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Lina Khan's Job Status Illustrates a Broken Washington

By Paul Steidler

On June 15, 2021, Lina Khan was sworn in as Chair of the Federal Trade Commission (FTC), and the first paragraph of an agency [press release](#) pronounced her term “expires on September 25, 2024.” That statement, like many others from the FTC since then, is wrong.

Khan will likely remain as FTC chair long after this upcoming Wednesday, September 25, even though President Biden has **NOT** renominated her to another term. She can stay in as long as she wants until a successor is nominated and confirmed by the U.S. Senate. Since a successor has not been named, and the vetting and confirmation process takes many months, Lina Khan's job is secure regardless of who is elected President.

Furthermore, [by law](#), the next President cannot arbitrarily remove her from office. She can only be fired for “inefficiency, neglect of duty, or malfeasance in office.”

Some federal appointees, such as those to the Board of Governors of the U.S. Postal Service, can only remain in power for a one-year holdover period until their position becomes vacant. FTC Commissioners can stay indefinitely. Congress could marginally fix this by imposing a one-year holdover on the FTC.

In fact, Congress should go further: eliminate all holdover periods. When a term is up, it is up. There should be added heat on the Administration and U.S. Senate to fill these positions sooner and prompt consequences for delays.

That is how things work in the real world outside of the Beltway.

If you are a consultant or a contractor, you don't get to hang around indefinitely doing work you want to do and billing for it. And when you are a manager who needs to hire people and fail to do so, there are major costs in terms of lost revenues and related opportunities in the real world.

Americans have a large and growing resentment towards official Washington, D.C., and both political parties. The prestigious, independent Partnership for Public Service's 2024 [State of Public Trust in Government](#) found “66 percent believe the federal government is incompetent, up 10 percent points (from 2022).”

Exhibit A of the government's incompetent is its failure to fill key roles at government agencies with qualified candidates in a timely manner.

Furthermore, public servants deserve to have their performance evaluated and assessed.

While Lina Khan is by most accounts a person of influence and consequence within the Biden Administration, the President's failure to nominate her is a sign of the Administration's ineptitude or perhaps even quiet disdain for her. Nothing says you are wanted and valued more than a renomination and confirmation.

When Congress and executive agency appointees must abide by the same practices as contractors, consultants, and managers in America's heartland, the government will function better for the American people it serves.

Although I am not a fan of Lina Khan, I will say this – she deserves candid, timely feedback from the President and, if renominated, a prompt vote, up or down. And the public would also benefit from a high-profile debate on whether her policies help or hurt the U.S. economy. Spoiler alert: it is the latter.

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