



Office of Commissioner
Andrew N. Ferguson

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

**Statement of Commissioner Andrew N. Ferguson
In the Matter of Snap, Inc.
Matter Number 2323039**

January 16, 2025

Today, the Commission took the unusual step of announcing that it has referred a complaint against Snap, Inc. to the Department of Justice. Normally, Commission referrals to the Department of Justice are not disclosed unless and until the complaint is filed in court by the Department or the Commission. The Commission alleges that Snap's deployment of its My AI chatbot caused "risks and harms" to young users of the application. I did not participate in the farcical closed meeting at which this matter was approved,¹ but I write to note my opposition to this complaint against Snap. Because the complaint itself remains non-public, I cannot at this time release a detailed analysis of its many problems. But for now, I can say that the complaint's application of Section 5 of the Federal Trade Commission Act² is not only wrong as a matter of statutory interpretation, but is also in direct conflict with the guarantees of the First Amendment. If the Department of Justice files this complaint, I will release a more detailed statement about this affront to the Constitution and the rule of law.

¹ See Dissenting Statement of Commissioner Andrew N. Ferguson, Regarding the January 16, 2025 Closed Commission Meeting (Jan. 16, 2025).

² 15 U.S.C. § 45.