



Department of Justice

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Justice Department Announces Antitrust Civil Process Changes for Pendency of COVID-19 Event

Process Changes Will Ensure that the Department Can Carry Out Its Enforcement Mission While Protecting the Health and Safety of Its Employees and the American Public

The Department of Justice Antitrust Division announced today that it has adopted a series of temporary changes to its civil merger investigation processes, which will remain in place during the pendency of the coronavirus (COVID-19) event. These changes will ensure that the Antitrust Division will be able to continue operations as its employees carry out their duties to protect American consumers under a mass telework directive, in accordance with health guidance from the CDC, WHO, and other health authorities.

“As the Antitrust Division takes steps to protect the health and safety of its work force and the parties that appear before it, these process changes will ensure that the Division can continue to review transactions efficiently and effectively,” said Assistant Attorney General Makan Delrahim of the Department of Justice’s Antitrust Division. “The Division remains open for business, and we will continue to carry out our mission to protect competition and the American consumer. We are in this together and intend to work cooperatively with the business community on pending mergers, consistent with our responsibilities under the antitrust laws and to protect the health and safety our employees and the public.”

The civil process changes include the following:

- For mergers currently pending or that may be proposed, the Antitrust Division is requesting from merging parties an additional 30 days to timing agreements to complete its review of transactions after the parties have complied with document requests. If circumstances require, the Division may revisit its timing agreements with merging parties in light of further developments.
- The Antitrust Division will allow electronic filing of Hart-Scott-Rodino submissions.
- The Antitrust Division will conduct all meetings by phone or video conference (where possible), absent extenuating circumstances.
- All scheduled depositions temporarily will be postponed and will be rescheduled using secure videoconferencing capabilities.

For questions regarding these process changes, please contact Amy Fitzpatrick at 202-476-0529, or Amy.Fitzpatrick@usdoj.gov.

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