

Biden to Nominate Big Tech Critic Lina Khan to Serve as an FTC Commissioner

WRITTEN BY

[Keith J. Barnett](#) | [Carlin A. McCrory](#) | [Timothy A. Butler](#) | [Troy K. Jenkins](#) | [Matthew White](#)

On March 22, President Joe Biden announced his intent to nominate Lina Khan to be a commissioner of the Federal Trade Commission (FTC). Khan is an outspoken critic of big tech and a former legal advisor to FTC Commissioner Rohit Chopra, Biden's nominee to lead the Consumer Financial Protection Bureau (CFPB). Khan's anticipated nomination again signals that the Biden administration intends to reinvigorate the federal consumer protection agencies.

Khan — who is 32 years old — has had a meteoric rise after publishing a law review article in 2017 that sharply criticized big tech companies. In that article, she argued that current antitrust doctrine “underappreciates the risk of predatory pricing and how integration across distinct business lines may prove anticompetitive,” and urged regulators to apply common carrier obligations and duties — which typically apply to railroads and utility companies — to restrain the power of big tech. “The rise of these companies is posing a whole new set of questions about how we do antitrust policy,” Khan has said.

Consumer protection watchdogs and critics of big tech have responded enthusiastically to Khan's nomination. “Silicon Valley is no doubt terrified by this pick. That is a very good thing,” said Public Citizen. And big tech critic Senator Amy Klobuchar was also enthusiastic. “We need all hands on deck as we work to take on some of the biggest monopolies in the world,” said Sen. Klobuchar. “Lina's experience working both in Congress and at the Federal Trade Commission and as an advocate for competitive markets will be vital as we advance efforts to strengthen enforcement and protect consumers.”

Khan is currently an associate professor of law at Columbia Law School. She previously served as counsel to the U.S. House Judiciary Committee's Subcommittee on Antitrust, Commercial, and Administrative Law, where she helped lead the committee's investigation of big tech companies. Prior to that, Khan was a legal advisor to FTC Commissioner Rohit Chopra.

In response to her nomination, Khan tweeted, “So very honored and humbled by this nomination, and excited to get to work if I'm fortunate enough to be confirmed!”