

**SENATE COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION**

Nomination Hearing
Tuesday, February 25, 2025, at 10:00 A.M.

DEMOCRATIC QUESTIONS FOR THE RECORD

COVER PAGE
Mr. Meador

RANKING MEMBER MARIA CANTWELL (D-WA)

FTC Independence. The Federal Trade Commission (FTC) was designed to be an independent, bipartisan Commission. As a result, FTC Commissioners often disagree on issues before them and frequently issue dissents on matters when they are in the minority. And thanks to the for-cause removal protections Congress provided in the FTC Act, these expert Commissioners have traditionally been free to vote their conscience on matters before the Commission using their independent judgment and expertise about whether the FTC laws have been violated and should be enforced.

1. Mr. Meador, do you believe that having a bipartisan group of Commissioners strengthens the FTC?

Answer: The FTC has a strong tradition of consensus-building. If confirmed, I look forward to continuing that practice.

2. Do you believe it is important for Commissioners to be able to issue dissents – without fear of being removed by the President?

Answer: I believe it is important that the Executive Branch be accountable to the American people through the President that they elect.

3. Do you think a Commissioner should ever be fired for issuing a dissent?

Answer: I will defer to the President on personnel matters within the Executive Branch.

Following the law. In an interview with my staff, you affirmed that you knew that the oath you would take as an FTC Commissioner is to uphold the Constitution, and that it is not an oath of loyalty to the President. However, when Senator Duckworth asked at your nomination hearing if you would commit not to carrying out an illegal order by the president, you declined three times to make that commitment. That is deeply concerning.

4. If the president ordered you to do something illegal, would you refuse?

Answer: I do not believe that such a situation would actually occur, but I would uphold my oath to defend the Constitution.

5. Do you believe the Executive Branch must comply with the law?

Answer: The FTC must enforce all duly enacted laws that Congress gives it to enforce, and must follow all laws to which it is subject.

6. Do you believe the Executive Branch must comply with lawful court orders?

Answer: Subject to the right to appeal, parties that appear before a court of lawful jurisdiction are bound by the decisions of that court.

Information Privacy and Confidentiality. The FTC regularly handles sensitive information about consumers and confidential business information, including information that could be highly valuable to competitors and investors, such as merger filings before the mergers are made public.

7. Can you commit to keeping information at the FTC confidential under the privacy laws governing this information?

Answer: I will follow all applicable laws, including the confidentiality restrictions applicable to the FTC.

8. Can you confirm that includes keeping information confidential where required under the relevant privacy laws from the so-called Department of Government Efficiency, Elon Musk, and his affiliates, which is especially important given the sensitive information the FTC may hold about Musk's competitors?

Answer: I will follow all applicable laws, including the confidentiality restrictions applicable to the FTC.

Privacy and online safety. Americans are becoming more and more reliant on technology, and privacy and data security couldn't be more important.

9. Do you believe the FTC has sufficient authority and resources to protect American's privacy and online safety?

Answer: If confirmed, I will work closely with you and your office and with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that we are doing everything we can to protect Americans' privacy and online safety.

10. Would you support a comprehensive federal privacy law that gives individuals a privacy right that they can enforce in court?

Answer: I defer to Congress on the best way to update the law to protect Americans' privacy. If confirmed, I will work closely with you and your office and with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that we are doing everything we can to protect Americans' privacy and online safety.

11. If no, why not?

Answer: See above.

Protecting Renters and Homeowners. The FTC's mission is to protect consumers and promote competition. In the housing market, a lack of competition and transparency can hurt both renters and buyers. The FTC recently took action against a large landlord of single-family homes for deceptive and unfair practices including charging hidden fees to tenants and withholding security deposits.

13. What additional actions do you believe the FTC should be taking to protect competition and prevent unfair and deceptive practices in markets for rental housing and home ownership, including extending its Junk Fees Rule to long-term rental housing, examining private listing networks, policing algorithmic price fixing, and any additional actions you believe the FTC should prioritize?

Answer: Protecting competition in the housing market to help keep housing affordable is of critical importance. While I cannot prejudge any matter that may appear before me as a Commissioner, if confirmed I will work closely with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that we do everything we can to protect competition in this space.

13(b). For 40 years prior to the AMG decision in 2021, if a business unlawfully took money from consumers, the FTC could go to court with its 13(b) authority and force the business to give it back to consumers. From 2016 to 2020, the FTC returned over \$33 million to consumers in Washington state, benefiting over 220,000 people. And that's just one state.

At your nomination hearing, you stated that you "think it's incredibly important that the Federal Trade Commission have the ability to return money to consumers who have been harmed."

14. Do you support restoration of the FTC's 13(b) authority to order refunds for consumers in consumer protection and competition cases?

Answer: While I ultimately defer to Congress on how best to enable the FTC to obtain monetary redress for consumers, if confirmed I will work closely with you and your office and with Chairman Ferguson, my fellow commissioners, and FTC staff to provide guidance on this question based on the FTC's enforcement experience and expertise.

15. What limits, if any, would you advise Congress to place on the FTC's ability to get consumer refunds?

Answer: See above.

SENATOR AMY KLOBUCHAR (D-MN)

1. It only takes a few seconds of audio to clone a voice using artificial intelligence (AI), and criminals can pull the sample from public sources like social media. As a result, AI-enabled scams are becoming far too common. We need to make sure our consumer protection enforcers are prepared to respond to the growing threat of voice cloning scams.

- If confirmed, what will you do to help combat deceptive practices facilitated by AI technologies?

Answer: It is incredibly important that the FTC be vigilant in protecting consumers from deceptive practices turbocharged by AI. If confirmed, I will work closely with Chairman Ferguson, my fellow commissioners, and FTC staff to assess the agency's current enforcement tools and resources to ensure that we are doing everything we can to protect American consumers.

2. The Federal Trade Commission recently issued a Staff Report on artificial intelligence (AI) partnerships and investments by large technology companies.

- Do you share any of the concerns outlined in the report?
- If confirmed, what role do you believe the Federal Trade Commission should play in ensuring markets within the AI technology stack are competitive?
- Are there areas related to AI that you believe merit further investigation by the Federal Trade Commission?

Answer: It is essential to ensuring America's leadership in AI that the FTC do everything it can to protect competition in AI markets, whether through merger review or policing anticompetitive conduct.

3. Last September, I wrote to the Federal Trade Commission to raise concerns with the Federal Trade Commission that some large language models take content from creators without compensation, such as local journalists, to create artificial intelligence (AI) systems that compete directly with those creators.

- Do you agree that using one's content without compensation or permission to create products that compete directly against that content creator could be an unfair method of competition or a deceptive act or practice?

Answer: While I cannot prejudge any matter that may appear before me as a Commissioner, if confirmed I will work closely with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that the agency is doing everything it can to protect consumers and competitors from anticompetitive and unfair or deceptive conduct in AI markets.

4. There have been legislative proposals to remove the Federal Trade Commission (FTC)'s authority to enforce competition laws by moving the Bureau of Competition to the Justice Department, which I believe would undermine enforcement efforts.

- As a Commissioner, would you oppose any efforts to dismantle the FTC's Bureau of Competition and gut the FTC's authority to root out "unfair methods of competition" on behalf of consumers and small businesses?
- Do you agree that such a proposal could only be done through legislation and not by Executive Order?

Answer: If confirmed, I will defer to Congress and the President regarding any proposal to restructure our antitrust enforcement efforts.

SENATOR BRIAN SCHATZ (D-HI)

On February 18, 2025, President Trump announced an Executive Order (EO) entitled, “Ensuring Accountability for All Agencies.” The EO institutes an unprecedented requirement for direct presidential oversight over actions and strategic plans by independent agencies, including the Federal Trade Commission (FTC).

1. As Commissioner, will you commit to upholding the independence of decision making at the FTC?

Answer: If confirmed, I will serve the American people by working to advance the agenda of the President they elected.

AI-generated scams, impersonations, voice-cloning, and deepfakes can lead to financial losses and privacy violations for consumers, especially for vulnerable populations such as senior citizens.

2. What do you believe is the role of the FTC in ensuring that consumers are protected from AI-generated scams and fraud?

The FTC should ensure that it is fully and fairly enforcing its existing statutory authorities to protect consumers from all forms of fraud.

3. Will you commit to ensuring that the FTC takes adequate enforcement actions to protect consumers from AI-generated scams and fraud?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that the agency is doing everything it can to protect American consumers.

In your testimony, you noted the ongoing affordability crisis and the importance of the FTC in protecting consumers from predatory practices.

4. Will you commit to protecting FTC rules that would lower consumer costs and provide improved transparency to consumers about unexpected financial charges, such as the “Click-to-Cancel” rule?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that the agency is doing everything it can to protect American consumers.

The FTC develops public-facing consumer advice, including resources about how to best protect kids online.

5. Will you commit to ensuring that the FTC continues to develop and, as needed, update resources related to kids’ online safety?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that the agency is doing everything it can to protect kids online.

SENATOR EDWARD MARKEY (D-MA)

1. Over the past years the Federal Trade Commission has required companies to delete their algorithms created with improperly obtained data. Do you support the Commission using this practice as a way to address improper data collection?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that all remedies in FTC matters are both effective and appropriate.

2. Do you believe that bias and discriminatory artificial intelligence is a problem?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers and promote a vibrant and competitive AI ecosystem.

3. If confirmed, what is your plan to address biased and discriminatory artificial intelligence, especially in critical areas such as health care, education, employment, and criminal justice?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers and promote a vibrant and competitive AI ecosystem.

4. Do you believe that companies have an obligation to test, address, or measure its algorithms before deployment in order to determine whether it discriminates or is biased against protected characteristics?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers and promote a vibrant and competitive AI ecosystem.

5. Do you believe that companies have an obligation to monitor its algorithms after deployment in order to determine whether it discriminates or is biased against protected characteristics?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers and promote a vibrant and competitive AI ecosystem.

6. If confirmed, what is your plan to address companies that market and sell AI in a way that is misleading to the public?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers and promote a vibrant and competitive AI ecosystem.

7. Do you believe it is within the Commission's jurisdiction to investigate and address algorithmic discrimination?

Answer: The FTC has the duty to prevent unfair methods of competition and prevent unfair or deceptive trade practices, including in AI markets.

8. Do you believe that companies that use facial recognition technologies have an obligation to consider and mitigate risks related to misidentification of individuals, especially related to protected characteristics?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers and promote a vibrant and competitive AI ecosystem.

9. Do you believe that companies have an obligation to test, assess, measure, document, or inquire about the accuracy of its facial recognition tools before deployment, including seeking information from the vendor the technology was procured?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers and promote a vibrant and competitive AI ecosystem.

10: Do you believe that companies have an obligation to regularly monitor or test the accuracy of its facial recognition tool after its deployment?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers and promote a vibrant and competitive AI ecosystem.

11. Do you believe that companies have an obligation to adequately train employees tasked with operating facial recognition tools around the generation of false positives and bad matches?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers and promote a vibrant and competitive AI ecosystem.

12. If confirmed, do you believe you serve the American people or President Trump?

Answer: If confirmed, I will serve the American people by working to advance the agenda of the President they elected.

13. FTC Chairman Andrew Ferguson has indicated that independent agency leadership should “answer to the President,” and the Trump administration has asserted the same in a recent executive order. Do you agree?

Answer: I believe it is important that the Executive Branch be accountable to the American people through the President that they elect.

14. Do you believe that FTC commissioners should exercise independent judgement or defer to the preferences of the White House?

Answer: I believe it is important that the Executive Branch be accountable to the American people through the President that they elect.

15. FTC Chairman Andrew Ferguson has indicated that he will prioritize prosecuting companies who have adopted diversity, equity, and inclusion policies. Do you agree with this priority?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that the FTC is fully enforcing all of its statutory authorities to protect American consumers from any harm prohibited by those laws.

16. Chairman Ferguson has said he will prioritize investigating and prosecuting companies who choose not to advertise on certain platforms. Do you agree with this priority?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that the FTC is fully enforcing all of its statutory authorities to protect American consumers from any harm prohibited by those laws.

17. Chairman Ferguson has pledged to wield the FTC’s investigative authority to, quote, “fight back against the trans agenda” and investigate doctors and hospitals who provide treatment to transgender patients of all ages. Do you think this is a proper use of the FTC’s authority?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that the FTC is fully enforcing all of its statutory authorities to protect American consumers from any harm prohibited by those laws.

18. FTC Chairman Andrew Ferguson announced a new policy this month that would prohibit FTC political appointees from holding leadership roles in the American Bar Association, participating in ABA events, or renewing their ABA memberships. Do you agree with this policy?

Answer: Yes.

19. If confirmed, do you plan on remaining a member of the American Bar Association?

Answer: No.

20. Modern modes of transportation, especially cars, collect, use, and share many types of sensitive information, such as location, photos, audio, and video recordings. In many instances, this collection and use of this information is not disclosed to the driver and passengers of a vehicle.

Last year, I called upon the Federal Trade Commission to investigate these invasive and deceptive data collection practices. If confirmed, will you commit to looking into this issue to protect consumer privacy?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that the agency is doing everything it can to protect Americans' privacy.

21. During the last administration the Commission held regular open meetings, which drove public engagement to record levels. If confirmed, would you support resuming these open meetings?

Answer: I will defer to Chairman Ferguson on scheduling Commission meetings.

22. Please describe your plans on how you plan on ensuring the Commission is hearing directly and proactively reaching out to consumers, workers, business owners, technological experts, impacted communities, and other stakeholders?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure that the agency is hearing from all relevant stakeholders as it carries out its statutory obligations.

23. Do you believe it is constitutional to ban children and/or teens from social media?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect children.

24. Do you believe that a social media platform's algorithmic ranking of content constitutes the speech of the platform?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers.

25. Do you believe that a social media platform's content moderation decisions constitute the speech of the platform?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers.

26. Do you believe that private communications between employees of the federal government and social media platforms related to content moderation decisions or rules and the algorithmic ranking of content can violate the rights of the platform's users? If so, please describe the circumstances and/or conditions under which those communications would be unconstitutional?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers.

27. Do you believe that formal actions by federal agencies to investigate the content moderation decisions or rules or algorithmic ranking of content on social media platforms could be unconstitutional? If so, please describe the circumstances and/or conditions under which those actions would be unconstitutional?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers.

28. Do you believe that the public statements of an FTC commissioner around the content moderation decisions or rules or algorithmic ranking of content on social media platforms could be unconstitutional? If so, please describe the circumstances and/or conditions under which those statements would be unconstitutional?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers.

29. What concerns do you have related to the financialization of the health care sector?

Answer: Having a competitive health care sector is of critical importance to all Americans, and is an enforcement priority I have been focused on my entire career. While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect competition within the health care industry.

30. What steps would you take to regulate private equity in the health care sector?

Answer: Please see my response to question 29.

31. What additional measures would you take to increase transparency in health care ownership provider (nursing homes, hospitals, etc.) as it relates to private equity?

Answer: Please see my response to question 29.

32. To what extent should private equity firms be held responsible for decisions that undermine health care safety, quality, and access?

Answer: Please see my response to question 29.

33. What reforms do you plan to pursue related to hospital consolidation?

Answer: Please see my response to question 29.

34. How would you address private equity's health care market consolidation through smaller transactions that often evade FTC enforcement?

Answer: Please see my response to question 29.

35. What plans do you have to address private equity's practices that create significant debt or financial distress among the entities it purchases (for example, selling hospital or nursing home real estate to real estate investment trusts and requiring hospitals pay untenable lease payments)?

Answer: While I cannot prejudge any matter that may come before me as a Commissioner, if confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect competition.

36. Will you work with the Department of Justice, Department of Treasury, Department of Health and Human Services, and the Department of Labor on matters related to the role of private equity in health care?

Answer: If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to coordinate our enforcement efforts with all appropriate stakeholders, including any relevant part of the Executive Branch.

SENATOR JOHN HICKENLOOPER (D-CO)

Data is a key driver of a 21st century economy. The average American household has at least 17 internet-connected devices, including TVs, smart assistants, and phones. Each internet-connected device uses and relies on data. Today, 20 states (including Colorado) have a statewide privacy law. Among these state laws, each has a different definition for what counts as “sensitive data.” Some examples include data that reveal biometrics, religious beliefs, or affiliations with various organizations.

1. In order to establish a consistent definition for the kinds of data that companies should be expected to protect, what do you believe the definition of “sensitive data” should include?

Answer: The definition of “sensitive data” in proposed legislation is a policy question best left to Congress, and I will defer to the decision reached by Congress on this important matter. If confirmed, I look forward to working with you and your staff as well as Chairman Ferguson, my fellow commissioners, and FTC staff to provide guidance and feedback where helpful.

2. While some consumers may not be aware of the lack of a federal privacy law, most are painfully aware of when their data is part of a data breach. As data breaches increase, we must take every measure to give consumers control over what businesses do with their data.

What kinds of transparency rules should data brokers be subject to? Should data brokers be required to disclose themselves in a public registry?

Answer: Protecting Americans’ privacy is incredibly important. While I cannot prejudge any matter that may come before as a Commissioner, if confirmed, I look forward to working with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers.

3. States are leading legislation and enforcement of data privacy protections for consumers, including robust state privacy laws in Colorado and Texas. The Texas Attorney General filed a lawsuit against a company for collecting data about the location and driving habits of its customers without consent, allegedly violating the Texas Data Privacy and Security Act. Collecting and selling sensitive personal data increases the risk of consumers’ data being stolen by a cyberattack or used to directly harm an individual.

In the absence of a federal consumer data privacy law, do you believe that the FTC currently has the necessary enforcement authorities to protect consumers against invasive data collection practices involving the unauthorized collection and sale of geolocation data?

Answer: If confirmed, I look forward to working with Chairman Ferguson, my fellow commissioners, and FTC staff to review the FTC’s current enforcement efforts and ensure that the agency has all the tools it needs to adequately protect American consumers.

SENATOR LISA BLUNT ROCHESTER (D-DE)

1. In 2023, scams targeting seniors caused over \$3.4 billion in losses. Scams are only getting more frequent and advanced with AI. We have many older adults in Delaware. In the House, I worked with partners like AARP and passed bipartisan legislation to help ensure we are protecting and preparing our seniors. Due to my bill's passage, an advisory group was started at the FTC to focus on fighting scams against older adults.

Will you commit to continuing this work? What are your biggest concerns when it comes to fraud and scams against older adults?

Answer: Protecting senior citizens is an incredibly important mission for the FTC. If confirmed, I will work with Chairman Ferguson, my fellow commissioners, and FTC staff to ensure we are doing everything we can to protect American consumers.