

May 10, 2022

The Honorable Maria Cantwell
Chairwoman, Senate Committee on
Commerce, Science, and Transportation
Hart Senate Office Building
Washington, D.C. 20510

The Honorable Roger Wicker
Ranking Member, Senate Committee on
Commerce, Science, and Transportation
Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chair Cantwell and Ranking Member Wicker,

On behalf of the undersigned organizations, we write to urge Congress to ensure that harmed consumers receive just compensation by passing the Consumer Protection Remedies Act of 2022. After the Supreme Court's decision during the pandemic, victims no longer receive monetary relief under Section 13(b) of the FTC Act.¹ Congress must fix this.

For over 40 years, consumers received meaningful relief from wrongdoers. In *AMG Capital Management*, the Court reversed course, changing the scope of the FTC's enforcement authority. Now, the agency is limited to filing injunctions in federal court to stop companies from harming consumers. But injunctions do little – if anything – to deter companies, especially tech companies, from engaging in unlawful conduct. Companies can behave unfairly or deceptively with impunity and they know it. Before the FTC files a lawsuit, companies simply stop their harmful practices. In the last year, consumers have been scammed out of millions of dollars and wrongdoers keep these ill-gotten gains.

Since the start of the COVID-19 pandemic, consumers have filed thousands of complaints and there is no sign of stopping. They deserve compensation for their injuries. Congress must restore the FTC's ability to obtain meaningful relief for consumers under Section 13(b).

For these reasons, the undersigned organizations respectfully urge that the Committee pass the Consumer Protection Remedies Act.

Sincerely,
Center for Digital Democracy
Common Sense Media
Consumer Action
Electronic Frontier Foundation
Electronic Privacy Information Center (EPIC)
Fight for the Future
Media Alliance
New America's Open Technology Institute
Public Knowledge

¹ *AMG Capital Mgmt., LLC v. Fed. Trade Comm'n*, 593 U.S. __ (2021).