



DEPARTMENT OF JUSTICE

Dedication Remarks for the Anne K. Bingaman Auditorium & Lecture Hall

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Hello everyone, and thank you for joining us this afternoon to celebrate Anne Bingaman's important contributions to antitrust enforcement, and to dedicate this space in her honor.

It's truly special for us at the Antitrust Division to be surrounded by so many people who have made such tremendous contributions to its enforcement mission over the decades. I also particularly want to thank Jim Rill, Anne's immediate predecessor as Assistant Attorney General, for joining and enthusiastically encouraging us in recognizing Anne today. I am honored to call many of you colleagues and friends, and we are grateful that you are here today.

It's a true privilege to dedicate this space in honor of former Assistant Attorney General Anne Bingaman. Anne's career is punctuated by a series of firsts. After graduating from Stanford Law School, Anne was the first woman hired by a major law firm in New Mexico. She was also the first woman to receive tenure as an associate professor at the University of New Mexico School of Law. In 1993, after being confirmed by the Senate, Anne became the first woman to lead the Antitrust Division as Assistant Attorney General.

As we near the end of Women's History Month, it's particularly important to pause and consider how recently it was that Anne broke this barrier. During her confirmation hearing, she described growing up in Arizona, and deciding, as a 9 year old, that she wanted to pursue a career in law. As she put it, "to me, being a lawyer was like going to the moon. I mean, I didn't know lawyers. It was beyond my imagining."

Yet by the time Anne arrived at the Antitrust Division she had established herself as a tenacious antitrust lawyer who took on cartels. Her colleagues still remember her ability to control the room and go head-to-head with CEOs of major corporations.

Anne brought that same zeal to her work at the Antitrust Division. Then-FTC Chairman Robert Pitofsky commented on her giving “new energy” to the Division’s mission. She made this possible through a series of investments and initiatives that secured additional resources to help it pursue its goals effectively.

In 1993, the Antitrust Division, like much of the federal government, was forced to cut expenses. Anne refused to accept that these cuts would mean a slowdown in the Division’s work, so she launched the Division’s Paralegal Unit.

This important accomplishment also stood out to former AAG Bill Baer. Bill was unable to join us today, but sent a letter for Anne that highlighted this contribution. As he pointed out, Anne saw too much attorney and economist time being spent on sorting through hundreds of boxes of papers stacked in the hallways.

She knew there was a more efficient and lower-cost way to handle this task, and created the paralegal program. Starting with a class of twelve hires in 1993, the program has grown to almost a hundred paralegals today. It’s impossible to imagine the Division accomplishing the amount of work that it currently undertakes without this group of dedicated, talented, and enthusiastic paralegals.

The paralegal program has also launched numerous careers, as many paralegals go on to law school, and some even return to the Division as lawyers. Another former paralegal, Zach Terwilliger, is currently serving as the US Attorney for the Eastern District of Virginia. So Anne’s decision to launch the paralegal program has not only benefitted the Division in accomplishing its work more efficiently, but it’s also touched many people’s lives in countless other ways.

But Anne didn't stop there. She followed the creation of the Paralegal Unit by convincing Attorney General Reno and Congress that the Antitrust Division needed to increase the number of its attorneys as well. In 1994, she received approval to hire 50 attorneys and 6 economists. We continue to benefit from the service of many of these individuals to this day. In fact, earlier this month, we had the opportunity to recognize many of these employees with some of the Division's highest honors at our Assistant Attorney General Awards.

Anne also made crucial investments in the Division's infrastructure. She upgraded the computers to ensure that the Division's attorneys were on a level playing field against major corporations and private law firms. It was also Anne who, in the mid-1990s, was responsible for the most recent upgrade to the phones in all of the offices.

The Division has really appreciated those phones for a long time. In fact, we are still using them, even if we're not appreciating them quite as much as we used to. We're currently working on an upgrade, but it's a real testament to Anne that her investment in our phone system lasted more than 20 years.

Seriously, though, these resource allocation and investment issues are not the most glamorous part of the job. Yet Anne approached them with the recognition that they were essential tools for our attorneys to have in order to advocate at the highest levels.

Anne put these investments to use almost immediately.

Within her first two years, the Division doubled the number of its merger challenges.

The Division also went after anticompetitive *conduct*. In perhaps her most high profile case, Anne took control of the investigation into Microsoft's anticompetitive behavior within months of stepping into the Division. Under her watch, the Division negotiated a consent decree to resolve Microsoft's anticompetitive conduct in the market for operating systems.

While this was a major accomplishment, the events that came next may have had even more of a lasting impact on the Division.

As many of you know, all of the Division's consent decrees must be approved by a federal judge. Anne took the Microsoft decree to the D.C. Circuit and established important precedent that preserved flexibility for the Division in negotiating consent decrees. Without her advocacy on behalf of the Division, it could have lost an essential tool from its enforcement arsenal.

Anne also reinvigorated the Division's criminal program. For example, the Division opened its investigation into the global conspiracy to fix the price of lysine during her tenure. That investigation led to what was, at the time, the largest criminal antitrust fine ever imposed.

Additionally, just two months after being sworn in as Assistant Attorney General, Anne launched the leniency program. This program, which continues to this day, offered the carrot of immunity to the first company that self-reported its involvement in a cartel. It's helped uncover domestic and international conspiracies that have been punished with jail time and over one billion dollars in fines for criminal violations of the antitrust laws.

These are just a few of Anne's many accomplishments as Assistant Attorney General for Antitrust. Her career demonstrates a true conviction in the value and importance of sound antitrust enforcement.

As she explained when she testified before the Senate Judiciary Committee at her confirmation hearing, "It is really the antitrust laws which are at the bedrock of our economic system. They give us the robust competition that encourages innovation, that makes us uniquely American, that makes us really what we are. . . . We believe in head-to-head, tough competition on the merits, and we believe that is what makes America great . . ." I couldn't agree more.

Anne, it is a privilege to dedicate this new auditorium and lecture hall in your honor.

The wall-mounted displays, speaker system, and video conferencing will allow us to broadcast to our New York, Chicago, and San Francisco offices.

We will use it to train, engage, and educate the next group of attorneys, economists, and paralegals who will continue to carry the Division's mission forward in your footsteps. Generations to come will be reminded of and inspired by your determination and outstanding success each time that they come into this wonderful new auditorium.

Now, I'd like to invite Chief Judge Diane Wood of the United States Court of Appeals for the Seventh Circuit to share some remarks. Chief Judge Wood established herself as an intellectual force during her distinguished career as a law professor.

When Diane Wood joined the University of Chicago Law School in 1981, she was the only woman on the faculty, and she would later become the first woman to hold a named chair professorship at that school.

The Antitrust Division is lucky to count Chief Judge Wood as one of our own, given her service from 1993 to 1995 as Anne's Deputy Assistant Attorney General for international, appellate, and policy. We're excited to welcome Chief Judge Wood back to the Division today to join us in honoring Anne Bingaman.