

# PUBLICATION

---

## DOJ Antitrust Division and FTC Seek Additional Funds and More Attorneys in 2017 Budget

March 1, 2016

In early February, the DOJ Antitrust Division and the FTC each announced their proposed budget requests for the federal government's 2017 fiscal year (October 1, 2016 – September 30, 2017). The Antitrust Division and the FTC are each seeking an increase of approximately 10 percent in funding for 2017, which is a significant increase from last year.

If approved, the Antitrust Division budget request would increase to approximately \$180 million, while the FTC's funding would increase to approximately \$340 million. Notably, in addition to these requested amounts, the Antitrust Division and the FTC also share the premerger filing fees collected under the Hart-Scott-Rodino Act, which are projected to add approximately \$125 million to each of their overall budgets next year.

Notably, as explained in the DOJ budget request, the Antitrust Division has plans to hire almost 100 additional attorneys (increasing the size of the division from 380 attorneys to 478 attorneys) in the coming year. The DOJ maintains that this additional staffing is necessary to address an increase in workload in both its civil merger enforcement and criminal cartel enforcement programs. A sizable portion of the Antitrust Division's increased civil merger workload is undoubtedly its review of the proposed Anthem/Cigna and Aetna/Humana mergers, which is ongoing and will likely continue for some time. The FTC budget proposal also includes a request to hire additional employees, although in smaller numbers (20 in total). The majority of those new hires, however, would be dedicated to the FTC's Bureau of Competition, which reviews mergers at the FTC, thus reflecting an increase in merger-related activity at the FTC as well.