

Big Tech Critic Lina Khan Confirmed and Sworn In as New FTC Chair

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On June 15, the Senate voted (69-28) to confirm Lina Khan as the newest commissioner on the Federal Trade Commission (FTC). And just hours later, President Biden named her as the new chair of the agency. As we previously discussed [here](#), Khan is an outspoken critic of big tech and is likely to pursue an aggressive enforcement and rulemaking agenda as the FTC's new leader.

"It is a tremendous honor to have been selected by President Biden to lead the Federal Trade Commission," said Chair Khan in an FTC press release issued shortly after her swearing in ceremony. "I look forward to working with my colleagues to protect the public from corporate abuse. I'm very grateful to Acting Chairwoman Slaughter for her outstanding stewardship of the Commission."

A 32-year-old associate professor of law at Columbia University, Khan rose to prominence after publishing a law review article in 2017 that sharply criticized big tech companies. After law school, Khan worked as a legal director at the Open Markets Institute, as a legal advisor to current FTC Commissioner Rohit Chopra, and as a legal counsel to the U.S. House Judiciary Committee's Subcommittee on Antitrust, Commercial, and Administrative Law.

During her confirmation hearing before the Senate Commerce Committee, Khan explained why she believes that the FTC should more aggressively regulate big tech, promised to be "especially vigilant" in protecting children from manipulative marketing efforts, and highlighted her concern that "companies may treat privacy law violations simply as the cost of doing business."

Both Senate Democrats and Republicans lauded Khan's approach to big tech, although some Republican senators expressed concerns about Khan's expansive view of the FTC's rulemaking authority. Senator Wicker (R-MS), for instance, expressed concern about a "broadly over-regulatory approach."

Khan's confirmation gives Democrats a 3-2 majority at the FTC. But as we reported [here](#), President Biden has nominated current FTC Commissioner Chopra to be the next director of the Consumer Financial Protection Bureau (CFPB), and now Chopra's nomination has advanced to the full Senate after a 12-12 committee vote on May 12. If the Senate confirms Chopra, the FTC again will be split evenly among Democrats and Republicans, at least until the president nominates — and the Senate confirms — someone to replace Chopra at the FTC.

Khan's confirmation and appointment as chair also bolsters the FTC's renewed focus on rulemaking, which we discussed [here](#).

Following the confirmation, Senator Warren (D-MA) tweeted, “For too long, giant tech companies have acted like they’re too big and powerful to be held accountable. I can’t wait to see @linamkhan prove them wrong at the @FTC.”

In response to her confirmation, Khan tweeted, “I’m so grateful to the Senate for my confirmation. Congress created the FTC to safeguard fair competition and protect consumers, workers, and honest businesses from unfair & deceptive practices. I look forward to upholding this mission with vigor and serving the American public.”

Khan’s term as an FTC commissioner will continue until September 25, 2024.