

FTC now has three Republicans and no Democrats instead of the typical 3-2 split

After declaring the FTC to be under White House control, Trump fired both Democratic members despite a US law and Supreme Court precedent stating that the president cannot fire commissioners without good cause.

House Commerce Committee leaders said the all-Republican FTC will end the “partisan mismanagement” allegedly seen under the Biden-era FTC and then-Chair Lina Khan. “In the last administration, the FTC abandoned its rich bipartisan tradition and historical mission, in favor of a radical agenda and partisan mismanagement,” said a statement issued by Reps. Brett Guthrie (R-Ky) and Gus Bilirakis (R-Fla.). “The Commission needs to return to protecting Americans from bad actors and preserving competition in the marketplace.”

Consumer advocacy group Public Knowledge thanked Senate Democrats for voting against Meador. “In order for the FTC to be effective, it needs to have five *independent* commissioners doing the work,” said Sara Collins, the group’s director of government affairs. “By voting ‘no’ on this confirmation, these senators have shown that it is still important to prioritize protecting consumers and supporting a healthier marketplace over turning a blind eye to President Trump’s unlawful termination of Democratic Commissioners Slaughter and Bedoya.”

Democrats sue Trump

The two Democrats are challenging the firings in a lawsuit that said “it is bedrock, binding precedent that a President cannot remove an FTC Commissioner without cause.” Trump “purported to terminate Plaintiffs as FTC Commissioners, not because they were inefficient, neglectful of their duties, or engaged in malfeasance, but simply because their ‘continued service on the FTC is’ supposedly ‘inconsistent with [his] Administration’s priorities,’” the lawsuit said.

US law says an FTC commissioner “may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.” A 1935 Supreme Court ruling said that “Congress intended to restrict the power of removal to one or more of those causes.”

Slaughter and Bedoya sued Trump in US District Court for the District of Columbia and asked the court to declare “the President’s purported termination of Plaintiffs Slaughter and Bedoya unlawful and that Plaintiffs Slaughter and Bedoya are Commissioners of the Federal Trade Commission.”

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