



**ANTITRUST DIVISION
WORKLOAD STATISTICS
FY 1980 - 1989**



INVESTIGATIONS

Investigations by Type of Conduct¹	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Sherman §1	219	162	139	136	135	130	169	125	115	93
Sherman §2	65	8	12	10	5	5	12	4	3	7
Clayton §7	59	68	85	79	105	107	120	132	88	108
Clayton §8	1	-	-	1	1	-	-	-	-	-
Clayton §3	6	-	-	-	-	-	-	-	-	-
Others	27	17	26	19	11	12	6	9	10	12

Business Reviews	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Requested	26	18	23	26	20	28	27	25	23	13
Issued	22	18	23	26	20	28	52 ²	32	18	15
- Granted	16	13	19	22	18	28	34	28	13	7
- Denied	3	-	3	1	1	-	1	1	-	-
- Declined	3	5	1	3	1	-	7	1	-	2
- Withdrawn	-	-	-	-	-	-	10	2	5	6
Pending	-	-	-	-	-	-	19 ³	12	17	15

¹ Does not include business reviews or premerger notifications.

² Includes business reviews requested prior to FY 1986 but not acted upon until FY 1986.

³ Includes business reviews requested prior to FY 1986 but still pending final action. This is a new reporting line item.

Premerger Notifications	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Received	824	993	1,204	1,101	1,339	1,604	1,949	2,533	2,747	2,883
Investigations initiated	56	67	55	62	79	106	85	89	56	64
Number of cases filed	7	3	3	2	5	5	4	4	6	4

Preliminary Inquiries	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Initiated	241	198	205	181	181	180	222	174	134	141
Terminated	367	224	169	184	175	196	237	192	167	144
Pending	183	157	193	190	196	180	165	147	114	111

Civil Investigations	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Initiated	61	22	8	16	25	15	34	36	19	32
Terminated	72	62	26	11	12	17	34	31	28	32
Pending	76	36	18	23	36	34	34	39	30	30

CIDs Issued	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Total Number	910	552	286	230	1,189 ⁴	466	393	398	322	356
Documentary	447	194	97	50	102	56	10	20	9	18
Written	274	296	81	2	717	2	143	49	52	18
Oral	189	62	31	85	146	113	45	94	67	29
Documentary/Written ⁵	-	-	77	93	224	295	195	235	194	291

⁴ Figures include an unusually large number of waste management CIDs filed by the former Special Trial Section, now the Professions and Intellectual Property Section.

⁵ New category - combined document and written CIDs served to one person, corporation, partnership or legal entity.

Grand Juries	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Initiated	48	34	49	48	48	58	51	59	63	47
Terminated	23	34	18 ⁶	31 ⁶	28 ⁶	52 ⁶	48 ⁶	42 ⁶	52 ⁶	47 ⁶
Pending	51	51	82	99	119	125	128	145	156	156

Cases Returned	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Criminal	20	40	61	42	52	23	31	38	26	21
Civil	6	13	6	2	5	4	-	-	-	-
Informations Filed ⁷	35	30	30	55	48	24	22	54	61	65
Other	-	-	-	1 ⁸	-	-	-	-	-	-

⁶ Suits have been filed as a result of the bid-rigging and price-fixing grand juries but the grand juries themselves are still on-going and have not terminated.

⁷ Defendants waived indictment by the grand jury and criminal informations were filed by the government.

⁸ There was one criminal contempt petition this fiscal year.

DISTRICT COURT ANTITRUST CASES

Total Civil Cases	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	28	26	18	10	14	11	6	15	11	6
Terminated	39	36	42	17	11	19	58 ⁹	10	22	4
- Won	32	36	31	15	8	13	44	7	21	3
- Lost	5	-	3	2	1	2	10	-	-	-
- Dismissed	2	-	8	-	2	4	4	3	1	1
Pending	112	102	78	71	74	66	14	19	8	10

Restraint of Trade-Civil	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	14	19	8	5	7	2	-	9	-	-
Terminated	28	28	31	10	6	10	24	1	12	1
- Won	26	26	23	10	4	6	22	1	11	1
- Lost	1	1	1	-	-	2	1	-	-	-
- Dismissed	1	1	7	-	2	2	1	-	1	-

Oligopoly and Monopoly - Civil	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	1	1	-	1	-	-	-	-	-	-
Terminated	-	-	2	2	-	-	8	-	-	-
- Won	-	-	1	-	-	-	4	-	-	-
- Lost	-	-	-	2	-	-	3	-	-	-
- Dismissed	-	-	1	-	-	-	1	-	-	-

⁹ This unusually high number of civil cases terminated includes cases that were actually terminated in previous years but not reported as closed.

Merger Cases	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	10	4	8	4	5	7	6	6	6	5
Terminated	8	8	9	5	3	8	22	8	5	2
- Won	5	5	7	5	3	6	16	5	4	2
- Lost	3	3	2	-	-	1	5	-	-	-
- Dismissed	-	-	-	-	-	1	1	3	1	-

Damage Actions - Civil	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	1	-	1	-	-	-	-	-	-	-
Terminated	-	-	-	-	1	-	-	-	-	1
- Won	-	-	-	-	1	-	-	-	-	-
- Lost	-	-	-	-	-	-	-	-	-	-
- Dismissed	-	-	-	-	-	-	-	-	-	1

Other Civil	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	2	2	1	-	2	1	-	-	5	1
Terminated	3	-	-	-	1	1	4	1	5	-
- Won	1	-	-	-	-	1	2	1	5	-
- Lost	1	-	-	-	1	-	1	-	-	-
- Dismissed	1	-	-	-	-	-	1	-	-	-

Total Criminal Cases	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	55	70	94	98	100	47	53	92	87	86
Terminated	61	59	87	93	82	71	59	26	39	140 ¹⁰
- Won	57	57	78	84	72	64	54	20	34	129
- Lost	3	2	7	5	9	5	5	4	4	10
- Dismissed	1	-	2	4	1	2	-	2	1	1
Pending	24	35	42	47	65	41	35	101	159	105

Restraint of Trade - Criminal	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	55	69	92	92	96	43	47	77	74	80
Terminated	58	59	85	91	81	65	52	23	29	123
- Won	54	57	76	82	72	58	48	17	28	114
- Lost	3	2	7	5	8	5	4	4	1	8
- Dismissed	1	-	2	4	1	2	-	2	-	1

Oligopoly and Monopoly - Criminal	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	-	-	-	-	-	-	-	-	-	-
Terminated	-	-	-	-	-	-	-	-	-	-
- Won	-	-	-	-	-	-	-	-	-	-
- Lost	-	-	-	-	-	-	-	-	-	-
- Dismissed	-	-	-	-	-	-	-	-	-	-

¹⁰ This unusually high number of criminal cases terminated includes cases that were actually terminated in previous years but not reported as closed.

Criminal Cases Charging Primarily Other Federal Crimes such as Perjury, Mail Fraud, Contempt, Obstruction of Justice, or False Statements	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	-	1	2	6	4	4	6	15	13	6
Terminated	3	-	2	2	4	6	9	9	10	17
- Won	3	-	2	2	3	6	8	8	6	15
- Lost	-	-	-	-	-	-	1	-	3	2
- Dismissed	-	-	-	-	1	-	-	1	1	-

APPELLATE CASES

Antitrust Division Cases Court of Appeals	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	15	17	16	11	13	27	26	8	24	32
Terminated	19	23	13	23	14	19	19	10	21	19
- Won	16	19	8	20	9	15	16	7	17	18
- Lost	1	4	5	3	5	4	2	3	2	-
- Dismissed	2	-	-	-	-	-	1	-	2	1

Antitrust Division Cases Supreme Court	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	2	6	12	3	3	10	5	-	4	5
Terminated	9	5	9	2	-	8	3	4	2	2
- Won	9	4	8	2	2	7	3	4	2	2
- Lost	-	-	-	-	-	1	-	-	-	-
- Dismissed	-	-	1	-	-	-	-	-	-	-

Amicus Cases Court of Appeals	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	8	6	5	8	3	1	1	6	2	1
Terminated	7	4	-	3	7	2	1	7	2	1
- Won	7	3	-	2	6	-	1	5	-	1
- Lost	-	-	-	-	1	2	-	1	1	-
- Dismissed	-	-	-	1	-	-	-	1	1	-

Amicus Cases Supreme Court	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	3	10	9	7	9	9	9	3	5	2
Terminated	3	7	2	3	10	7	8	2	4	1
- Won	3	6	2	3	7	5	5	2	4	1
- Lost	-	1	-	-	3	2	3	-	-	-
- Dismissed	-	-	-	-	-	-	-	-	-	-

Other Agencies' Cases Court of Appeals	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	312	275	173	311	313	373	248	189	129	124
Terminated	301	205	158	334	345	319	118	379	96	80
- Won	294	132	124	155	208	148	60	94	49	26
- Lost	8	11	13	25	28	25	16	76	12	18
- Dismissed	19	62	21	154	109	146	42	107	35	36

Other Agencies' Cases Supreme Court	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Filed	27	21	7	13	6	30	17	11	11	10
Terminated	24	16	4	6	9	14	10	13	4	7
- Won	24	16	3	6	9	13	6	12	4	7
- Lost	-	-	1	-	-	-	4	-	-	-
- Dismissed	-	-	-	-	-	1	-	1	-	-

JUDGMENT ENFORCEMENT¹¹

JUDGMENT ENFORCEMENT	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Divestitures	5	8	7	7	5	5	4	5	4	3
Compliance reports	335	312	215	188	206	287	231	141	155	137
Decrees modified/terminated	17	16	60	39	9	17	20	11	8	15
Contempt cases	1	2	1	1	-	-	-	-	1	1

Judgment Enforcement: Modification/Termination Investigations ¹²	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Initiated	-	2	31	15	10	3	7	7	13	3
Terminated	-	0	0	4	11	11	13	8	22	6
Pending	-	2	33	44	43	35	29	28	19	16

CASE RESULTS

Indictments, Fines, and Sentences	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Individuals Indicted	72	83	103	113	104	36	60	116	78	76
Total Amount Individual Fines (\$000)	667	660	1,585	1,463	1,176	846	1,152	1,636	1,996	2,892
- No. Individuals Fined	27	33	42	46	45	43	44	42	53	54
No. Individuals Sentenced (Actual Jail)	15	49	54	51	32	11	16	15	30	32
No. Individuals Sentenced (Incl. Probation)	47	59	72	83	63	53	50	48	73	76
Total Number of Actual Jail Days (Sentenced Served)	1,381	7,041	5,940	6,543	3,181	1,356	2,725	1,994	5,892	7,473

¹¹ This category of statistics does not include activity concerning the enforcement of the modified final judgment in the AT&T case.

¹² This category reports investigation to determine whether a judgment should be modified or terminated. Figures are available only from FY 1981.

Indictments, Fines, and Sentences	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Corporations Indicted	87	74	113	122	131	50	69	119	89	88
Total Corporations Fines (\$000)	8,601	16,178	35,223	19,430	19,218	8,633	9,570	16,265	28,830	25,600
- No. of Corporations Fined	64	77	105	88	92	83	56	66	83	86

Damages	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Total (\$000) ¹³	4,118	2,830	4,283	249	1,792	258	1,018	1,740	6,279	3,090
Pursuant to Crim. Cases (\$000)	4,118	2,830	4,068	249	-	258	1,018	1,590	6,279	3,090
- No. of Corporations	3	10	4	2	-	4	6	8	10	11
- No. of Individuals	-	-	5	1	-	-	-	-	-	9
Pursuant to Civil Cases (\$000s)	-	-	215	-	1,792	-	-	150	-	-
- No. of Corporations	-	-	1	-	3	-	-	1	-	-
- No. of Individuals	-	-	-	-	-	-	-	-	-	-

H-S-R Penalties	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Total Penalties (\$000) ¹⁴	-	-	-	-	230	-	450	-	2,194	3,000
- No. of Corporations	-	-	-	-	1	-	1	-	5	1
- No. of Individuals	-	-	-	-	-	-	-	-	1	-

Total Corporation Contempt	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Fines (\$000)	-	-	-	-	30	-	12	-	1,000	545
No. of Corporations Cited	-	-	-	-	1	-	1	-	1	1

¹³ FY 1988 was the first year that large amounts of criminal damages were assessed. For proper accounting purposes, this category will provide information on both individual and corporate defendants.

¹⁴ New category - FY 1984 was the first year this type of penalty was assessed.

Cases Won Without Completing Litigation	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Consent	27	32	28	15	10	18	7	8	1	4
Conviction by Pleas	45	57	73	76	61	61	45	54	67	84
Dismissed	3	3	11	3	3	3	-	3	2	1

PARTICIPATION IN BANK MERGER PROCEEDINGS	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Total Screenings	774	1,020	1,823	1,721	1,855	1,762	1,776	1,918	1,815	1,505
Total Letters	306	406	794	858	920	762	776	920	963	775
- Savings and Loan Letters	9	2	16	16	8	11	14	36	77	126
- Bank Holding Letters	8	4	5	3	3	3	5	2	4	1
- Merger Letters	289	400	773	839	909	748	757	882	882	648

FILINGS IN REGULATORY AGENCY PROCEEDINGS	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Department of Transportation	9	9	17	6	4	-	33	15	4	-
Nuclear Regulatory Commission	5	5	12	-	-	-	1	-	-	-
Environmental Protection Agency	-	-	-	-	-	-	1	1	1	1
Federal Energy Regulatory Admin.	5	6	4	1	-	2	9	27	12	13
Securities and Exchange Comm.	1	1	2	6	4	2	2	3	1	-
Federal Deposit Insurance Corp.	-	-	1	2	2	-	2	-	-	1
Federal Reserve Board	1	2	2	1	1	3	3	-	1	-
Federal Communications Comm.	8	13	8	26	17	9	11	3	1	1
Federal Maritime Commission	5	17	1	1	3	3	7	7	3	2
Interstate Commerce Commission	19	21	6	15	23	8	13	16	13	-
Federal Home Loan Bank Board	2	3	4	2	1	1	4	-	-	-

FILINGS IN REGULATORY AGENCY PROCEEDINGS	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
International Trade Commission	6	5	3	2	-	-	-	-	-	-
Postal Rate Commission	-	1	2	1	5	1	1	-	-	-
Other	11	8	8	10	4	5	7	2	1	2

ADVICE TO FOREIGN GOVERNMENTS	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Advice/Reports to Foreign Govts and International Organizations	55	33	56	49	64	52	27	33	67	85
Notifications to Foreign Govts and International Orgs ¹⁵	-	40	31	37	44	51	47	53	46	38
Representation at/Negotiations with Foreign Govts and Intl Orgs ¹⁶	-	-	10	6	10	12	17	28	27	20
Applications for Export Trade Certificates ¹⁷	-	-	-	-	36	20	15	20	19	27
Certificates Issued	-	-	-	-	39	23	10	17	20	26

OTHER ANTITRUST ADVICE	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
4-F (Hart-Scott-Rodino) Information	62	50	20	22	24	16	11	8	4	6
Advice on Surplus Property	16	16	20	21	20	11	13	11	21	8
Meeting of Interagency Task Forces/Committees	29	7	24	17	20	18	18	30	11	10
Published Speeches										
- Assistant Attorney General	15	7	23	10	20	16	14	12	13	18
- Others	29	18	22	12	24	14	5	7	5	2
Congressional Appearances	21	16	32	12	16	14	10	19	5	9
Cong/OMB Requests for Comments	275	256	307	276	361	235	374	341	369	368

¹⁵ This is a new reporting category; statistics are available only from FY 1981.

¹⁶ This is a new reporting category; statistics are available only from FY 1982.

¹⁷ This is a new reporting category; statistics are available only from FY 1984.

OTHER ANTITRUST ADVICE	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
White House Referrals	51	337	347	212	363	169	151	151	93	223
Congressional Correspondence	341	335	315	326	398	245	656	322	305	318
Statutory Reports	24	23	115 ¹⁸	140 ¹⁸	148 ¹⁸	113 ¹⁸	19	66	66	53

Other Antitrust Actions	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Joint Research and Development Filings ¹⁹	-	-	-	-	-	31	21	24	32	37
FOIA Requests	374	400	332	427	355	406	308	268	265	250
Privacy Act Requests	30	56	24	15	18	28	11	13	16	7

¹⁸ Figures reflect an unusually large number of reports on Federal Coal Lease Applications and Reports on Offshore Oil Lease Applications.

¹⁹ This is a new reporting category; filings are a result of the National Cooperative Research Act of 1984 and, therefore, statistics are available only from FY 1985.