

Steve and Gina Merritt

6299 Pine Drive · Lantana, Florida 33462

Steve: 561-317-8229 · Steve@stevemerritt.com

Gina: 561-306-1811 · Gina@stevemerritt.com

July 18, 2026

The Honorable Marsha Blackburn

United States Senate

357 Dirksen Senate Office Building

Washington, DC 20510

Dear Senator Blackburn:

For more than thirty years we have made our living in direct selling, where ordinary people have a real chance to build a business of their own, and the hope that comes with it. We have watched it happen again and again, for people with no special advantages: the factory worker, the single mother, the couple starting over late in life, each building something that was finally their own. This is our life's work, and it is the reason we are writing to you.

We are writing to ask you to carry the Direct Selling Clarity Act in the Senate: to introduce or cosponsor it, and to help write one clear, national standard for our industry into federal law. That is all we ask, and we believe you are the right person to make it law.

We came to you first by design, and for reasons that go well beyond the gavel you hold. You chair the Senate subcommittee with jurisdiction over this issue. You co-chaired the Congressional Direct Selling Caucus. And, above all, you built your own success in this business.

So you know from your own experience what few in Washington ever learn, that this is honest work done by honest people. You know the difference between a legitimate direct selling company and a criminal pyramid scheme, and how much turns on it.

Those who run real pyramid schemes prey on the hopeful, and they should be caught and punished.

By contrast, the millions of Americans building honest businesses in direct selling should be free to grow them on the same terms the law extends to every other enterprise in the country. Today the law draws neither line, and in that silence the guilty go unnamed.

Conversely, honest direct sellers are presumed guilty the moment they speak. A statement that is true, and can be proven true, is lawful from a banker, a broker, or a real estate agent. Let a direct seller say the very same words, and they are treated as fraud waiting to be uncovered.

We are not asking for special treatment. We ask only for what every other honest business is granted without a second thought: to be presumed honest unless the facts, and not our profession, prove otherwise.

For over three decades we built our business by our company's standards and our honest understanding of what the government's guidance required, and in all that time it went unquestioned. Then, without warning, the standard we were judged by shifted to one we had never been given and could not have read, and enforcement followed.

This spring we resolved a matter with the Federal Trade Commission concerning how we described the income opportunity, not the legitimacy of our business and not any harm to a customer. We settled to put it behind us, admitting no wrongdoing, and we have not come to reopen it or to lay blame. We are among the fortunate, in that we had the means and the stamina to see it through. Most families in this business could not.

What our case revealed is bigger than our family. We were told that truthful descriptions of real income, and even photographs taken in our own home, amounted to false hope and deception. If honest speech and lawful images can be recast that way against a standard no one was ever given, then every honest seller in the country is exposed to the same thing.

This is no small corner of the economy. Direct selling puts more than \$100 billion a year into the American economy, over \$15 billion of it in federal, state, and local taxes, and supports 12.2 million participants, 5.4 million of them active entrepreneurs. Industry forecasters project the global market will reach roughly \$483 billion a year by 2035. An industry that size, and the families who depend on it, can be worn down one household at a time until Congress fixes the standard in law.

We are not doing this for ourselves or even for the other families that have the financial means and stamina to endure an FTC investigation. We are doing it for the woman across the kitchen table, building something to provide for her children. We are doing it for the man who never finished high school, and for the family that had run out of every other option. They ask for nothing more than to stand equal before the law with everyone else who earns an honest living. So do we.

This is why it must be written into law and not left to shifting interpretation that is enforced as though it were law.

The prohibition on unfair or deceptive acts was added to Section 5 of the Federal Trade Commission Act in 1938, and nearly nine decades later the statute still does not define multi-level marketing, legitimate direct selling, or an illegal pyramid scheme.

From a single sentence that reads, "unfair or deceptive acts or practices in or affecting commerce, are hereby declared unlawful," regulatory agencies have built guidance and enforcement actions that they apply to us as if they carried the force of law when they do not.

The Supreme Court itself has reaffirmed that it is the courts, not the agencies, that decide what a statute means. But the courts speak only after the fact, and a court's ruling years later is no substitute for a clear rule that a person can read before they act.

It is simple. Congress writes the statute. Agencies enforce it. Courts interpret it. Only Congress can give this industry one durable national standard, the same under every administration, that no agency can quietly rewrite.

The Direct Selling Clarity Act does what agency guidance cannot. It defines both sides of the line in statute, so that fraud is prosecuted harder and honest direct sellers have a standard they can meet. It creates a written, fair disclosure-based path for truthful, substantiated statements about real results, so that telling the truth is never itself the offense.

It weakens no part of enforcement. On the contrary, it makes dishonesty easier to punish and honesty easier to prove. It asks only that direct selling be measured by the same equitable standard as every other industry.

We will make ourselves available whenever and however your office prefers, in Washington or by video, with the proposed text, the record behind every fact in this letter, and direct answers to any question your staff cares to ask.

Direct selling is capitalism at its most personal, built one relationship at a time. It offers ordinary people, whatever their background, a real chance to build something of their own and reach whatever the American dream looks like for them. It may be the only business in the world where everyone begins with the same opportunity, whoever they are and wherever they come from.

A dream open to everyone deserves protection, and the only protection that endures is the law.

For more than thirty years we have asked people to believe that where you start need not be where you finish. That is the promise of America. We are asking you to write it into law.

Respectfully,

Steve Merritt

Gina Merritt