

106TH CONGRESS
2D SESSION

S. 1687

AN ACT

To amend the Federal Trade Commission Act to authorize appropriations for the Federal Trade Commission.

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 “Federal Trade Com-
5 mission Reauthorization Act of 2000”.

1 **SEC. 2. REAUTHORIZATION.**

2 Section 25 of the Federal Trade Commission Act (15
3 U.S.C. 57c) is amended—

4 (1) by striking “and not to exceed” and insert-
5 ing “not to exceed”; and

6 (2) by striking “1998.” and inserting the fol-
7 lowing: “1998; not to exceed \$164,600,000 for fiscal
8 year 2001; and not to exceed \$177,460,000 for fiscal
9 year 2002.”.

10 **SEC. 3. INFORMATION AND DOCUMENTARY REQUESTS.**

11 (a) **IN GENERAL.**—The Attorney General and the
12 Federal Trade Commission shall each designate a senior
13 official not directly having supervisory responsibility for
14 the review of any enforcement recommendation under sec-
15 tion 7A(e)(1) of the Clayton Act (15 U.S.C. 18a(e)) con-
16 cerning the transaction at issue to hear any petition filed
17 by the acquiring person or the person whose voting securi-
18 ties or assets are to be acquired, to determine—

19 (1) whether the request for additional informa-
20 tion or documentary material is unreasonably cumu-
21 lative, unduly burdensome or duplicative; or

22 (2) whether the request for additional informa-
23 tion or documentary material has been substantially
24 complied with by the petitioning person.

25 (b) **EXPEDITED REVIEW.**—Internal review proce-
26 dures for petitions filed pursuant to subsection (a) shall

1 include reasonable deadlines for expedited review of any
2 such petitions filed, after reasonable negotiations with in-
3 vestigative staff, in order to avoid undue delay of the
4 merger review process.

5 (c) INTERNAL REVIEW.—The Attorney General and
6 the Federal Trade Commission shall conduct an internal
7 review and implement reforms of the merger review proc-
8 ess in order to eliminate unnecessary burden, remove cost-
9 ly duplication, and eliminate undue delay, in order to
10 achieve a more effective and more efficient merger review
11 process.

12 (d) Not later than 120 days after the date of enact-
13 ment of this Act, the Attorney General and the Federal
14 Trade Commission shall issue or amend their respective
15 industry guidance, regulations, operating manuals and rel-
16 evant policy documents, where appropriate, to implement
17 each reform in this subparagraph.

18 (e) REPORT.—Not later than 180 days after the date
19 of enactment of this Act, the Attorney General and the
20 Federal Trade Commission shall each report to
21 Congress—

22 (1) what reforms each agency has adopted
23 under this subparagraph;

24 (2) what steps each has taken to implement
25 such internal reforms; and

1 (3) the effects of those reforms.

2 **SEC. 4. ANNUAL REPORTS.**

3 The Attorney General and the Federal Trade Com-
4 mission shall include in the report to Congress required
5 by section 7A(j) of the Clayton Act (15 U.S.C. 18a(j))—

6 (1) the number of notifications filed under this
7 section 7A of the Clayton Act (15 U.S.C. 18a);

8 (2) the number of notifications filed in which
9 the Assistant Attorney General or Federal Trade
10 Commission requested the submission of additional
11 information or documentary material relevant to the
12 proposed acquisition;

13 (3) data relating to the length of time for par-
14 ties to comply with requests for the submission of
15 additional information or documentary material rel-
16 evant to the proposed acquisition;

17 (4) the number of petitions filed pursuant to
18 section 3(a) of this Act regarding a request for the
19 submission of additional information or documentary
20 material relevant to the proposed acquisition and the
21 manner in which such petitions were resolved;

22 (5) data relating to the volume (in number of
23 boxes or pages) of materials submitted pursuant to
24 requests for additional information or documentary
25 material; and

1 (6) the number of notifications filed in which a
2 request for additional information or documentary
3 materials was made but never complied with prior to
4 resolution of the case.

 Passed the Senate October 10 (legislative day, Sep-
tember 22), 2000.

Attest:

Secretary.

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