



Antitrust Division Roundtable Series on Competition and Deregulation: *TENTATIVE AGENDA*

The series of roundtable discussions will help the Department pursue effective and appropriate competition policy and identify related regulatory burdens on the American economy. Broad, bipartisan agreement for over half a century recognizes that the unrestrained interaction of competitive forces yields the best allocation of economic resources, the lowest prices, the highest quality, and the most innovation.

10:00 a.m. – Opening Remarks: Assistant Attorney General Makan Delrahim

10:15 a.m. – Statements from Panel Participants

11:15 a.m. – Break

11:30 a.m. – Session 1

The impact of express statutory exemptions and implied immunities from the antitrust laws. We will explore how segments of the economy with express exemptions may be unique, review justifications for those exemptions, and consider whether they are, and continue to be, warranted. We will also evaluate whether statutory exemptions and implied immunities harm consumer welfare.

12:00 p.m. – Session 2

How implied immunities and exemptions have affected antitrust enforcement. We will examine the appropriate roles of Congress and the courts in creating immunities and exemptions from antitrust laws. We will discuss whether the “implied repeal” doctrine in *Credit Suisse v. Billing*, 551 U.S. 264 (2007), helps or hampers competition.

12:30 p.m. – Session 3

Whether the state action doctrine in its current form strikes the appropriate balance between state sovereignty and the federal policy favoring competition in interstate commerce. We will assess policies and regulations states are adopting that may be considered exempt from antitrust scrutiny, and consider the resultant harm to competition and consumers. We will also query whether the dormant Commerce Clause could provide a meaningful limit on states’ ability to reduce competition involving interstate commerce.

U.S. Department of Justice