

Statement of Christine A. Varney
Nominee for Assistant Attorney General for Antitrust

United States Senate Committee on the Judiciary

March 10, 2009

Mr. Chairman, Senator Specter, and members of the Judiciary Committee, I am deeply honored to appear before you today. As someone who has spent more than a decade working on antitrust matters, I sincerely appreciate the fact that this Committee, along with the Antitrust Subcommittee led by Chairman Kohl and Ranking Member Hatch, have been a consistent supporter of the Antitrust Division. If I am fortunate enough to be confirmed as Assistant Attorney General for the Antitrust Division, I look forward to working with all the members of this Committee to promote the effective enforcement of our antitrust laws and to renew our nation's status as the international leader in antitrust policy development and convergence.

I am pleased that my family is here today, and I want to recognize my husband, Tom Graham. We have two sons who are currently in college. My other family members here include my father, Jack Varney, who actually served as an attorney in the Antitrust Division 50 years ago; my sister Jackie; and my niece Molly.

Strong antitrust enforcement and respect for our competition statutes are the primary safeguard of our distinctive free enterprise system. There are three main areas that, if confirmed, I will focus on as the Assistant Attorney General for Antitrust. First, we must rebalance legal and economic theories in antitrust analysis and enforcement. The Antitrust Division can provide strong intellectual leadership in competition policy by advancing our collective understanding of competitive behavior and adapting our thinking to reflect our ever evolving markets. Second, we need renewed collaboration between the Antitrust Division and the FTC, whose policies and processes have unfortunately diverged too frequently in recent years. Policy disputes and jurisdictional squabbles between agencies with overlapping enforcement mandates lead to uncertainty for consumers, business, and for overseas' antitrust enforcers who look to the US for consistent guidance. Third, we must continue our cooperation with worldwide antitrust authorities, discussing our differences with international enforcers respectfully and engaging with emerging antitrust regimes such as China and India as they implement new antitrust laws. Working with the committed and talented staff at the Division, I am sure these goals can be achieved.

There is no doubt that the challenges we face in our current economic crisis are great, but I believe it is important to remember that robust antitrust enforcement is essential for the free market to function properly. In these tough economic times, more than ever, it is important to remember that clear and consistent antitrust enforcement - protecting competition and thus consumers while being conscious of the need for economic stability - is essential to a growing and healthy free market economy.

While these challenges are daunting, I believe that I am well equipped to meet them and I look forward to serving our nation as its chief antitrust enforcer, if confirmed. I believe that competition is what has made this country great, and I hope to build upon the broad bipartisan consensus that competition - protected by the antitrust laws - is essential. I will approach the challenges we face from my unique vantage point as a former FTC Commissioner, which I believe will help me to bridge the gap that exists between the antitrust enforcement agencies on several crucial substantive and procedural issues. I will work diligently and act decisively to thwart those who would reduce competition and harm American consumers. I will work collaboratively with other antitrust enforcers in the US and overseas. I firmly believe that antitrust law is a cornerstone of our economic prosperity, and I therefore am committed to recruiting the best, brightest, and most experienced antitrust minds in the country to fill the Division's key positions working alongside the talented and committed career staff.

I look forward to working with you to promote the effective enforcement of our antitrust laws and to renew our status as the international leader in antitrust policy development and convergence.

Thank you.

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