

FTC Commissioner Andrew N. Ferguson for FTC Chairman

Commissioner Ferguson is the America First, pro-innovation choice for Chairman of the Federal Trade Commission. Ferguson has impeccable legal credentials, proven loyalty to President Donald Trump, and a track record of standing up to Big Tech censorship, DEI-wokeism, and the anti-business, anti-innovation agenda of the radical left. President Trump can designate Ferguson as Chairman of the FTC on Day 1 of the Trump Administration – no Senate confirmation is needed for sitting FTC Commissioners to become Chairman, and his term does not expire until 2030.

Major Accomplishments

- Sued the Biden Administration to halt its lawless environmental, immigration, and gun policies.
- Directed Virginia Attorney General's efforts to bring down the Department of Homeland Security's "Disinformation Board."
- Represented Virginia and numerous other States in a landmark antitrust suit against Google's ad-tech monopoly.
- Successfully fought to end the Biden FTC's anti-business policy of refusing to end merger investigations early and allow firms to close their deals as soon as the FTC finds no competitive harm ("early termination").
- Oversaw the effort to confirm President Trump's judicial nominations in the Senate, transforming the Supreme Court as well as the lower courts. Lead staffer for both the Kavanaugh and Barrett nominations.
- Senate staff architect of President Trump's two impeachment acquittals.

Agenda for the FTC

Reverse Lina Khan's Anti-Business Agenda

- Repeal burdensome regulations and provide businesses with the certainty they need. Businesses deserve to know what they can and can't do.
- Support strong American companies that can beat foreign competitors. Foster innovation that improves our quality of life and makes our country greater than ever before.
- Stop Lina Khan's war on mergers. Most mergers benefit Americans and promote the movement of the capital that fuels innovation. Focus FTC resources on the mergers that harm competition and hinder innovation, while permitting mergers that keep capital flowing to innovators.
- End the FTC's attempt to become an AI regulator.
- No more novel and legally dubious consumer protection cases. Demand honesty and fairness to consumers, but businesses should not fear that the FTC will punish them for honest conduct that offends the sensibilities of beltway bureaucrats.
- Stop abusing FTC enforcement authorities as a substitute for comprehensive federal privacy legislation.

Hold Big Tech Accountable and Stop Censorship

- Focus antitrust enforcement against Big Tech monopolies, especially those companies engaged in unlawful censorship.
- Pursue structural and behavioral legal remedies under the antitrust laws and the FTC Act to make sure large platforms treat all Americans fairly and to prevent them from using their market power to box out new entrants and stymie innovation.

Biographical Highlights

- Solicitor General of Virginia
- Law Clerk to Supreme Court Justice Clarence Thomas. Also clerked on D.C. Circuit. B.A. & J.D. from the University of Virginia.
- Chief counsel for nominations to the Senate Judiciary Committee.
- Chief Counsel to Senate Majority Leader Mitch McConnell. Ferguson served as a strong voice that supported President Trump's agenda within McConnell's office.

Protect Freedom of Speech and Fight Wokeness

- Investigate and prosecute collusion on DEI, ESG, advertiser boycotts, etc.
- End Lina Khan's politically motivated investigations.
- Terminate all initiatives investigating so-called "disinformation," "hate speech" or AI "bias."
- End the FTC's attacks on online anonymity.
- Fight back against the trans agenda. Investigate the doctors, therapists, hospitals, and others who deceptively pushed gender confusion, puberty blockers, hormone replacement, and sex-change surgeries on children and adults while failing to disclose strong evidence that such interventions are not helpful and carry enormous risks.
- Stop pursuing cases under lawless disparate impact discrimination theories. Such cases are designed to force companies to adopt de facto quotas and affirmative action policies.

Fight the Bureaucracy to Implement President Trump's Agenda

- The Constitution requires that all federal employees, even the heads of so-called independent agencies, answer to the President.
- Terminate uncooperative bureaucrats.
- Advance the President's agenda by taking on entrenched left-wing ideologues at the FTC who take their agenda from liberal journalists and activists. Only a strong, Trump-aligned Chairman can resist their influence.

Excerpts from Ferguson’s Statements on FTC Matters

Concurring and Dissenting Statement on the Social Media 6(b) Report ([link](#)):

» The Report says nothing about the **banning of politicians (including Donald Trump while he was serving as President of the United States)**, about the removal and demonetization of users who challenge the Silicon Valley political consensus, nor about one of **the most brazen acts of election interference in recent history: the coordinated suppression by social media companies of the Hunter Biden laptop story in the leadup to the 2020 presidential election.**

» We have seen what happens when social media companies prioritize their views—or the government’s view—of “quality” over the preferences of their users. Over the past decade, these companies have enforced a restrictive censorship regime on Americans’ online speech. **They have adopted Orwellian policies banning nebulous categories of content like “misinformation,” “disinformation,” and “hate speech”—categories that in practice mean only any content that challenges the Silicon Valley elite consensus on [any issue] where free thought is inconvenient to those in charge.**

» [Chair Khan’s] Report also notes that many social media and video streaming companies have “inhouse experts, such as ethicists, social and political scientists, [and] policy experts” who are responsible for addressing “ethics, bias, inclusion, and fairness” in AI technology. [Khan’s] Report suggests that this is a good thing and that the companies need more of them, preferably with binding authority over the rest of the company. **But the truth is that these AI safety groups, as they are often called, have proven to be little more than rebranded versions of the DEI bureaucracies that have infected America’s businesses and colleges.**

» **Tacking on threats to the end of a report and calling them “recommendations” is not good government; it is bureaucratic bullying.**

Dissenting Statement In the Matter of Rytr LLC ([link](#)):

» The Commission’s aggressive move into AI regulation is premature. ... Doomsayers warn that AI will take our jobs, hopelessly blur the distinction between fact and fiction, and maybe even threaten the survival of human civilization. AI companies do not forcefully resist all these claims, given that predictions about the incredible potential for AI may be useful as these companies compete for investment dollars and engineering talent. But the Commission should not succumb to the panic or hype. Generative AI technology is impressive, but it is also nascent. Neither its naysayers nor its cheerleaders really understand its potential, or whether it represents substantial progress toward “artificial general intelligence” (AGI)—machine intelligence matching both the breadth and power of the human mind, the holy grail of AI research. **That ignorance is not a reason to plunge headlong with aggressive regulation. It is a reason to stay our hand.**

» As our country has always done, we should give this industry the space to realize its full potential—whatever that turns out to be. America is the greatest commercial power in the history of the world in no small part because of its tolerant attitude toward innovation and new industry. **There has never been a better place in the world to have a new idea than the United States. We should go to great lengths to ensure that remains the case.**

Dissenting and Concurring Statement In the Matter of H&R Block, Inc. ([link](#)):

» The election of the President is thus the key to constitutional self-government for the executive branch. If the President supervises and directs subordinate officers, then the people control them because the President answers directly to the people. But if the President does not control subordinate officers, then neither do the people. The administrative state would rule the roost, governing in favor of its own interests without regard to the people’s needs. ... The power to appoint is critical to setting the governing agenda. **The power to remove, and the obedience that the fear of removal instills, ensures the agenda’s execution. The removal power is also the key to reforming the administrative state.** The President could hardly reform the government if he were stuck with the officers responsible for the problems he was trying to fix. And the removal power must extend beyond merely officers who openly disobey his orders. Subtle forms of disagreement and bureaucratic mischief can strangle policy reforms in their cradle. The President therefore must have the power to remove not just disobedient officers, but also those whom he concludes do not support his governing agenda.