



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Office of Chair Lina M. Khan

Post-Commission Meeting Remarks of Chair Lina M. Khan

July 21, 2021

Before we turn to statements from members of the public, I would like to briefly note a couple of ways that I hope we can build on the matters we voted on today.

First, given the surge in merger filings, I'd like the Commission in the coming weeks and months to consider additional ways we can address the immense staff burden associated with investigating deals. Global mergers and acquisitions recently surpassed \$2.4 trillion, the highest year-to-date going back to 1980.¹ While re-embracing prior approval provisions, as we voted out today, will help ensure more efficient use of agency resources, I believe there is more we can be doing to deter facially unlawful mergers and to maximize staff capacity to pursue comprehensive investigations. I look forward to discussing with the staff and my fellow Commissioners what some of these additional changes should look like, and we will update any guidance to market participants accordingly.

Second, the right to repair restrictions that we voted to prioritize addressing today are just one type of a broader set of market restraints and exclusionary provisions that the Commission has heard concerns about. Others include noncompete clauses that prevent workers from seeking jobs with other firms, and exclusionary contracts that some firms use to limit who their customers or suppliers can do business with. To help inform our work in this area going forward, I invite public comments on contract terms that may undermine fair competition, and we'll be accepting these comments in response to petitions the Commission previously received on these topics. Going forward, I'd also like us to consider recommendations from the Administrative Conference on the United States on best practices for accepting comments on formal public petitions.

¹ Anne Sraders, *M&A activity has already blown past the \$2 trillion mark in a record-breaking 2021*, FORTUNE (June 2, 2021), <https://fortune.com/2021/06/02/mergers-acquisitions-2021-m-and-a-record-year-spacs>.