



Office of Policy Planning

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

June 14, 2024

VIA ELECTRONIC MAIL

The Honorable Terry A. Johnson, D.O.  
Senator

The Honorable Vernon Sykes

evidentiary findings that you may find  
informative as you consider the Bill. This letter also explains that, consistent with  
in concert with states and encouraging concurrent  
enforcement of state laws to pursue common goals, state-based enforcement against  
noncompetes can be a potent force that supplements the federal rule.

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care practitioners.  
Regulations.gov.<sup>6</sup>

The evidence shows that noncompetes are used extensively, including even for low-wage workers. The Commission found that nationwide, approximately one in five workers or thirty million Americans are bound by noncompetes.<sup>7</sup> One survey found that 35% of

year have worked under a noncompete at some point in their lives.<sup>8</sup> Another a2 410.47 623.98 Tm [(Anothe)4

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under their laws prohibiting noncompetes even if the state law prohibits a narrower subset of noncompetes than the rule.<sup>33</sup>

In short, the rule does not negate the value of state laws that restrict noncompetes. Rather, such laws can play an important role in the battle against harmful noncompetes.

I hope that the research, analysis, and findings concerning noncompetes are valuable to you as you consider S.B. 126. Please do not hesitate to reach out if my office can be of further assistance.

Sincerely,

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Hannah Garden-Monheit  
Director  
Office of Policy Planning

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<sup>33</sup> Id. at 38453-55.