

106TH CONGRESS
2D SESSION

H. R. 4194

To amend section 7A of the Clayton Act to remove the notification requirement applicable to acquisitions of voting securities and assets that have relatively small value; to modify filing fees applicable to notifications filed under such section, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2000

Mr. ROGAN (for himself, Mr. DELAHUNT, and Mr. HYDE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend section 7A of the Clayton Act to remove the notification requirement applicable to acquisitions of voting securities and assets that have relatively small value; to modify filing fees applicable to notifications filed under such section, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Merger
5 Fee Reduction Act of 2000”.

1 **SEC. 2. MODIFICATION OF NOTIFICATION REQUIREMENT.**

2 Section 7A(a) of the Clayton Act (15 U.S.C. 18a(a))
3 is amended—

4 (1) in paragraph (1) by adding “and” at the
5 end,

6 (2) by striking paragraph (2), and

7 (3) by amending paragraph (3) to read as fol-
8 lows:

9 “(2) as a result of such acquisition, the acquir-
10 ing person would hold an aggregate total amount of
11 the voting securities and assets of the acquired per-
12 son in excess of \$50,000,000.”.

13 **SEC. 3. MODIFICATION OF NOTIFICATION FILING FEES.**

14 Section 605 of title VI of Public Law 101–162 (15
15 U.S.C. 18a note) is amended—

16 (1) by inserting “(a)” after “SEC. 605.”,

17 (2) in the 1st sentence—

18 (A) by striking “at \$45,000” and inserting
19 “in subsection (b)”, and

20 (B) by striking “Hart-Scott-Rodino Anti-
21 trust Improvements Act of 1976” and inserting
22 “section 7A of the Clayton Act”, and

23 (3) by adding at the end the following:

24 “(b) The filing fees referred to in subsection (a)
25 are—

1 “(1) \$45,000 if the aggregate total amount de-
2 termined under section 7A(a)(2) of the Clayton Act
3 (15 U.S.C. 18a(a)(2)) is less than \$100,000,000;

4 “(2) \$100,000 if the aggregate total amount
5 determined under section 7A(a)(2) of the Clayton
6 Act (15 U.S.C. 18a(a)(2)) is less than \$200,000,000
7 but not less than \$100,000,000; and

8 “(3) \$225,000 if the aggregate total amount
9 determined under section 7A(a)(2) of the Clayton
10 Act (15 U.S.C. 18a(a)(2)) is not less than
11 \$200,000,000.”,

12 (4) by striking “States.” and inserting
13 “States”, and

14 (5) by adding a period at the end.

15 **SEC. 4. EFFECTIVE DATE.**

16 This Act and the amendments made by this Act shall
17 take effect on the 1st day of the 1st fiscal year beginning
18 after the date of the enactment of this Act.

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