

The Power of the Purse Hits DOJ's Antitrust Division

A photograph of a modern building's curved glass facade, showing multiple floors and windows, set against a light blue sky.

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By: Michael L. Keeley

In almost every way, the party of the U.S. President controls federal antitrust enforcement policy. The one exception is control over antitrust agency funding, which is apparently taking a hit. Republican control over the House of Representatives means that annual budgets require compromise between the two parties, and this week we are seeing it play out over funding levels for the DOJ's Antitrust Division.

Comments from the White House strongly suggest that a deal was made to increase Antitrust Division funding modestly, but to deny DOJ a much larger budget boost funded by the increased HSR filing fees. This suggests that - unless reversed – the new budget will require the Antitrust Division to make do with less than expected.

The White House (through its appointees) will still direct antitrust policy, and the budget will not tell DOJ which actions to bring (or not to bring). But DOJ will have to decide which priorities are the most important to stay within its budget.

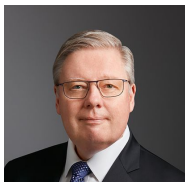
White House Press Secretary Karine Jean-Pierre said President Joe Biden strongly supports funding for antitrust enforcement, which would increase by 4% under the current proposal.

“These full-year bills represent a compromise,” she said Tuesday at the daily briefing with reporters. “So, no one got everything they wanted, obviously. That’s what a compromise is. But they fund the government, prevent a damaging shutdown, and protect our progress.”

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