
THE GEORGE WASHINGTON UNIVERSITY

WASHINGTON, DC

Public Interest Comment¹ on

Generic Clearance for Information Collection Using Voluntary Surveys for Studies Conducted by the Federal Trade Commission

Docket ID No. FTC-2025-0132-0001

AUGUST 24, 2025

Mary Sullivan, Visiting Scholar, Regulatory Studies Center²

REGULATORY STUDIES CENTER

The George Washington University Regulatory Studies Center improves regulatory policy through research, education, and outreach. As part of its mission, the Center conducts careful and independent analyses to assess rulemaking proposals from the perspective of the public interest. This comment on the U.S. Department of Justice Regulatory Task Force's effort to identify laws and regulations that raise barriers to competition does not represent the views of any particular affected party or special interest, but is designed to evaluate the effect of the Task Force's effort on overall consumer welfare.

The Federal Trade Commission (FTC) is soliciting comments on a generic clearance to collect data for research that supports FTC's consumer protection and competition missions.³ I support this proposal.

¹ This comment reflects the views of the author, and does not represent an official position of the GW Regulatory Studies Center or the George Washington University. The Center's policy on research integrity is available at <https://regulatorystudies.columbian.gwu.edu/about#integrity>.

² Prior to joining the GW Regulatory Studies Center, Mary Sullivan was an economist at the Federal Trade Commission. Previously, she was as an economist and Assistant Chief of the Competition Policy Section at the Antitrust Division, U.S. Department of Justice, Antitrust Division. In academia, she was on the faculties of the University of Chicago Booth School of Business and the George Washington School of Business. Her research focuses on regulation and antitrust.

³ Agency Information Collection Activities; Proposed OMB Generic Clearance; Comment Request; Generic Clearance for Information Collection Using Voluntary Surveys for Studies Conducted by the Federal Trade

The collection of data would be extremely valuable to the FTC in carrying out its consumer protection and competition missions. Collecting and analyzing such data would give the agency insight into what practices are deceptive, how prevalent they are, and the extent of consumer harm. Markets and harmful practices are constantly evolving, and having current empirical information would allow the FTC to more accurately estimate consumer injury and more effectively allocate its resources. Without such information, the agency would have to rely more on historical data and speculation.

To illustrate the usefulness of such data collection, the FTC periodically conducts consumer fraud surveys. The data from these surveys allow the agency to determine the percentage of Americans who experience different types of fraud, the demographic characteristics of individuals who are more and less likely to be victims of fraud, and the types of products that are linked to fraud. The data from the 2024 fraud survey show a very large increase since 2020 in harm to older adults from fraudulent schemes based on the impersonation of government agencies and businesses.⁴ Such information will help the FTC to modify its enforcement priorities and identify productive educational efforts. Because the market evolves and scammers innovate, it is useful to update the fraud survey to help the FTC realign its enforcement and educational efforts to align with the current situation.

A generic request is important because when a new practice is emerging that might require FTC action, it is critical to obtain information about the practice quickly to minimize possible harm to consumers. The Paperwork Reduction Act process is cumbersome, with two public notices and comment periods for each survey. Going through this process for each survey could delay gathering necessary data in time to respond to an urgent problem. Moreover, each survey is relatively small.

Without knowing what topics the FTC plans to study, it is difficult to opine on the other three questions: accuracy of burden estimates, ways to enhance the quality, utility, and clarity of the

Commission Bureau of Economics To Support the FTC's Missions To Protect Consumers and Competition, July 8, 2025: <https://www.regulations.gov/document/FTC-2025-0132-0001>

⁴ “FTC Data Show a More Than Four-Fold Increase in Reports of Impersonation Scammers Stealing Tens and Even Hundreds of Thousands from Older Adults,” Federal Trade Commission, August 7, 2025: <https://www.ftc.gov/news-events/news/press-releases/2025/08/ftc-data-show-more-four-fold-increase-reports-impersonation-scammers-stealing-tens-even-hundreds>

information to be collected, and ways to minimize the burden of the collection of information. Having said that, the estimate of an average burden of 30 minutes per response seems reasonable.

In closing, the proposed generic collection of information is necessary for the FTC to quickly and accurately estimate consumer injury and effectively allocate its resources.