

106TH CONGRESS  
1ST SESSION

# H. R. 1256

To amend the Securities Exchange Act of 1934 to provide for an annual limit on the amount of certain fees which may be collected by the Securities and Exchange Commission.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1999

Mr. FOSSELLA (for himself and Mr. MENENDEZ) introduced the following bill;  
which was referred to the Committee on Commerce

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## A BILL

To amend the Securities Exchange Act of 1934 to provide for an annual limit on the amount of certain fees which may be collected by the Securities and Exchange 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 “Savings and Invest-  
5       ment Relief Act of 1999”.

1 **SEC. 2. TRANSACTION FEES.**

2 Section 31 of the Securities Exchange Act of 1934  
3 (15 U.S.C. 78ee) is amended by adding at the end the  
4 following new subsection:

5 “(h) TRANSACTION FEE LIMITATION; DEPOSIT OF  
6 FEES.—

7 “(1) LIMITATION ON TRANSACTION FEES.—

8 “(A) IN GENERAL.—For fiscal years 2000  
9 through 2006, the Commission shall not collect  
10 any fees described in subsections (b), (c), and  
11 (d) which in the aggregate exceed—

12 “(i) \$463,000,000 during fiscal year  
13 2000;

14 “(ii) \$524,000,000 during fiscal year  
15 2001;

16 “(iii) \$584,000,000 during fiscal year  
17 2002;

18 “(iv) \$652,000,000 during fiscal year  
19 2003;

20 “(v) \$725,000,000 during fiscal year  
21 2004;

22 “(vi) \$803,000,000 during fiscal year  
23 2005; and

24 “(vii) \$889,000,000 during fiscal year  
25 2006.

1           “(B) PUBLICATION.—The Commission  
2           shall publish annually in the Federal Register  
3           notice of the fee limitations described in this  
4           paragraph and any suspension of fees pursuant  
5           to the limitations described in this paragraph.

6           “(C) COMMISSION AUTHORITY.—The Com-  
7           mission shall have the authority to implement  
8           by rule, regulation, or order a process for termi-  
9           nation of fee collections consistent with the lim-  
10          itation provided in this paragraph, including the  
11          authority to provide by rule, regulation, or  
12          order a process for appropriate treatment of  
13          any amounts collected in excess of such limits.

14          “(2) DEPOSIT OF TRANSACTION FEES.—

15               “(A) GENERAL REVENUE.—Notwith-  
16               standing subsections (b), (c), and (d), during  
17               fiscal years 2000 through 2006, fees collected  
18               pursuant to subsections (b), (c), and (d) shall  
19               be deposited and collected as general revenue of  
20               the Treasury, in an amount not to exceed—

21                       “(i) \$338,000,000 during fiscal year  
22                       2000;

23                       “(ii) \$389,000,000 during fiscal year  
24                       2001;

1 “(iii) \$444,000,000 during fiscal year  
2 2002;

3 “(iv) \$502,000,000 during fiscal year  
4 2003;

5 “(v) \$565,000,000 during fiscal year  
6 2004;

7 “(vi) \$633,000,000 during fiscal year  
8 2005; and

9 “(vii) \$709,000,000 during fiscal year  
10 2006.

11 “(B) OFFSETTING COLLECTIONS.—Not-  
12 withstanding subsections (b), (c) and (d), dur-  
13 ing fiscal years 2000 through 2006, the balance  
14 of any amounts collected pursuant to sub-  
15 sections (b), (c), and (d) which are not depos-  
16 ited as general revenue pursuant to subpara-  
17 graph (A) shall be deposited and credited as  
18 offsetting collections to the account providing  
19 appropriations to the Commission, to the extent  
20 provided for in advance in appropriations Acts.  
21 If on the first day of a fiscal year, a regular ap-  
22 propriation to the Commission has not been en-  
23 acted, the Commission shall continue to collect  
24 fees (as offsetting collections) under this sub-  
25 paragraph at the rate in effect during the pre-

1           ceding fiscal year, until such a regular appro-  
2           priation is enacted.

3           “(3) INSUFFICIENT FEES.—In any year in  
4           which the total amount of fees collected under sec-  
5           tion 31 of the Securities Act of 1934 and section  
6           6(b) of the Securities Act of 1933 (including any  
7           balance in the account providing appropriations to  
8           the Commission) are insufficient to provide for the  
9           Commission’s budget authority as provided by an  
10          appropriations Act, such appropriations Act may  
11          provide that the fee limitations described in para-  
12          graph (1) shall be increased, with all such amounts  
13          deposited and credited as offsetting collections to the  
14          account providing appropriations to the Commis-  
15          sion.”.

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