Press Release

DOJ Signals More Scrutiny of Bank Mergers

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In June 2023, Department of Justice (DOJ) Antitrust Division Assistant Attorney General Jonathan Kanter announced plans to expand the scope of what the agency considers when evaluating bank mergers. In a new insight, Competition Politics Analyst Fred Ashton considers claims of high concentration in the banking industry and warns of the proposed reforms' potential harms.

Key points:

- *Kanter's remarks were made as the DOJ, as well as several banking regulators, work to reform the existing framework used to evaluate bank mergers.*
- *While the changes have not yet been formalized, the DOJ has suggested that it will broaden the scope of its competitive factors report, as well as move away from negotiating remedies in the case of proposed mergers.*
- *The DOJ's proposed bank merger enforcement reforms preempt official changes to the 1995 Bank Merger Guidelines and – because the agency has offered no clarity on what these changes would do – would likely lead to longer review periods and greater unpredictability in bank mergers.*

Read the analysis