



December 15, 2021

TO THE MEMBERS OF THE UNITED STATES CONGRESS:

The U.S. Chamber of Commerce believes recent actions by the Federal Trade Commission and its chair, Lina Khan, demand increased Congressional attention and oversight.

Since her confirmation, Chairwoman Khan has moved to silent dissent by controlling the speech of those working at the agency and consolidated power in ways that have removed the healthy debate that Congress intended when it created the five-member Commission and that call into question the independence of the agency. Her actions signal a willingness on multiple fronts to ignore the statutory boundaries Congress has placed on the agency.

Any agency that embarks upon such a path must be held accountable. Yet, some in Congress have sought to expand the Commission's authority without necessary safeguards. Of particular concern are provisions of H.R. 5376, the "Build Back Better Act," which would dramatically expand the Commission's power and budget. We urge Congress to refrain from granting FTC additional authority or additional resources until Congress is assured that the Commission will be governed by an open and transparent process, and abide by limits to its powers specified in law.

An attachment to this letter highlights FTC's shift away from the Commission's bipartisan strategic approach as well as worrisome changes in process that are critical to legitimate enforcement of competition and consumer protection laws. We ask that the Congress hold the Federal Trade Commission accountable.

Sincerely,

Neil L. Bradley
Executive Vice President, Chief Policy Officer,
and Head of Strategic Advocacy
U.S. Chamber of Commerce