

# PUBLICATION

---

## Senior Leadership at the DOJ Antitrust Division Begins to Take Shape

July 06, 2017

**While the proposed new head of the Antitrust Division, Makan Delrahim, still awaits Senate confirmation (having received approval from the Senate Judiciary Committee on June 8 by a vote of 19-1), other senior-level positions that do not require Senate approval have slowly begun to be announced.**

On June 21, the Antitrust Division announced two new Deputy Assistant Attorneys General – Donald Kempf and Bryson Bachman. Kempf brings many decades of antitrust experience to the position, having practiced antitrust law in a private firm from 1965 – 2000, and then as the chief legal officer for Morgan Stanley. Kempf also served on the Antitrust Modernization Commission (perhaps not coincidentally, with Delrahim) in 2007. Bachman also has previous antitrust experience, having served as chief counsel for Senator Mike Lee (R-UT), who heads the Senate Judiciary Committee's antitrust subcommittee. (Notably, Delrahim held a similar position in the late 1990s under Senator Orrin Hatch.) Both Kempf and Bachman are expected to continue in their new positions after Delrahim's confirmation. Three other Deputy Assistant Attorney General positions remain vacant at this time, but are expected to be filled shortly after Delrahim is confirmed. Those positions, like those that Kempf and Bachman have just filled, do not require Senate approval.

Until Delrahim is confirmed, Kempf and Bachman will report to Acting Assistant Attorney General Andrew Finch, who was named to that position (which also does not require Senate confirmation) on April 10. Finch replaced Brent Snyder, who was the sole senior official that stayed on after the inauguration of President Trump. Finch is expected to continue at the Antitrust Division after Delrahim is confirmed as the Principal Deputy Assistant Attorney General. Notably, Finch served in the Antitrust Division with Delrahim from 2003 – 2005. During that period, Finch was counsel to the Assistant Attorney General for Antitrust (Hewitt Pate), while Delrahim was a Deputy Assistant Attorney General under Pate.