



Antitrust Division (ATR)

FY 2022 Budget Request At A Glance

FY 2021 Enacted:	\$184.5 million (740 positions; 363 attorneys)
Current Services Adjustments:	+\$8.3 million
Program Changes:	+\$8.4 million
FY 2022 Budget Request:	\$201.2 million (830 positions; 412 attorneys)
Change From FY 2021 Enacted:	+\$16.7 million (+9.0%) (+90 positions; +49 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:

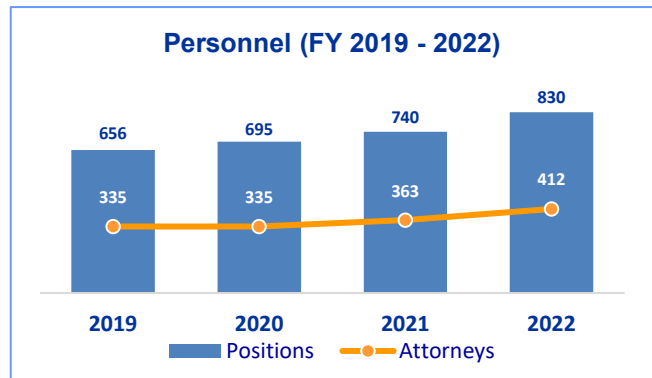
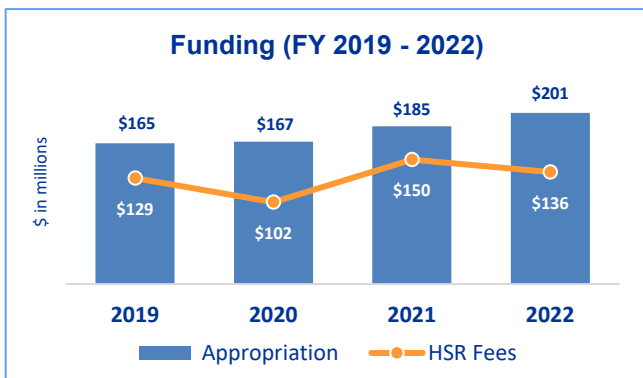
The ATR is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. The AAG is assisted by six Deputy Assistant Attorneys General, including career and non-career employees. In addition to its Washington, DC, offices and sections, the ATR has three 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 2022 budget request for the ATR totals \$201.2 million, which is a nine percent increase over the FY 2021 Enacted. Approximately two-thirds of the ATR's funding is derived from the Hart-Scott-Rodino (HSR) premerger filing fees paid by companies planning to merge. For FY 2022, the 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:

The ATR's direct authorized positions for FY 2022 total 830 positions, including an increase of 90 positions over the FY 2021 Enacted of 740 direct authorized positions.



* FY 2021 – FY 2022 HSR fees are estimated.

FY 2022 Strategy:

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

The ATR'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 the ATR will continue to focus on are wide-ranging and include telecommunications, college admissions, health care, banking, and consumer finance. In addition, as initially announced by the Department in July 2019, the ATR will continue with its major investigations of the conduct of market-leading online platforms, including a complaint filed against Google in October 2020 alleging monopolistic behavior in general internet search and search advertising markets. The Google Search matter is scheduled for trial in September 2023.

Vigorous enforcement of criminal antitrust laws will continue to be the number one priority of the ATR's Criminal Program. The ATR has a history of achieving record-setting prison sentences and criminal fines and expects this trend to continue in FY 2022. The Procurement Collusion Strike Force (PCSF), which recently passed the one-year mark since its formation, has seen early success. The PCSF is an interagency partnership among the Antitrust Division, multiple U.S. Attorneys' Offices, the Federal Bureau of Investigation, and various Federal Offices of Inspectors General. It was formed to deter, detect, investigate, and prosecute antitrust and related crimes that affect government procurement, grant, and program funding. The ATR will continue to uncover and prosecute cartels and other criminal activity across the spectrum of the Nation's economy. Much of this illegal activity targets vulnerable populations in areas such as health care markets, grocery store staples, consumer electronics, commercial construction, and financial markets.

Competition advocacy – to government entities, private firms and organizations, and the general public – will continue to be an important initiative in the ATR 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 2022 Program Changes:

Antitrust Enforcement Enhancement: \$8.4 million and 66 positions (38 attorneys)

This enhancement request will support the ATR's ongoing and comprehensive investigations of market-leading online platforms and Google Search litigation, currently scheduled for September 2023. This request will also fund PCSF activities, as well as the ATR's criminal enforcement and prosecution of cartels, as this work is expected to continue increasing into FY 2022. The requested program enhancement will allow the ATR to continue protecting American consumers from monopolization and domestic and international cartels that harm U.S. consumers and businesses, as well as promoting competition in the public procurement process and safeguard taxpayer dollars from collusion. The current services for this initiative are 764 positions (374 attorneys) and \$192.8 million.

Antitrust Division
(Dollars in Thousands)

	Antitrust Division		
	Pos	FTE	Amount
2020 Appropriation	[695]	608	166,755
2021 Enacted	[740]	659	184,524
2022 Request	[830]	753	201,176
Change 2022 from 2021 Enacted	[90]	94	16,652
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	22	7,884
Domestic Rent & Facilities	0	0	-2,869
Other Adjustments	[24]	24	3,237
Total Base Adjustments	[24]	46	8,252
2022 Current Services	[764]	705	192,776
Program Changes			
Increases:			
Antitrust Enforcement Enhancement	[66]	48	8,400
Subtotal, Program Increases	[66]	48	8,400
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	[66]	48	8,400
2022 Request	[830]	753	201,176

Antitrust Division
(Dollars in Thousands)

Comparison by activity and program	2021 Enacted			2022 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Antitrust Division	640	659	184,524	664	705	192,776
Total	640	659	184,524	664	705	192,776
<i>Sub-Allotments and Direct Collections (FYI)</i>		47			23	
FTE Grand Total		706			728	

Comparison by activity and program	2022 Total Program Changes			2022 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Antitrust Division	66	48	8,400	730	753	201,176
Total	66	48	8,400	730	753	201,176
<i>Sub-Allotments and Direct Collections (FYI)</i>		0			23	
FTE Grand Total		48			776	