

**Statement of Noah Joshua Phillips**  
**before the**  
**U.S. Senate Committee on Commerce, Science and Transportation**  
**Hearing on Nominations**  
**February 14, 2018**

Chairman Thune, Ranking Member Nelson, members of the Committee – I want to thank you for holding this hearing, and for the opportunity to appear before you.

This is a critical time for the Federal Trade Commission, and your stewardship is essential.

I want to thank the President, for the honor he has bestowed and the confidence he has placed in me. I am deeply humbled.

I'd also like to thank Senator Cornyn. It's been the honor of my life to spend the last six years working for him, on behalf of Texans and the American public.

With the permission of the Committee, I'd like to recognize my family here with me today: my father, David Phillips; my sister, Judith Dolgin, my brother-in-law, Ira Stoll; my children, Dalia, Jonah, and Abigail; and my wife, Sarah Charles.

Members of the Committee, the FTC is an important institution at a critical time for our national economy.

Congress has tasked the FTC with enforcing consumer protection laws and antitrust laws, which help consumers by protecting competition.

The free market is the most powerful and effective engine of social progress in human history.

But it works better with rules of the road, and cops to enforce them.

The FTC is one of those cops.

Its mission statement reads: "Working to protect consumers by preventing anticompetitive, deceptive, and unfair business practices, enhancing informed consumer choice and public understanding of the competitive process, and accomplishing this without unduly burdening legitimate business activity."

I believe in that mission.

By following it, the FTC not only protects consumers, it helps instill confidence in markets, foster innovation and create jobs.

That is no small task.

First, the FTC must execute faithfully the authority vested in it by Congress, to protect consumers and competition. If confirmed, that is a responsibility I will shoulder humbly and carefully.

Second, the FTC must maintain predictability and intellectual rigor. We need sound rules, on which consumers and businesses both can rely.

Third, the FTC must keep abreast of developments in technology and business.

The agency must do all this as, among other things, Americans are hearing more about antitrust, seeing high healthcare costs, and sharing their data for use in new and different ways.

I am here before you because I want to help lead the FTC at this critical time.

Over my career, I have worked on issues the FTC deals with from different perspectives: as a mergers & acquisitions analyst; as a lawyer litigating antitrust and fraud cases, and doing merger review; and, for the bulk of my legal career, here in the Senate.

That last perspective is key.

As the members of this Committee know, legislation is hard. It requires understanding complex problems, listening to a broad array of stakeholders, judgment and finding common, bipartisan, ground.

For over six years, I have worked hard and well, with Democrats and Republicans. I plan to continue that at the FTC.

Working here in the Senate also has given me a personal appreciation for the Constitution's separation of powers, including the primacy of Congress in fashioning national policy.

I know what goes into the words you write, and, if confirmed, I will take care faithfully to execute them.

I thank the Members of the Committee and look forward to your questions.