Press Release

The Biden Antitrust Legacy

PAULINA ENCK | NOVEMBER 20, 2024

In a new insight, Director of Technology and Innovation Policy Jeffrey Westling reviews the Biden Administration's antitrust initiatives and considers their potential lasting impact during the upcoming Trump Administration.

Key points:

- *With Republicans winning the White House and both chambers of Congress, the Biden Administration's efforts to dramatically reshape competition policy in the United States are at an end, but their impacts may not be.*
- *Over the past four years, the Biden Administration has pushed three policy initiatives – replace the longstanding the consumer welfare standard with a big-is-bad approach to antitrust, chill mergers by bringing more enforcement actions and raising costs on transactions, and attempt to pass competition-related rules – with limited success, especially before the courts.*
- *Despite its failure to change legal standards, the Biden Administration could have a lasting impact on competition policy, especially if its concerns about concentration of corporate power resonate with the Trump Administration.*

Read the analysis