



Office of Commissioner
Rebecca Kelly Slaughter

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C.20580

CONCURRING STATEMENT OF COMMISSIONER REBECCA KELLY
SLAUGHTER

Regarding the Request for Comment on the Funeral Rule
Commission File No. P034410
February 4, 2020

I am grateful that the Commission is seeking public comment on the FTC's Funeral Rule, 16 CFR, pt. 453, which we last reviewed a dozen years ago. At that time, the Commission decided to leave the Rule unchanged. See Fed. Trade Comm. Regulatory Review of the Trade Industry Regulation on Funeral Industry Practices, 72 Fed. Reg. 13740, 13741 (Mar. 14, 2008). Accordingly, the Rule has not been updated in more than twenty-six years. See Fed. Trade Comm. Funeral Industry Practices Trade Regulation Rule, 50 Fed. Reg. 1592 (Jan. 11, 1994). I worry that the Rule is now showing its age, and I look forward to hearing from commenters about what a Funeral Rule for the twenty-first century should look like.

Under enormous time pressure, consumers must make financial decisions for their loved ones. Because of these vulnerabilities, consumers are often subjected to unfair and deceptive practices, effectively denying them the opportunity to give their lost loved one a tailored and proper goodbye. Consumers are often forced to pay for unwanted services. The Funeral Rule has taken important steps toward providing much-needed protections to consumers.

Significant changes in technology, such as the rise of the internet and digital culture, such as the dramatic rise in consumers who use social media to offer livestreaming of services for loved ones, have created a new and fervent hope is that the Commission, with the help of the Funeral Rule so that it continues to fulfill its purpose of protecting consumers during their time of greatest need. I particularly look forward to hearing from commenters about how existing protections and how they might be strengthened.