

111TH CONGRESS
2D SESSION

S. 3259

To amend subtitle A of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to make the operation of such subtitle permanent law.

IN THE SENATE OF THE UNITED STATES

APRIL 26, 2010

Mr. KOHL (for himself, Mr. LEAHY, and Mr. HATCH) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend subtitle A of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to make the operation of such subtitle permanent law.

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 “Antitrust Criminal
5 Penalties Enforcement and Reform Act of 2004 Extension
6 Act of 2010”.

7 **SEC. 2. ELIMINATION OF SUNSET.**

8 The Antitrust Criminal Penalty Enhancement and
9 Reform Act of 2004 (15 U.S.C. 1 note) is amended by
10 striking section 211.

1 **SEC. 3. EFFECTIVE DATE OF AMENDMENT.**

2 The amendment made by section 2 shall take effect
3 immediately before June 22, 2010.

4 **SEC. 4. GAO REPORT.**

5 Not later than 1 year after the date of enactment
6 of this Act, the Comptroller General shall submit a report
7 to the Committees on the Judiciary of the House of Rep-
8 resentatives and the Senate on the effectiveness of the
9 Antitrust Criminal Penalties Enforcement and Reform
10 Act of 2004, both in criminal investigation and enforce-
11 ment by the Department of Justice and in private civil
12 actions. Such report shall consider, inter alia, the effec-
13 tiveness of incentives for cooperation, and the timeliness
14 of that cooperation, in private civil actions.

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