

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.

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## 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

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## 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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