



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

substitutes. Indeed, we should leverage the Commission’s consumer protection authorities—an approach that aligns with the prior Trump administration’s suggestions. *See, e.g., Remarks by President Trump Announcing an Executive Order on Preventing Online Censorship* (May 28, 2020), <https://trumpwhitehouse.archives.gov/briefings-statements/remarks-president-trump-announcing-executive-order-preventing-online-censorship/> (“My executive order further instructs the [FTC] to prohibit social media companies from engaging in any deceptive acts or practices affecting commerce. This authority resides in Section 5 of the Federal Trade Commission Act. I think you know it pretty well.”); *see also* Exec. Order No. 13,925, 85 Fed. Reg. 34079, 34082, § 4 (Federal Review of Unfair or Deceptive Acts or Practices) (“The FTC shall consider taking action, as appropriate and consistent with applicable law, to prohibit unfair or deceptive acts or practices in or affecting commerce, pursuant to section 45 of title 15, United States Code.”). Unfortunately, the Commission had not fully effectuated President-elect Trump’s intent before the January 2021 change in administrations—and the Khan FTC has run in the opposite direction when it comes to using consumer protection authorities relative to free speech. *See, e.g., Eireann Van Natta, Biden-Harris FTC Chair Lina Khan ‘Weaponized’ Agency Against Elon Musk, House Report Says*, *The Daily Caller* (Oct. 28, 2024), <https://dailycaller.com/2024/10/28/lina-khan-elon-musk-ftc-house-judiciary-committee/>. And while I agree with the many calls to explore *structural* remedies, the antitrust agencies have spent substantial resources for years and are investigating and litigating against the market power large technology companies wield. *See, e.g., Press Release, Justice Department Sues Monopolist Google For Violating Antitrust Laws*, Dep’t of Justice (Oct. 20, 2020), <https://www.justice.gov/opa/pr/justice-department-sues-monopolist-google-violating-antitrust-laws>; *Press Release, FTC Sues Facebook for Illegal Monopolization*, FTC (Dec. 9, 2020), <https://www.ftc.gov/news-events/news/press-releases/2020/12/ftc-sues-facebook-illegal-monopolization>. Such efforts are bearing fruit now, and this deployment of resources should not change in the next administration. But because structural remedies for antitrust violatiouom.687 0 T8no(dm)0.8