



Office of Commissioner
Melissa Holyoak

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

Concurring Statement of Commissioner Melissa Holyoak

, FTC Matter No. 2223046

July 1, 2024

I support this settlement, because the facts alleged in the complaint give the Commission reason to believe that Arise Virtual Solutions made unsubstantiated earnings claims in violation of Section 5 of the FTC Act¹ and otherwise violated the Commission’s Business Opportunity Rule² in connection with offering business opportunities to consumers. I write separately with three brief observations.

First, although the facts alleged here indicate that Arise offered a “business opportunity” covered by the Rule, other companies operating in the “gig economy” do not necessarily do so.³ Chair Khan’s statement asserts that this is a good example of the Commission working together with the Department of Labor

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to protect . Other federal agencies may properly address issues pertaining to “workers” as such,⁸ whereas the Commission protects , working or otherwise.⁹

Third, the monetary relief in this order is warranted based on the alleged violations of the Business Opportunity Rule. I need not, therefore, consider whether the complaint adequately alleges that the company had “actual knowledge” of law violations by virtue of having received a Notice of Penalty Offenses Concerning Money-Making Opportunities.

⁸ , 8 U.S.C. § 1188(a)(1). Remarks of Commissioner Melissa Holyoak at the Competitive Enterprise Institute’s Annual Summit, Rediscovering Adam Smith: An Inquiry in the Rule of Law, Competition, and the Future of the Federal Trade Comm’n, at 9-10,