



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

Office of Commissioner  
Alvaro M. Bedoya

**Opening Statement of Commissioner Alvaro M. Bedoya, Federal Trade Commission  
before the U.S. House of Representatives, Energy & Commerce Committee  
Subcommittee on Innovation, Data, and Commerce  
“The Fiscal Year 2025 Federal Trade Commission Budget”**

**July 9, 2024**

Thank you, Mr. Chairman, Ranking Member Schakowsky, members of the Subcommittee. Before I start, I want to note I’m speaking just for myself, and when I talk about corporate conduct, I’m talking about *allegations* from FTC charging documents.

I think a lot of people don’t realize that the FTC is actually a relatively small agency with a very broad mandate. So to give you a sense of how far a dollar goes at FTC, I’d love to describe just *one month* in the life of our agency. And I’d like to start in mid-December, when we had a case involving Pompe disease, which some of you may know is a debilitating genetic disorder that can kill a child in its first year of life.

Just one company has a monopoly on treatment for this disease. It charges a family hundreds of thousands of dollars for one year of treatment. When that monopolist found out a new company was developing new treatments, it tried to lock down those treatments through an exclusive license. On December 11th, FTC sued.

<sup>1</sup> Two days later, they stopped that.<sup>2</sup>

Three days after that, we stopped an anticompetitive hospital merger in the I-680 corridor in California. Three hospitals competed there. Two were more expensive; those two were owned by one entity. Those two *more expensive* hospitals tried to buy the third less expensive hospital. FTC sued.<sup>3</sup> And the merger was dropped.<sup>4</sup>

That same day, December 15<sup>th</sup>, we had a big decision on cancer tests. Cancer unfortunately is usually discovered *after* symptoms occur. And unfortunately that’s often too late. So right now, lots of companies are racing, to develop tests that will detect cancer in the *asymptomatic*, before symptoms show up. But just *one* company has the ability to actually run those tests on its platform. That platform company went out and bought one of those test companies in what FTC staff alleged was an effort to corner the whole market. FTC sued.<sup>5</sup> And on that day, December 15<sup>th</sup>, a court agreed with the FTC. And soon thereafter the company announced plans to unwind that purchase.

Three days after that, we announced new merger guidelines. It’s been clear since 1890, that competition law should make sure that companies compete for our *labor*, they should compete on the pay and benefits they offer workers. Yet in well over a century, only one merger

has been stopped because of how it would affect labor competition. So FTC and DOJ issued new guidelines to help law enforcers find and stop those mergers.

The next day we announced a major case on algorithmic fairness. There was a retailer that was trying to spot shoplifters by scanning the face of every single person who walked in that store. The only problem was the algorithm did not work. Thousands of times, it identified completely innocent people as shoplifters. They were stopped, they were searched, they were accused, they were detained. This even happened to an 11-year-old girl. So FTC staff sued and stopped that.<sup>6</sup>

The day after that we proposed updates to our children's privacy rules to address changes in how kids are taught in schools, voice-enabled technology, the nudges they receive online.<sup>7</sup>

Then after that it was Christmas. But *in between* Christmas and New Years, right in that period, a federal judge granted the FTC's petition to preliminarily enjoin a merger that would let a company corner a market for health care ad technology.<sup>8</sup> A few days after the New Year, they dropped that.<sup>9</sup>

Four days after that, we turned to medical privacy. There was a company was secretly tracking people when they went to the cardiologist, the endocrinologist, the gastroenterologist, bundling up that data and using it to sell for advertising. So the FTC sued and stopped that.<sup>10</sup>

Finally, three days after that, we had a major win on crop control products, on pesticides. These are major line items for farmers. And so ensuring them access to cheaper generics is really, really important. But two of the biggest pesticide brands were actually paying money to block the sale of cheaper generics to farmers. So FTC sued, alongside 10 state attorneys general, a bipartisan group. On January 12<sup>th</sup>, a federal judge blocked an effort by those two companies to stop our lawsuit.<sup>11</sup>

Mr. Chairman, Ranking Member Schakowsky, members of the Subcommittee, in a single month, FTC staff worked to keep health care accessible, affordable, effective, and private. They worked to keep our kids safe online. They worked to make sure that algorithms don't hurt people, and that companies compete for our labor. And they worked to protect the American farmer, to try to keep those farmers in the black.

And this is just what's public. And these are just the highlights. I respectfully urge you to continue what you're doing, which is strongly supporting the people and the work of the FTC. Thank you.

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<sup>1</sup> Press Release, Fed. Trade Comm'n, FTC Seeks to Block Sanofi's Acquisition of Rare Disease Drug that Threatens Sanofi's Monopoly (Dec. 11, 2023), <https://www.ftc.gov/news-events/news/press-releases/2023/12/ftc-seeks-block-sanofis-acquisition-rare-disease-drug-threatens-sanofis-monopoly>.

<sup>2</sup> Press Release, Fed. Trade Comm'n, Statement Regarding the Termination of Sanofi's Proposed Acquisition of Maze Therapeutics' Pompe Disease Drug (Dec. 13, 2023), <https://www.ftc.gov/news-events/news/press-releases/2023/12/statement-regarding-termination-sanofis-proposed-acquisition-maze-therapeutics-pompe-disease-drug>.

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<sup>3</sup> Press Release, Fed. Trade Comm’n, FTC Sues to Block John Muir Health’s Takeover of San Ramon Regional Medical Center (Nov. 17, 2023), <https://www.ftc.gov/news-events/news/press-releases/2023/11/ftc-sues-block-john-muir-healths-takeover-san-ramon-regional-medical-center>.

<sup>4</sup> Press Release, Fed. Trade Comm’n, Statement Regarding the Termination of John Muir’s Takeover of San Ramon Regional Medical Center from Tenet Healthcare (Dec. 18, 2023), <https://www.ftc.gov/news-events/news/press-releases/2023/12/statement-regarding-termination-john-muir-s-takeover-san-ramon-regional-medical-center-tenet>.

<sup>5</sup> Press Release, Fed. Trade Comm’n, FTC Challenges Illumina’s Proposed Acquisition of Cancer Detection Test Maker Grail (Mar. 30, 2021), <https://www.ftc.gov/news-events/news/press-releases/2021/03/ftc-challenges-illumina-proposed-acquisition-cancer-detection-test-maker-grail>.

<sup>6</sup> Press Release, Fed. Trade Comm’n, Rite Aid Banned from Using AI Facial Recognition After FTC Says Retailer Deployed Technology without Reasonable Safeguards (Dec. 19, 2023), <https://www.ftc.gov/news-events/news/press-releases/2023/12/rite-aid-banned-using-ai-facial-recognition-after-ftc-says-retailer-deployed-technology-without>. out

<sup>7</sup> Press Release, Fed. Trade Comm’n, FTC Proposes Strengthening Children’s Privacy Rule to Further Limit Companies’ Ability to Monetize Children’s Data (Dec. 20, 2023), <https://www.ftc.gov/news-events/news/press-releases/2023/12/ftc-proposes-strengthening-childrens-privacy-rule-further-limit-companies-ability-monetize-childrens>.

<sup>8</sup> Press Release, Fed. Trade Comm’n, Statement on FTC Win Securing Temporary Block of IQVIA’s Acquisition of Propel Media (Jan. 3, 2024), <https://www.ftc.gov/news-events/news/press-releases/2024/01/StatementonFTCWinSecuringTemporaryBlockofIQVIA%E2%80%99sAcquisitionofPropelMedia>.

<sup>9</sup> Katie Arceri, *IQVIA Drops Plan to Purchase Propel Media After FTC Injunction*, BLOOMBERG LAW (Jan. 5, 2024 12:04 PM), <https://news.bloomberglaw.com/antitrust/iqvia-drops-plan-to-purchase-propel-media-after-ftc-injunction>.

<sup>10</sup> Press Release, Fed. Trade Comm’n, FTC Order Prohibits Data Broker X-Mode Social and Outlogic from Selling Sensitive Location Data (Jan. 9, 2024), <https://www.ftc.gov/news-events/news/press-releases/2024/01/ftc-order-prohibits-data-broker-x-mode-social-outlogic-selling-sensitive-location-data>.

<sup>11</sup> Fed. Trade Comm’n v. Syngenta Crop Prot. AG, No. 1:22CV828, 2024 WL 149552, at \*30 (M.D.N.C. Jan. 12, 2024).