



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

Office of Commissioner  
 Andrew N. Ferguson

**Dissenting Statement of Commissioner Andrew N. Ferguson**

**Joined by Commissioner Melissa Holyoak** As I have said before,

the Commission should periodically review its non-binding guidance

<sup>1</sup> The antitrust laws protect employees from unlawful restraints of the labor markets, and guidance reflecting the Commission's enforcement position on these issues promotes important transparency and predictability to market participants. But the lame duck Biden-Harris FTC should not replace existing guidance mere days before they hand over the baton. That is not "running through the tap."<sup>3</sup> Rather, the Biden-Harris FTC announcing its views on how to comply with the antitrust laws in the future is a senseless waste of Commission resources. The Biden-Harris FTC has no future.

**I respectfully dissent.**

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<sup>1</sup> **Dissenting Statement of Commissioner Andrew N. Ferguson, Regarding the Withdrawal of the Antitrust Guidelines for Collaborations Among Competitors, Matter No. 250000 Dec. 11, 2024**

<sup>2</sup> **Dissenting Statement of Commissioner Andrew N. Ferguson**, *re Guardian Serv. Indus., Inc.*, Matter No. 2410082, at 1 (Dec. 4, 2024); Concurring Statement of Commissioner Andrew N. Ferguson, Joined by Commissioner Melissa Holyoak, *In re Planned Building Services, Inc.*, Matter No. 2410029, at 1 (Jan. 6, 2025).

<sup>3</sup> CNBC Transcript: First on CNBC: FTC Chair Lina Khan Speaks with CNBC's Andrew Ross Sorkin on "Squawk Box" Today (Jan. 7, 2025), <https://www.cnbc.com/2025/01/07/cnbc-transcript-first-on-cnbc-ftc-chair-lina-khan-speaks-with-cnbc-andrew-ross-sorkin-on-squawk-box-today.html>.