FTC continued to work bilaterally and in multilateral bodies such as the International Competition Network (ICN), the Organization for Economic Co-operation and Development (OECD), the UNCTAD, and the Inter-American Competition Alliance on international convergence toward sound enforcement, policy, and procedures.

FTC officials held discussions with senior officials from counterpart agencies, including from Australia, Barbados, Brazil, Canada, Chile, the EU, India, Japan, Mexico, Namibia, New Zealand, South Africa, Ukraine, and the U.K. on competition policy issues including dominance in digital

markets, competitor collaborations, consummated mergers, and competition in digital platform markets.

The FTC continued as a leader in the ICN and a highlight of the ICN year was co-chairing the first virtual ICN Annual Conference with the DOJ in October. The conference was a tremendous success, attracting over 2,500 attendees from around the world, and provided an opportunity to promote convergence and showcase the U.S. approach to competition law and policy.

As in past years, the Commission served on the ICN's Steering Group where it worked with counterpart agencies to advance best practices in competition law and policy. The FTC was a significant contributor to new ICN work on mergers and dominance in digital markets and on the competition assessment of laws and regulations. The FTC contributed to a number of key ICN projects, including a Steering Group project on the interface between competition, data privacy, and consumer protection in light of emerging digital economy issues. The Commission also led the drafting of the ICN Steering Group Statement: Competition during and after the COVID-19 Pandemic, which provides advice to competition agencies on dealing with the related challenges of the pandemic and its economic consequences.

The FTC also continued to lead the ICN's Promotion and Implementation Working Group, which promotes use of ICN work by member agencies, as well as the ICN Training on Demand Project, which continues to build a comprehensive curriculum of training materials that serves as a virtual university on competition law and practice for competition agencies. The past year also

marked the beginning of FTC's leadership of an ICN-wide self-assessment and strategic review to develop recommendations on the network's operations and goals as it enters its third decade in 2021.

In the OECD, the Commission helped lead the work of the Competition Committee, playing a key role in developing long-term projects on competition in the digital economy and market studies, and collaborating on projects addressing the application of competition laws to intellectual property rights and international cooperation. This year, the FTC served on a group tasked with developing the joint OECD/ICN Report on International Cooperation in Competition Enforcement, released in January 2021.

The FTC submitted several policy papers in advance of Competition Committee policy roundtables on issues including: the acquisition of nascent potential competitors; the role of competition policy in promoting economic recovery; and competition issues involving consumer data rights. Senior agency representatives participated in these sessions as well as in policy discussions on timely subjects such as competition policy responses to the COVID-19 crisis. The FTC also continued to work with other U.S. government agencies to address competition issues that implicate broader U.S. policy interests, such as free trade agreement negotiations with the U.K. and with Kenya.

Consumer Protection and Privacy

In the consumer protection area, the FTC continued to work this year to develop market-oriented policies that benefit U.S. consumers.

During 2020, the FTC engaged on over 75 policy matters to promote sound consumer protection and privacy policies. In particular, the FTC provided input to international policy organizations such as the OECD, UNCTAD, the OAS, APEC, and the Global Privacy Assembly, as well as regional networks including the Asia Pacific Privacy Authorities, the African Consumer Protection Dialogue, and FIAGC.

The FTC holds formal leadership roles in the OECD's consumer committee and its privacy committee, focusing the OECD's digital economy work on new and emerging issues that have direct effects on U.S. consumers. For example, the agency helped the OECD formulate its recommendations for protecting online consumers during the COVID-19 crisis. The FTC also played a leading role in the OECD's privacy and consumer protection work, championing empirical work on measuring consumer detriment and on the effects of online disclosure about personalized pricing on consumers. The FTC provided its experience on privacy and data security issues to OECD members through written comments and virtual participation in seminars and meetings on data localization, data portability, and children's online privacy and safety.

The FTC continued its decades-long work to ensure strong privacy protections for consumer data through cross-border data transfer mechanisms, such as the EU-U.S. Privacy Shield Framework (and its predecessor program, the U.S.-EU Safe Harbor Framework), the Swiss-U.S. Privacy Shield Framework, and the Asia-Pacific Economic Cooperation Cross-Border Privacy Rules System (APEC CBPRs). On July 16, 2020, the European Court of Justice (ECJ) issued a judgment declaring invalid under EU law the European Commission's decision of July 12, 2016 on the adequacy of the EU-U.S. Privacy Shield Framework. On September 8, 2020, the Swiss Federal Data Protection and Information Commissioner issued a position statement adopting the ECJ's views.

The ECJ's decision concerned national security access to personal data, not commercial consumer privacy promises enforced by the FTC. It did not affect the validity under U.S. law of the FTC's decisions and orders, which typically prohibit companies not just from misrepresenting their compliance with or participation in the Privacy Shield Framework, but also in any other privacy or data security programs sponsored by the government or any self-regulatory or standard-setting organization. Following the ECJ's decision, the FTC stated that companies should continue to comply with their ongoing obligations with respect to transfers made under the Privacy Shield Framework.

The FTC conducted several technical assistance and capacity-building sessions for developing consumer protection and privacy agencies, adapting its activities to the COVID-19 environment. Early in 2020, the FTC conducted in-person training sessions in India. Following COVID-19

shutdowns, the agency organized or participated in virtual capacity-building programs with agencies in Bahrain, Bermuda, India, Peru, Singapore, and Ukraine. The FTC also hosted, with COMESA, a virtual meeting of the African Consumer Protection Dialogue, which included more than 20 African countries, the U.S. Consumer Product Safety Commission, and the Australia Competition and Consumer Commission. Discussions focused on consumer remedies and redress, cross-border cooperation, consumer complaints, consumer education and business guidance, consumer data privacy, and product safety. These sessions informed foreign regulators and law enforcers about the FTC's approach to emerging digital consumer protection issues, as well as practical investigational skills and tools for cross-border cooperation.

International Fellows

Finally, through its International Fellows Program, the FTC welcomed foreign officials from competition and consumer protection agencies in Canada, Japan, and Zambia to work alongside FTC staff, providing the Fellows with a deeper understanding of FTC practices and approaches. Since its inception, the FTC has hosted over 130 officials from over 40 jurisdictions. The agency looks forward to resuming the program when pandemic travel bans are lifted.

Stats & Data 2020

JANUARY - DECEMBER 2020
FEDERAL TRADE COMMISSION

COMPETITION

ANTITRUST ENFORCEMENT

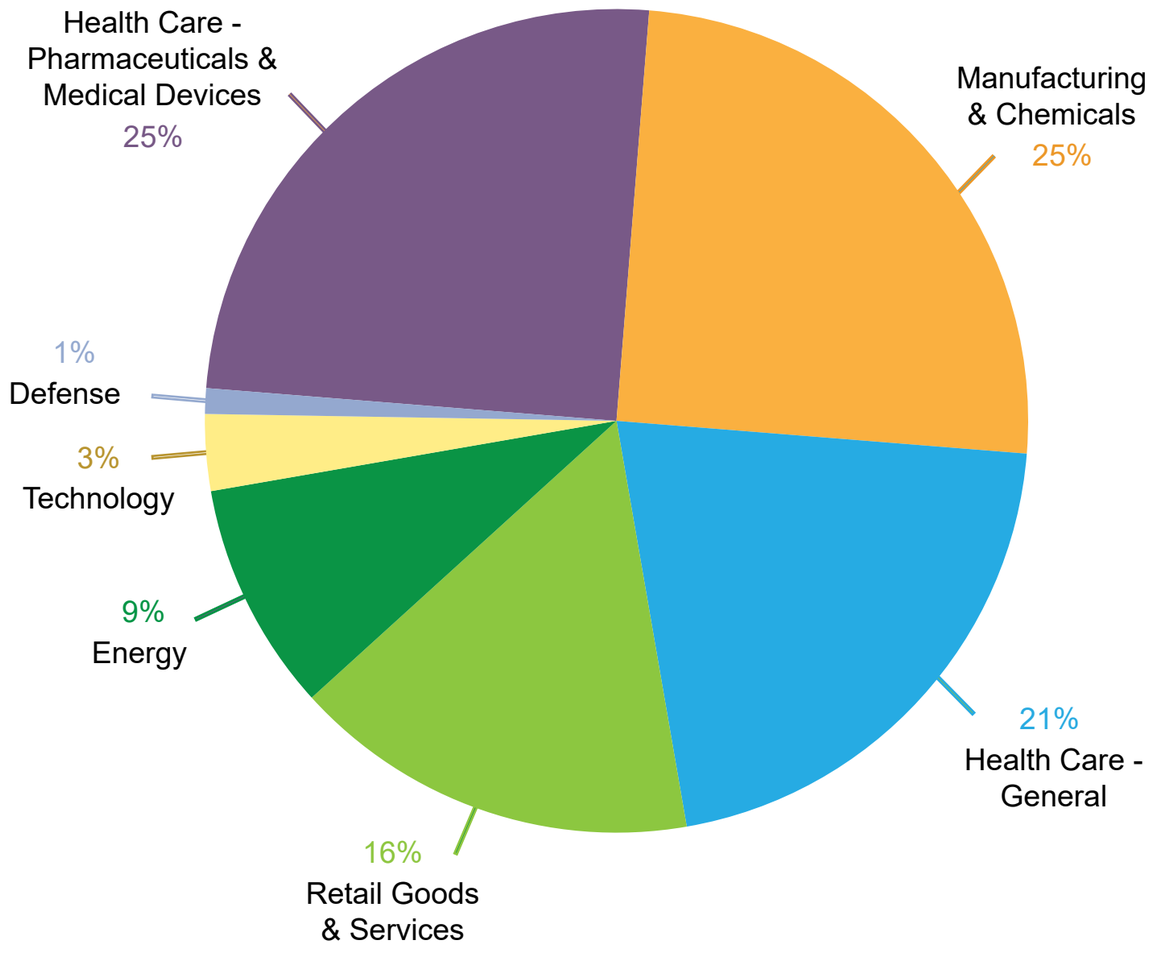
Merger Consent Orders	12
Filed Merger Cases	9
Abandoned Transactions	11
Non-Merger Actions	3
Civil Penalty Actions	1

POLICY INITIATIVES

Hearings & Workshops	4
Reports	6
Advocacy & Amicus Briefs (7 advocacy letters & 2 briefs)	9

ENFORCEMENT ACTIONS BY SECTOR

FISCAL YEARS 2016-2020



CONSUMER PROTECTION

ACTIONS FILED

Administrative	21
Federal	56
Civil Penalty	5

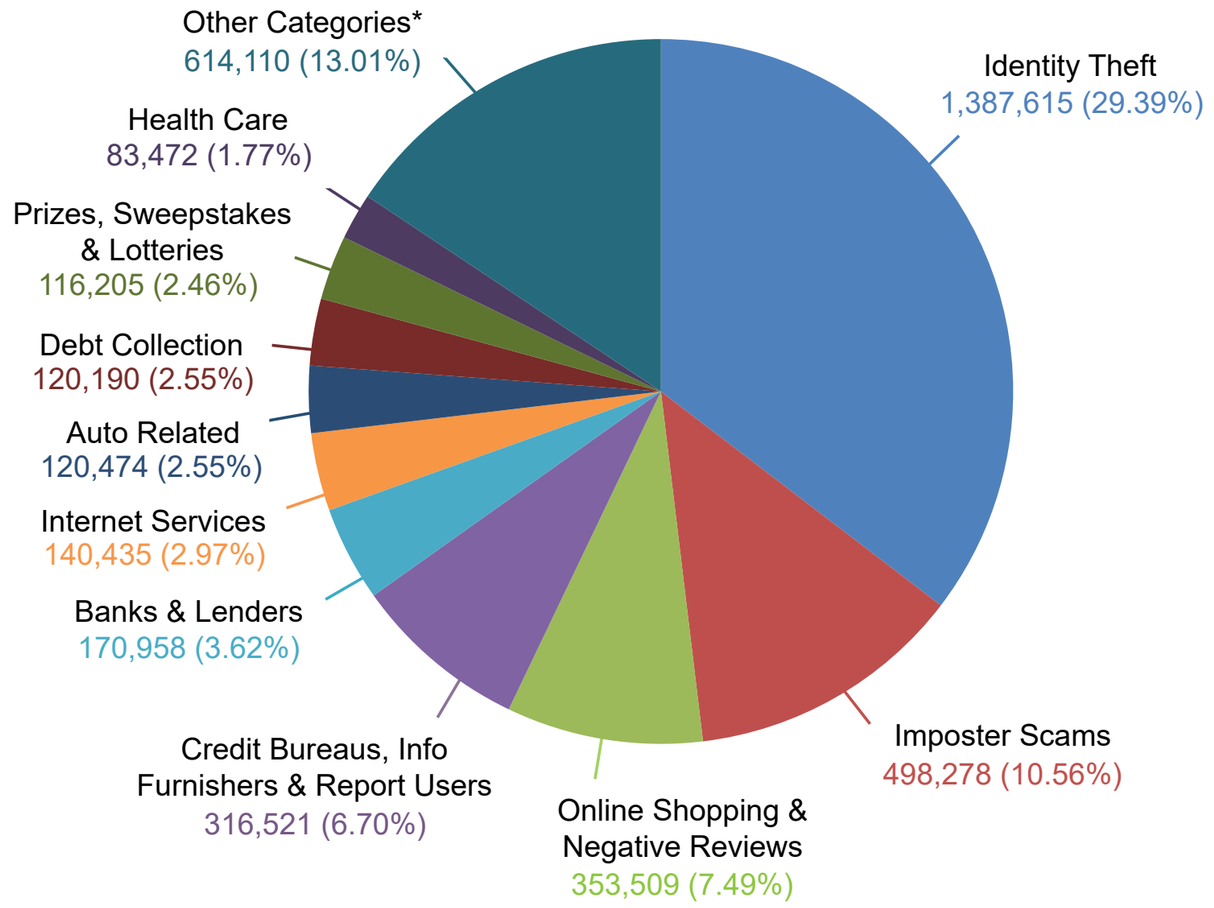
ORDERS OBTAINED

Administrative	23
Redress, Disgorgement & Permanent Injunction	66
Civil Penalty	8

POLICY INITIATIVES

Workshops, Conferences & Hearings	13
Rulemakings Completed	1
Reports	20

CONSUMER REPORTS**



4,720,743 TOTAL REPORTS*

* Does not include Do Not Call reports. “Other Categories” does not include Unspecified or Miscellaneous reports.

** Source: Consumer Sentinel Network.

MONETARY RELIEF

TOP 5 REDRESS, DISGORGEMENT AND CIVIL CONTEMPT JUDGMENTS

AmeriDebt (Andris Pukke)	$176 million
Progressive Leasing	$175 million
First Data Merchant Services	$40 million
Elegant Solutions (Mission Hills Federal)	$27.6 million
CD Capital Investments	$10.7 million

TOP 5 CIVIL PENALTY CASES

Facebook, Inc.	$5 billion
Dish Network LLC	$128 million
Kohl's	$220,000
Hyberbeard	$150,000
Mortgage Solutions FCS, Inc.	$120,000

1.66 MILLION
consumers received
$106.8 MILLION
in redress directly from the FTC

ADDITIONAL REDRESS ADMINISTERED BY OTHERS
$376.19 million

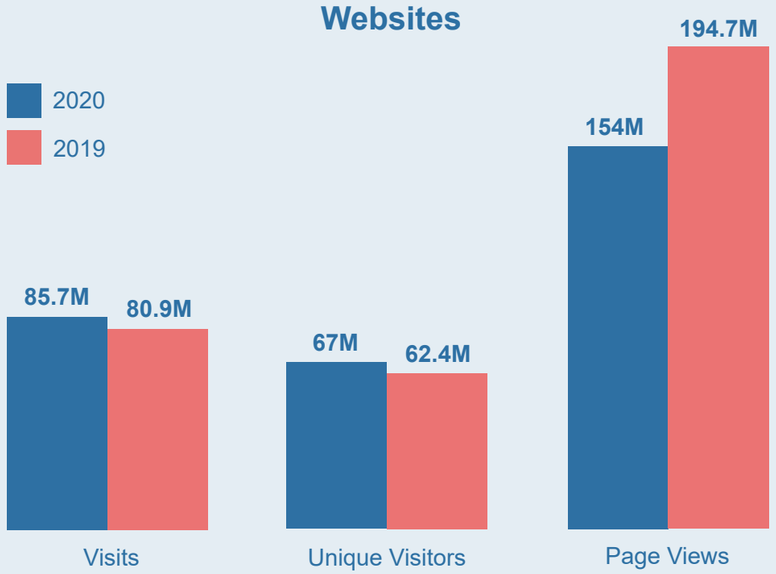
NEW REDRESS, DISGORGEMENT AND CIVIL CONTEMPT AWARDS
$507.11 million

CIVIL PENALTIES AWARDED
$5.13 billion

DIGITAL OUTREACH

M = millions
K = thousands

Websites



Most Popular Tweet

5 things you can do to avoid a #Coronavirus scam: 1. Ignore offers for vaccinations and home testing kits 2. Hang up on robocalls 3. Watch out for phishing emails and text messages 4. Research before you donate 5. Stay in the know -- Go to ftc.gov/Coronavirus for more info

Top Viewed Video on FTC Websites & Most Popular YouTube Video

Your Source for a Truly Free Credit Report? AnnualCreditReport.com

140.6K views

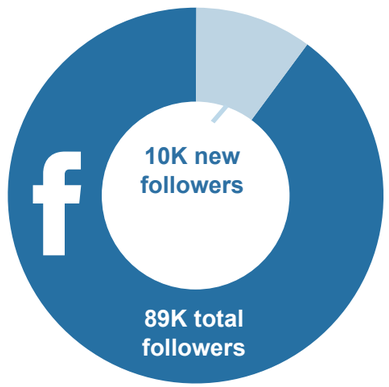
74.3K views

Views of all FTC Videos: 2 million

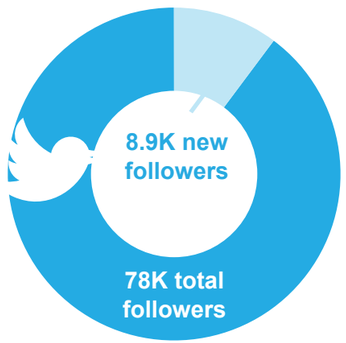
Email



Facebook



Twitter



YouTube



LinkedIn

