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COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

COMMITTEE ON EDUCATION AND THE WORKFORCE

October 24, 2011

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0009

Dear Mr. Attorney General:

I strongly oppose the Department of Justice's (DOJ) proposal to close the Cleveland antitrust field office which serves Ohio's 10th Congressional District and the people of Ohio. For the same reasons set forth below, I strongly support the retention of the Cleveland office, and all the antitrust field offices.

The Cleveland Field Office, as well as others slated for closing in Atlanta, Dallas, and Philadelphia, contributes greatly to the enforcement of our nation's antitrust laws. Price-fixing and market-allocation schemes are underway in all corners of the globe. Unenforced or under-enforced, our nation's antitrust laws cannot provide the protection U.S. consumers need and demand.

Cleveland's field office, as well as the other offices slated for closure, is staffed with excellent antitrust attorneys who understand the laws which protect consumers. Equally important are the contacts these professional antitrust attorneys have made with local and regional sources which help them pull in major, and in some cases, multimillion dollar, awards. The closure of these offices opens the DOJ to the risk of losing these attorneys who might otherwise choose to remain in their hometowns. They have families and strong connections in their communities and may choose not to relocate.

The rationale for closing the field office is to save money. While saving federal tax money is commendable, the DOJ's plan may be penny-wise but is certainly pound-foolish.

Any perceived saving on rent in Cleveland is nonsense. The DOJ antitrust office is located on the 14th floor of the new Carl B. Stokes Federal Courthouse. This is a federal building. Rent paid here goes directly back to the federal government. The federal government loses money when we have empty office space there. Any perceived gain on the DOJ's balance sheet is an equal loss on the General Services Administration's (GSA) balance sheet.

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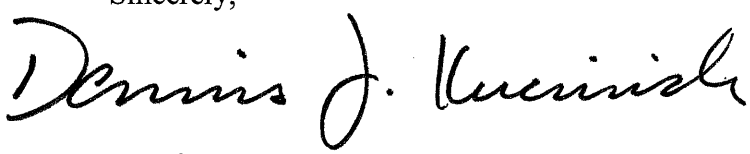
On the other hand, the Cleveland Field Office pays for itself many times over. In Fiscal Year (FY) 2011, the criminal antitrust enforcement efforts directly resulted in criminal fines of $140.1 million, paid directly to the federal government. In just the first few weeks of FY 2012, the Cleveland office has already concluded a plea agreement in an ongoing international antitrust investigation under which a company agreed to plead guilty to price-fixing and to pay a criminal fine of $3 million. Yet, the Cleveland Field Office's annual operating budget is just $3.2 million. It makes absolutely no sense to eviscerate this office's criminal enforcement efforts by disbanding the office for the mere perception of saving money on rent.

The Cleveland Field Office and other antitrust field offices are vital presences in their communities. The reason for having antitrust field offices was to put DOJ Antitrust Division representatives into communities throughout the country. Each field office is responsible for an assigned territory. For at least the last 4 decades, the Cleveland Field Office has served as the federal government's antitrust liaison to the lawyers, businesspeople, and citizens of Ohio, West Virginia, Kentucky, and Eastern Michigan. It has collaborated with U.S. Attorneys in joint investigations of fraud, public corruption, and other white collar criminal conduct. It has built long-term relationships with procurement and investigative departments of many federal and state agencies. Its attorneys have made outreach to the community in a variety of ways, and thus has made contacts which have been vital to the prevention and detection of antitrust violations throughout its service area. The other field offices also greatly contribute to protecting the consumers in their own respective territories.

It is vitally important to keep open the DOJ's antitrust field offices in Cleveland and around the country to enforce our antitrust laws, protect U.S. consumers, and generate revenues through fines and penalties which more than pay for the operations of the offices. Do not allow these offices to close.

Sincerely,



Dennis J. Kucinich
Member of Congress