Press Release

The FTC's DEI for Conservatives

JOSEPH BROWN | JULY 10, 2025

Late last month, the Federal Trade Commission (FTC) entered into a consent agreement to resolve competitive concerns related to Omnicom Group Inc.'s $13.5 billion acquisition of The Interpublic Group of Companies, Inc. that barred the merged advertising agencies from agreeing with any third party to steer spending away from media platforms based on political content or ideology. In a new insight, Director of Competition Policy Fred Ashton explains how the FTC's apparent strategy endorses an antitrust philosophy of using targeted enforcement to combat the perceived political bias against conservatives.

An excerpt:

> *On June 23, 2025, the FTC announced it had reached a consent agreement with the merging firms to relieve the competitive concerns of the merger. The order prevents the merged firm from being involved in any agreement with a third party that directs advertising spending based on the publisher's "political or ideological viewpoints, or the political or ideological viewpoints expressed in content that the Media Publisher sells advertising to run alongside of," or to create an "exclusion list" using the same criteria. Moreover, the firm cannot refuse an advertiser's request to direct ad spending to a publisher or refuse to deal with an advertiser based on political or ideological viewpoints. Together, the post-merger conduct restrictions could preclude Omnicom's ability to fulfill its obligations to protect the brand reputation of its clients. Yet the consent does maintain the ability for the advertiser – the client of media-buying services firms – to instruct Omnicom how to direct advertising spending. Put simply, the advertiser can explicitly steer spending away from publishers based on political or ideological viewpoints and can develop its own exclusion list.*

Read the analysis.