

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 3843  
OFFERED BY MRS. SPARTZ OF INDIANA**

On page 3, after line 23, add the following:

1           (5) For each fiscal year commencing after Sep-  
2           tember 30, 2022, through September 30, 2027, the  
3           Federal Trade Commission and Department of Jus-  
4           tice shall include in its joint annual report pursuant  
5           to the Hart-Scott-Rodino Antitrust Improvements  
6           Act of 1976 (15 U.S.C. 18(a) et seq.) the following:

7                   (A) the increase in funds made available to  
8                   the Federal Trade Commission and the Depart-  
9                   ment of Justice, respectively, through the ad-  
10                  justment in premerger notification filing fees in  
11                  15 U.S.C. 18(a) from the funds made available  
12                  to the Federal Trade Commission and the De-  
13                  partment of Justice, respectively, from  
14                  premerger notification filing fees as the fees  
15                  were determined in fiscal year 2021;

16                   (B) the total revenue derived from  
17                  premerger notification filing fees, by tier, and  
18                  how such revenue is used by the Federal Trade

1 Commission and the Department of Justice, re-  
2 spectively, and;

3 (C) the gross cost of operations of the  
4 Federal Trade Commission and the Department  
5 of Justice, respectively, associated with activi-  
6 ties related to the use of revenue derived from  
7 premerger notification filing fees.

8 (6) The Federal Trade Commission shall re-  
9 port, in addition to the requirements listed in para-  
10 graph (5), a listing of all cases where the Federal  
11 Trade Commission took or declined to take action on  
12 a 3 to 2 vote and what percentage of actions of the  
13 Federal Trade Commission were decided on a 3 to  
14 2 vote.

15 (7) The Federal Trade Commission and the De-  
16 partment of Justice shall make the joint annual re-  
17 port pursuant to the Hart-Scott-Rodino Antitrust  
18 Improvements Act of 1976 (15 U.S.C. 18(a) et seq.)  
19 available to the Senate Committee on the Judiciary  
20 and the House Committee on the Judiciary and  
21 shall, for fiscal years 2022 through 2027, no later  
22 than July 1, present a summary of the joint annual  
23 report for the preceding fiscal year, including the in-  
24 formation required in paragraph (5) and (6) of this

1 Act, to the Senate Committee on the Judiciary and  
2 the House Committee on the Judiciary.

3 (8) None of the funds collected by the Federal  
4 Trade Commission from premerger notification filing  
5 fees under 15 U.S.C. 18(a) and allocated by the  
6 Federal Trade Commission shall be available for ob-  
7 ligation or expenditure by the Federal Trade Com-  
8 mission and the Department of Justice in excess of  
9 the amounts appropriated by Congress for spending  
10 authority from offsetting collections, including  
11 premerger notification filings under the Hart-Scott  
12 Rodino Antitrust Improvements Act of 1976.

