

Wiley Consumer Protection Download (October 7, 2025)

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Welcome to Wiley's update on recent developments and what's next in consumer protection at the Federal Trade Commission (FTC), Consumer Financial Protection Bureau (CFPB), and the state level. Check out our new FTC Consumer Protection and Enforcement Series, where we provide practical insights into emerging FTC priority areas for consumer protection and data privacy enforcement. Recent posts include The Fair Credit Reporting Act – Who Is Covered and How to Comply; PADFA Enforcement – What Companies Need to Know; Practical Tips for When Your Company Gets an FTC CID; and Kids' Online Safety Is a Top Priority.

Wiley has also launched a Trump Administration Resource Center and Resource Guide to track Executive branch priorities during the second Administration of President Trump. With Wiley's deep-rooted understanding of Washington and today's evolving regulatory landscape, the Resource Center and Resource Guide provide critical insights, actionable intelligence, practical solutions, and guidance across key industries to help businesses stay ahead of the curve and manage challenges in 2025 and beyond. Please reach out to any of our authors with any questions about recent Trump Administration actions and the potential impact on regulations or enforcement activity.

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Advertising and Marketing

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FTC and Consumer Protection

Privacy, Cyber & Data Governance

Telecom, Media & Technology

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Federal and State Regulatory Announcements

FTC Seeks Comment on Proposed Strategic Plan. On **September 26**, the FTC announced that it is seeking public comment on the agency's Draft Strategic Plan for Fiscal Years 2026-2030. The FTC's strategic plan is updated every four years and reflects the agency's mission, goals, and objectives for the next five years. For example, the draft mentions the agency's work "to hold Big Tech accountable for unlawful conduct that results in harm to kids and undermines the online marketplace," as well as its work to enforce the Better Online Ticket Sales (BOTS) Act. The Commission seeks comment on how the draft can be further adjusted. Public comments are due **October 17**.

CFPB Rescinds Amendments to the Procedures for Supervisory Designation Proceedings. On **September 25**, the CFPB issued a Final Rule rescinding the April 2022, November 2022, and April 2024 amendments to the Procedures for Supervisory Designation Proceedings Rule, with the exception of some limited process adjustments. Among other things, the Final Rule rescinds the amendment that enabled agency personnel to publicly release final decisions and orders designating respondents for supervision in contested proceedings, returning to the original rule's treatment of those decisions and orders as confidential supervisory information. The Final Rule is effective on **October 27**.

New York AG Announces That Social Media Platforms Must Report Content Moderation Policies Under "Stop Hiding Hate" Act. On **October 2**, the New York Attorney General (AG) announced that social media platforms must start reporting their content moderation policies to the New York AG's Office under the "Stop Hiding Hate" Act. The Act applies to any social media platform operating in New York that generates over \$100 million in gross annual revenue. Platforms are required to submit their content moderation reports by January 1, 2026.

Select Federal Enforcement Actions

FTC and 19 States Settle with Charity Fundraising Company and Its Operators for Deceptive Practices. On **September 25**, the FTC and 19 states filed a complaint and stipulated order in the U.S. District Court for the Central District of California against a company that solicited donations for charities and its operators for alleged violations of the FTC Act and state consumer protection laws. The complaint alleges that the defendants solicited vehicle donations from consumers across the country to raise money for a cancer charity, despite only sharing a very small portion of the proceeds with the charity. The defendants agreed to pay \$3.8 million in addition to injunctive relief.

DOJ and FTC Sue Messaging App for Alleged COPPA and ROSCA Violations. On **September 29**, the U.S. Department of Justice (DOJ), on behalf of the FTC, filed a complaint in the U.S. District Court for the Central District of California against a messaging app company and its officer for alleged violations of the FTC Act, Children's Online Privacy Protection Rule, and Restore Online Shoppers' Confidence Act. The complaint alleges that the defendants misrepresented information on the company's app to encourage users to sign up

for its membership subscription, failed to adequately disclose the terms of the subscription service, and collected data of children under the age of 13 without proper parental notice or consent. The DOJ seeks monetary and injunctive relief.

DOJ and FTC Settle with Data Analytics Company for Allegedly Violating Previous Order. On **September 29**, the DOJ, on behalf of the FTC, filed a complaint and proposed order in the U.S. District Court for the Middle District of Florida against a data analytics company for alleged violations of the FTC Act and a 2022 FTC Order. The complaint alleges that the company failed to comply with the 2022 Order's notification and recording requirements and misrepresented the impact the company's product would have on a business' credit score. The company agreed to pay \$5.7 million in addition to injunctive relief and implementation of various policies to ensure compliance with the order.

DOJ and FTC Settle with Disability Representatives for Allegedly Misleading Business Practices. On **September 30**, the DOJ, on behalf of the FTC, filed a complaint and stipulated order in the U.S. District Court for the District of Massachusetts against a disability insurance broker and its subsidiary for alleged violations of the FTC Act and Telemarketing Sales Rule. The complaint alleges that the defendants called consumers listed on the Do Not Call Registry and misled consumers by indicating the calls were made in response to inquiries about their eligibility for Social Security Disability Insurance. The defendants agreed to pay \$2 million in addition to injunctive relief.

Select State Enforcement Actions

New York AG Settles with Pharmaceutical Company Over Its Allegedly Misleading Promotion of an Opioid Overdose Drug. On **September 30**, the New York AG announced a settlement with a multinational pharmaceutical company over the company's alleged misleading promotion of its opioid overdose drug. Specifically, the New York AG alleges that the company violated New York state consumer protection laws by marketing the drug to New York public officials throughout the state and promoted its availability, despite the drug not being authorized by the New York State Department of Health. The settlement requires the company to implement certain oversight procedures and prohibits the company from providing its opioid overdose drug to any New York public official without approval of the drug from the New York State Department of Health.

Colorado AG Settles with Immigration Businesses Over Alleged Illegal Advertising and Unlicensed Legal Services. On **September 25**, the Colorado AG announced a settlement with the owner of two immigration businesses over alleged violations of the Colorado Consumer Protection Act. The Colorado AG alleges that the businesses illegally advertised and performed unlicensed legal services for clients and charged these clients fees much greater than what most licensed attorneys charge. The AG also alleges that the owner falsely claimed to have a law degree and other credentials. The settlement requires the businesses to cease operations and requires the owner to pay a \$12,000 fine in addition to injunctive relief.

Upcoming Events and Comment Deadlines

FTC Issues RFI on Employee Noncompete Agreements. Comments are due **November 3** on an FTC Request for Information regarding Employer Noncompete Agreements. The FTC is seeking information to better understand the scope of noncompete agreements, and “to inform possible future enforcement actions.” The FTC is requesting information from employees and employers facing hiring difficulties due to noncompete agreements. The RFI also asks what reasons employers have given for using noncompete agreements.

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Day 7 of the Government Shutdown: Updates on Activities of Selected Departments and Agencies

FTC Consumer Protection and Privacy Enforcement Series: Subscription Cancellation Policies Remain a Top FTC Priority

Advancing AI Action Plan, OSTP Seeks Comment on Regulatory Barriers

FTC Takes on Noncompete Agreements as New State Laws Take Effect

Expiration of Critical Cyber Information Sharing Law Creates Confusion About Authorities and Liability Protections

Amidst Scrutiny of E-Commerce Platforms, FTC Brings First INFORM Consumers Act Case

Congressional Activity on AI Builds on White House’s Action Plan

Open Banking, Financial Data Rights, and What It Means for Crypto

FTC Consumer Protection and Privacy Enforcement Series: Kids’ Online Safety Is a Top Priority

FTC Consumer Protection and Privacy Enforcement Series: The Fair Credit Reporting Act—Who Is Covered and How to Comply

FTC Consumer Protection and Privacy Enforcement Series: PADFA Enforcement—What Companies Need to Know

FTC Consumer Protection and Privacy Enforcement Series: Practical Tips for When Your Company Gets an FTC CID

Colorado Proposes New Privacy Rules Focused on Minors’ Online Data

White House Launches AI Action Plan and Executive Orders to Promote Innovation, Infrastructure, and International Diplomacy and Security

With “Click-to-Cancel” Rule Now Vacated by 8th Circuit, What’s Next for FTC?

Update: Enforcement of DOJ Data Security Program Set to Begin July 9

Building a Digital Asset Regulatory Framework: The GENIUS Act and Next Steps

Texas Responsible AI Governance Act Enacted

Privacy, AI, and Consumer Protection Takeaways from FTC Chairman's House Testimony

Webinar: Navigating FTC Health Care Advertising and Privacy Compliance in the Trump Administration: Key Insights for Health Service Providers

Executive Order on Ticket Resale Market Calls for Greater FTC Enforcement

What to Expect from New FTC Leadership on Digital Health Care

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