



April 13, 2023

As small business owners and representatives of the small business community, we urge the Federal Trade Commission to enact its proposed rule to ban non-compete agreements. Non-compete agreements are a significant impediment to entrepreneurship, create a non-level playing field and impede the ability of employees to maximize their skills. They are not only a barrier to entry for entrepreneurs, but they also prevent small firms from hiring the most diverse, qualified and skilled talent.

In our economy, competition spurs innovation and leads to lower prices for goods and services. Non-compete agreements stifle free, fair and open competition—the hallmark of a market-based economy that is grounded on a level playing field. It is reasonable for a business to protect its proprietary assets and trade secrets; however, non-disclosure or confidentiality agreements are more than sufficient to accomplish this goal.

We're not alone in opposing non-compete agreements. [Small Business Majority's polling](#) found a majority of entrepreneurs say that non-compete agreements are a significant issue for small business, and 1 in 5 reported their own business had been negatively affected by non-compete agreements. In another survey, 87% said that leveling the playing field for small businesses via anti-trust enforcement and restricting non-compete agreements was a priority for policymakers.

What's more, states like California, Oklahoma and North Dakota [already prohibit](#) the enforcement of non-compete agreements with no loss of business success and entrepreneurial spirit in any of these states.

For these reasons and more, we urge you to enact this rule to support aspiring entrepreneurs and help small businesses access qualified workers.

Sincerely,

Organizations:

American Sustainable Business Network

Main Street Alliance

Pacific Community Ventures

Right to Start

Small Business Majority

Oakland African-American Chamber of Commerce (OAACC), Oakland, CA

Colorado Black Chamber of Commerce (CBCC), Denver, CO

Adelante Community Development, Commerce City, CO

Maryland Small Business Retirement Savings Program, Hunt Valley, MD

California Association for Micro Enterprise Opportunity - CAMEO, San Francisco, CA

SCORE, Sunnyvale, CA

New Orleans Business Alliance, New Orleans, LA
West Side Forward, Chicago, IL
Cambridge Local First, Cambridge, MA
African Chamber of Commerce of Colorado, USA, Denver, CO
Rocky Mountain Microfinance Institute (RMMFI), Denver, CO
Denver SCORE, Colorado Springs, CO
Asociacion de Emprendedor@s, Anaheim Hills, CA
Baby Carrier Industry Alliance, Berwick, ME
BPSOS - Boat People SOS, Falls Church, VA
Communities of Tomorrow, Lagrange, GA
Louisiana SBDC at McNeese University, Lake Charles, LA
Morris County Hispanic-American Chamber of Commerce, Morristown, NJ
Illinois Small Business Development Center (SBDC) - Chicagoland Chamber of Commerce, Chicago, IL
Mission Asset Fund, San Francisco, CA
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