



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

Office of Policy Planning

January 14, 2025

The Honorable Richard H. Stuart
Senator
Senate of Virginia

Re: S.B. 1218

Dear Senator Stuart:

I write this letter as the Director of the

or starting a business. Many entrepreneurs and small businesses also described how noncompetes prevented them from starting a business or hiring qualified workers.⁶ Many of the comments were from workers, businesses, and others in Virginia. You can find such comments on the FTC's public docket at Regulations.gov.⁷

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.⁸ One survey found that 35% of workers without a bachelor's degree and 33% of workers earning less than \$40,000 per year have worked under a noncompete at some point in their lives.⁹ Another anomm4 (b4 (r)3 (s))v1a0 1 Tff

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narrower subset of noncompetes than the FTC's rule.³¹

In short, the FTC's 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
