



Office of the Chairman

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

**Statement of Chairman Andrew N. Ferguson  
Joined by Commissioner Melissa Holyoak  
Motion to Delegate Authority to Chairman to Comply with January 2025 Executive Orders  
on DEI Programs and Associated Guidance  
Matter Number P859900**

January 23, 2025

On January 20 and 21, President of the United States Donald J. Trump issued executive orders putting an end to DEI in the federal government.<sup>1</sup> On January 21, the Office of Personnel Management (OPM) issued guidance on how to comply with those orders.<sup>2</sup> It required that by 5pm on January 22, agency heads close all DEI offices and withdraw all “documents, directives, orders, materials, and equity plans” issued in response to the now-repealed 2021 executive order that required agencies to implement DEI ideology.<sup>3</sup> By noon today, agency heads had to report to OPM on steps already taken to comply with the President’s orders and OPM’s guidance, as well as any plans to achieve full compliance. I was able to take many actions to comply with the President’s orders on my own authority. Some actions, by contrast, like revising the Commission’s 2022–2026 Strategic Plan, require a full Commission vote. Other documents requiring rescission or modification but not yet identified could also require a Commission vote. To ensure that the Commission fully and timely complied with the President’s lawful orders as soon as possible, I requested that the Commission delegate to me the authority to take the actions necessary to comply.<sup>4</sup> The Commission has delegated to me that authority. I have begun exercising that delegated authority to comply with the President’s orders.

Alvaro Bedoya voted against my request. He raises what reads at first glance like a series of process objections and complaints about Commission priorities. For example, he faults me for prioritizing the termination of DEI programs over various actions he would like to see the Commission take. Things that the Biden-Harris Administration were doing, and his various trips around the country, he argues, are more important than prohibiting and eliminating DEI.

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<sup>1</sup> Exec. Order, Ending Radical and Wasteful Government DEI Programs and Preferencing (Jan. 20, 2025); Exec. Order, Initial Recissions of Harmful Executive Orders and Actions (Jan. 20, 2025); Exec. Order, Ending Illegal Discrimination and Restoring Merit-Based Opportunity (Jan. 21, 2025).

<sup>2</sup> Office of Personnel Management, Initial Guidance Regarding DEIA Executive Orders (Jan. 21, 2025).

<sup>3</sup> Exec. Order No. 14035, Diversity, Equity, Inclusion and Accessibility (DEIA) in the Federal Workforce (June 25, 2021).

<sup>4</sup> My colleague Commissioner Slaughter says that “I believe that, just as with other parts of the Commission’s website that he has taken down, the Chairman has all the power he needs to scrub [the Strategic Plan’s] existence and publicly disclaim it.” Although the Chairman exercises control over much of the Commission’s website, Congress has required that the strategic plan be made available on our website. 5 U.S.C. § 306(a). I therefore do not have power to remove it at a whim.

These are not process objections. Commissioner Bedoya is objecting to the outcome of the election. President Trump campaigned openly on ending DEI in the federal government. The American people chose him as President of the United States. Within hours of his inauguration, he delivered on his promise to the American people and ordered DEI out of the federal government. His administration then issued mandatory guidance requiring compliance with those orders within 72 hours of his inauguration. Is it thus not to the Commission process or our priorities that Commissioner Bedoya objects. It is to President Trump's delivery on his promise to end DEI within the federal government, and to end it immediately.

I get it. Commissioner Bedoya prefers that one of his party's two presidential candidates had won the election. He wishes that the federal government would continue to advance DEI ideology. He wishes that the Biden-Harris Administration were directing the Commission's priorities rather than the Trump Administration. But these objections have nothing to do with the process by which this motion was presented and adopted. It has nothing to do with the substantive authority I requested, and have been granted. They are objections to the outcome of an election that placed at the helm of the U.S. government a President who is committed to ending DEI, and who ordered that it be one of the government's highest priorities.

Commissioner Bedoya points out that President Trump has ordered agency heads to take actions in addition to ending DEI, and complains that I chose to start with the President's orders ending DEI.<sup>5</sup> He is confused. I will work tirelessly to implement *all* of the President's orders. And if the President determines that this agency must comply with an order immediately, such as by setting a deadline for compliance within 72 hours of his inauguration, I will abide by that determination. Commissioner Bedoya's objection is thus not really about *my* priorities. He objects to President Trump's decision to make the end of DEI one of the administration's highest priorities. I do not think an officer of the United States can refuse to comply with the President's lawful orders on the basis of such an objection.

I take seriously my obligation as an officer of the United States to follow the lawful orders of the President of the United States.<sup>6</sup> Like every other federal official, I am oath-bound to obey them. It is President Trump, not me or Commissioner Bedoya, in whom the American people have vested the executive power of the United States. But because Commissioner Bedoya objects to the result of the presidential election, he insists we should do something other than what the President lawfully ordered. The Constitution does not give him that choice.

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<sup>5</sup> Commissioner Bedoya also criticizes me for rescinding five Requests for Information (RFIs) approved unilaterally by the former Chair on the eve of President Trump's inauguration. These RFIs were just the final insult that the Democrat Commissioners leveled at the American people who voted against the Biden-Harris Administration in November 2024. In the final twenty days of the Biden-Harris Administration, the Democratic Commissioners rammed more than thirty votes through the Commission in defiance of the will of the American people. Dissenting Statement of Commissioner Melissa Holyoak, Regarding Closed Commission Meeting Held on January 16, 2025 (Jan. 16, 2025). I rescinded the RFIs not because of their substance, but because of the anti-democratic means by which they were issued. If the FTC under President Trump concludes that the RFIs are a prudent use of the limited resources that the Democrats' profligacy have left us, the FTC can re-issue them.

<sup>6</sup> See Statement of Commissioner Andrew N. Ferguson, Dissenting in Part and Concurring in the Denial of the Motion, In the Matter of H&R Block, Inc., et al., Docket No. 9427, at 1–2 (Oct. 18, 2024).