

Trump's Nominees for the FTC

October 19, 2017 | Client Update

Today President Trump announced the intent to nominate two individuals to the Federal Trade Commission ("FTC"): Joseph Simons (as Chairman) and Rohit Chopra. Senate confirmation hearings are expected to occur this fall, with the possibility of confirmation before the end of the year. The White House also stated today that President Trump intends to subsequently nominate Noah Phillips for another seat on the FTC.

Mr. Simons, who previously served as Director of the Bureau of Competition at the FTC, has promoted economic-based antitrust review and has expressed enforcement views similar to those of prior Republican appointees. But his background also suggests he is willing to pursue enforcement actions. Rohit Chopra, the Democratic nominee, was previously the Assistant Director of the Consumer Financial Protection Bureau ("CFPB"), where he focused in particular on education and student loan issues, and has strong consumer protection views but minimal antitrust exposure.

Today's announcement and the expected nomination of Mr. Phillips reflects a balance between the antitrust and consumer protection missions of the FTC. While the views of the Republican nominees are clearly aligned with a traditional less-interventionist perspective on antitrust, their litigation experience combined with the likely pro-enforcement inclination of Democrats suggests that the FTC will be willing and able to litigate cases when doing so will protect competition or consumers.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

Arthur J. Burke

+1 212 450 4352
+1 650 752 2005
arthur.burke@davispolk.com

Arthur F. Golden

+1 212 450 4388
arthur.golden@davispolk.com

Ronan P. Harty

+1 212 450 4870
ronan.harty@davispolk.com

Howard Shelanski

+1 202 962 7060
howard.shelanski@davispolk.com

This communication, which we believe may be of interest to our clients and friends of the firm, is for general information only. It is not a full analysis of the matters presented and should not be relied upon as legal advice. This may be considered attorney advertising in some jurisdictions. Please refer to the firm's privacy notice for further details.

Related materials

[Read the full update](#)