



Antitrust Division (ATR)

FY 2021 Budget Request At A Glance

FY 2020 Enacted:	\$166.8 million (695 positions; 335 attorneys)
Current Services Adjustments:	+\$13.5 million
Program Changes:	+\$8.2 million
FY 2021 Budget Request:	\$188.5 million (782 positions; 390 attorneys)
Change From FY 2020 Enacted:	+\$21.8 million (+13.1%) (+87 positions; +55 attorneys)

Mission:

The mission of the Antitrust Division (ATR) is to promote economic competition through enforcing and providing guidance on antitrust laws and principles.

Organization:

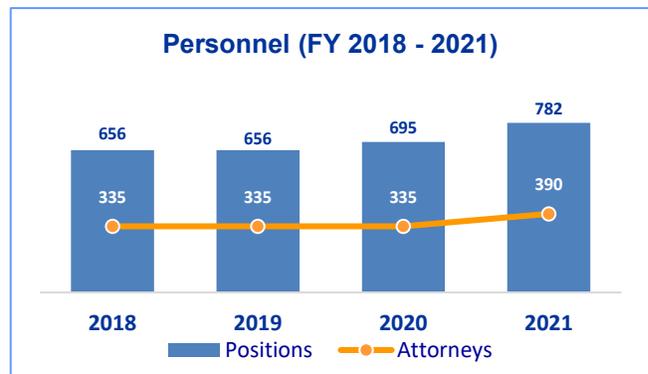
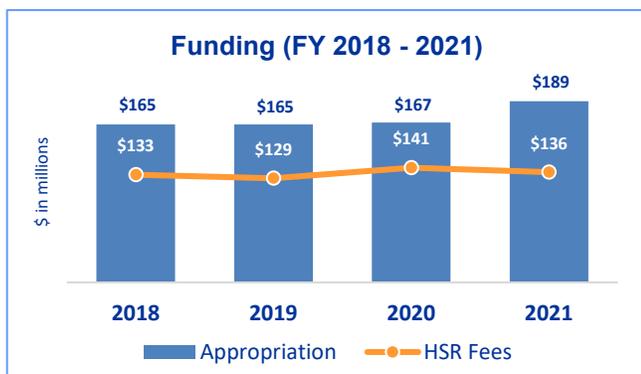
The ATR is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. The AAG is currently assisted by six Deputy Assistant Attorneys General, including career and non-career employees. In addition to its Washington, D.C. offices and sections, ATR has three offices strategically located across the United States that primarily handle criminal matters and serve as liaisons to the U.S. Attorneys, state attorneys general, and other law enforcement agencies.

Resources:

The FY 2021 budget request for ATR totals \$188.5 million, which is a 13.1 percent increase over the FY 2020 Enacted. Approximately two-thirds of ATR funding is derived from Hart-Scott-Rodino (HSR) premerger filing fees paid by companies planning to merge. For FY 2021, ATR expects HSR fee collections of \$136.0 million. The filing fee revenue of approximately \$272.0 million is divided evenly between the Antitrust Division and the Federal Trade Commission.

Personnel:

ATR's direct authorized positions for FY 2021 total 782 positions, including an increase of 87 positions over the FY 2020 Enacted of 695 direct authorized positions.



* FY 2020 – FY 2021 HSR fees are estimated.

FY 2021 Strategy:

ATR will continue its efforts in essential areas in U.S. and global markets to ensure that American consumers and businesses are left with a vibrant and appropriately competitive marketplace.

The Division's Civil Merger program will focus sharply on the statutorily-mandated review of premerger notifications and challenge problematic transactions in court, whether fundamentally flawed or where parties do not provide a remedy sufficient to resolve a proposed transaction's competitive harm. The Civil Non-Merger program will maintain a vigilant watch for contractual provisions or transactions that unlawfully disrupt the competitive process. Industries and markets that ATR will continue to focus on are wide-ranging and include the telecommunications, transportation, health care, banking, and media sectors. In addition, as initially announced by the Department in July 2019, the Division will continue its major review of the conduct of market-leading online platforms.

Vigorous enforcement of criminal antitrust laws will continue to be the number one priority of the Division's Criminal Program. ATR has a history of achieving record-setting prison sentences and criminal fines and expects this trend to continue in FY 2021. In November 2019, the Department announced the Procurement Collusion Strike Force (PCSF), which is an interagency partnership among the Antitrust Division, multiple U.S. Attorneys' Offices, the Federal Bureau of Investigation, and multiple federal Offices of Inspector General. The objective of the PCSF is to deter, detect, investigate, and prosecute antitrust and related crimes that affect government procurement, grant, and program funding. The Division will continue to uncover and prosecute cartels and other criminal activity across the spectrum of the Nation's economy in many areas including generic pharmaceuticals, financial services, components for consumer electronics, and packaged seafood.

Competition advocacy – to government entities, private firms and organizations, and the general public – will continue to be an important initiative in the Division with broad focus on intellectual property and competition law, and specific attention to evolving communications markets. Pursuit of many international initiatives, including enforcement and policy cooperation, bilateral/multilateral activities, and technical assistance will be an important focus as these efforts help protect U.S. consumers by strengthening enforcement and promoting international convergence around sound antitrust principles.

FY 2021 Program Changes:

Enhanced Antitrust Enforcement: \$8.2 million and 87 positions (55 attorneys)

The Department is requesting additional resources to address the increase in workload for ATR in its civil and criminal merger enforcement, monopolization enforcement, criminal cartel enforcement programs, and for the Division's ongoing and comprehensive conduct review of market leading online platforms. ATR's merger, monopolization, and cartel enforcement work is expected to continue increasing into FY 2021. The requested program enhancement will help meet the challenges presented by this increased activity and continue enabling the Division with protecting American consumers from anticompetitive merger deals, monopolization, and domestic and international cartels that harm U.S. consumers and businesses. The current services for this initiative are 695 positions (335 attorneys) and \$180.3 million.

Antitrust Division
(Dollars in Thousands)

	Antitrust Division		
	Pos	FTE	Amount
2019 Appropriation	[656]	574	164,977
2020 Enacted	[695]	595	166,755
2021 Request	[782]	639	188,524
Change 2021 from 2020 Enacted	[87]	44	21,769
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	2,781
Domestic Rent & Facilities	0	0	10,734
Other Adjustments	0	0	4
Total Base Adjustments	0	0	13,519
2021 Current Services	[695]	595	180,274
Program Changes			
Increases:			
Enhanced Antitrust Enforcement	[87]	44	8,250
Subtotal, Program Increases	[87]	44	8,250
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	[87]	44	8,250
2021 Request	[782]	639	188,524

Antitrust Division
(Dollars in Thousands)

Comparison by activity and program	2020 Enacted			2021 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Antitrust Division	[695]	595	166,755	[695]	595	180,274
Total	[695]	595	166,755	[695]	595	180,274
<i>Sub-Allotments and Direct Collections (FYI)</i>		12			18	
FTE Grand Total		607			613	

Comparison by activity and program	2021 Total Program Changes			2021 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Antitrust Division	[87]	44	8,250	[782]	639	188,524
Total	[87]	44	8,250	[782]	639	188,524
<i>Sub-Allotments and Direct Collections (FYI)</i>		0			18	
FTE Grand Total		44			657	