

116TH CONGRESS
2D SESSION

S. 3377

AN ACT

To amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to repeal the sunset provision.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Antitrust Criminal
3 Penalty Enhancement and Reform Permanent Extension
4 Act”.

5 **SEC. 2. FINDINGS; PURPOSE.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) Conspiracies among competitors to fix
8 prices, rig bids, and allocate markets are categori-
9 cally and irredeemably anticompetitive and con-
10 travene the competition policy of the United States.

11 (2) Cooperation incentives are important to the
12 efforts of the Antitrust Division of the Department
13 of Justice to prosecute and deter the offenses de-
14 scribed in paragraph (1).

15 (b) PURPOSE.—The purpose of this Act, and the
16 amendments made by this Act, is to strengthen public and
17 private antitrust enforcement by providing incentives for
18 antitrust violators to cooperate fully with government
19 prosecutors and private litigants through the repeal of the
20 sunset provision of the Antitrust Criminal Penalty En-
21 hancement and Reform Act of 2004 (15 U.S.C. 1 note).

22 **SEC. 3. REPEAL OF SUNSET PROVISION.**

23 (a) IN GENERAL.—Section 211 of the Antitrust
24 Criminal Penalty Enhancement and Reform Act of 2004
25 (15 U.S.C. 1 note) is repealed.

1 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

2 Section 212 of the Antitrust Criminal Penalty Enhance-
3 ment and Reform Act of 2004 (15 U.S.C. 1 note) is
4 amended—

5 (1) by striking paragraph (6); and

6 (2) by redesignating paragraph (7) as para-
7 graph (6).

Passed the Senate June 25, 2020.

Attest:

Secretary.

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