

119TH CONGRESS  
1ST SESSION

# S. 1059

To transfer antitrust enforcement from the Federal Trade Commission to the Department of Justice, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 13, 2025

Mr. LEE (for himself, Mr. TILLIS, Ms. LUMMIS, Mr. KENNEDY, and Mr. SCOTT of Florida) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To transfer antitrust enforcement from the Federal Trade Commission to the Department of Justice, and for other purposes.

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 “One Agency Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) It is the policy of the United States to pro-  
8 mote the vigorous, effective, and efficient enforce-  
9 ment of the antitrust laws.

1           (2) The overlapping antitrust enforcement ju-  
2           risdiction of the Department of Justice and the Fed-  
3           eral Trade Commission has wasted taxpayer re-  
4           sources, hampered enforcement efforts, and caused  
5           uncertainty for businesses and consumers in the  
6           United States.

7           (3) It is preferable that primary Federal re-  
8           sponsibility for enforcing the antitrust laws of the  
9           United States be given to a single entity, and the  
10          Department of Justice is best suited to do so.

11 **SEC. 3. DEFINITIONS.**

12          In this Act:

13           (1) **ANTITRUST LAWS.**—The term “antitrust  
14          laws” means—

15                   (A) the Sherman Act (15 U.S.C. 1 et seq.);

16                   and

17                   (B) the Clayton Act (15 U.S.C. 12 et  
18          seq.).

19           (2) **EFFECTIVE DATE.**—The term “effective  
20          date” means the date described in section 7.

21           (3) **FTC.**—The term “FTC” means the Fed-  
22          eral Trade Commission.

23           (4) **FTC ANTITRUST ACTION.**—The term “FTC  
24          antitrust action” means any investigation, litigation,

1 administrative proceeding, or other action of the  
2 FTC that—

3 (A) is supervised by an FTC antitrust  
4 unit; or

5 (B) relates to the antitrust laws or unfair  
6 methods of competition under section 5 of the  
7 Federal Trade Commission Act (15 U.S.C. 45),  
8 as in effect on the day before the effective date.

9 (5) FTC ANTITRUST ASSETS.—The term “FTC  
10 antitrust assets”—

11 (A) means all electronic or tangible records  
12 and files relating to matters supervised, as well  
13 as any physical assets or equipment owned and  
14 used or retained, by an FTC antitrust unit; and

15 (B) does not include any office space or  
16 leased facilities or equipment.

17 (6) FTC ANTITRUST EMPLOYEE.—The term  
18 “FTC antitrust employee” means an individual who  
19 on the day before the effective date is employed by  
20 the FTC and assigned to an FTC antitrust unit.

21 (7) FTC ANTITRUST FUNDING.—The term  
22 “FTC antitrust funding” means all amounts appro-  
23 priated before the effective date by an Act of Con-  
24 gress to the FTC that are designated, by Congress  
25 or the FTC for an FTC antitrust unit.

1 (8) FTC ANTITRUST UNIT.—The term “FTC  
2 antitrust unit” means—

3 (A) the Bureau of Competition of the  
4 FTC; and

5 (B) each division of the Bureau of Eco-  
6 nomics of the FTC that is designated to work  
7 on FTC antitrust actions.

8 (9) TRANSITION PERIOD.—The term “transi-  
9 tion period” means the period beginning on the ef-  
10 fective date and ending on the later of—

11 (A) the date that is 1 year after the effec-  
12 tive date; or

13 (B) the date that is 180 days after the  
14 date described in subparagraph (A), which may  
15 be extended by the Attorney General once for  
16 an additional 180 days, if the Attorney General  
17 determines that a period longer than the period  
18 described in subparagraph (A) is necessary to  
19 avoid harm to the interests of the United States  
20 or the effective enforcement of the antitrust  
21 laws.

22 **SEC. 4. TRANSFER OF ANTITRUST ENFORCEMENT FUNC-**  
23 **TIONS FROM THE FTC TO THE DEPARTMENT**  
24 **OF JUSTICE.**

25 (a) TRANSFER OF ACTIONS.—

1           (1) IN GENERAL.—There shall be transferred to  
2 the Attorney General all FTC antitrust actions,  
3 FTC antitrust employees, FTC antitrust assets, and  
4 FTC antitrust funding on the earlier of—

5                   (A) the date determined by the Attorney  
6 General under paragraph (2)(B); or

7                   (B) the end of the transition period.

8           (2) REQUIREMENT.—The Attorney General,  
9 taking care to minimize disruption to ongoing en-  
10 forcement matters and in consultation as necessary  
11 with the Office of Personnel Management, the Gen-  
12 eral Services Administration, and the Chairman of  
13 the FTC, shall—

14                   (A) take all necessary actions to complete  
15 implementation of this Act before the end of the  
16 transition period; and

17                   (B) determine the dates certain, which  
18 may not be earlier than the effective date nor  
19 later than the end of the transition period, on  
20 which the transfers under paragraph (1) shall  
21 occur.

22           (3) PERSONNEL.—

23                   (A) ASSIGNMENT.—An FTC antitrust em-  
24 ployee transferred to the Department of Justice

1 under this Act shall be assigned to the Anti-  
2 trust Division of the Department of Justice.

3 (B) OFFICE SPACE.—On the request of the  
4 Attorney General, and in consultation as nec-  
5 essary with the General Services Administra-  
6 tion, the FTC shall allow the Department of  
7 Justice to use any office space or leased facili-  
8 ties previously used by FTC antitrust employees  
9 until such time as the Department of Justice  
10 may provide office space or facilities. After the  
11 transfer of FTC antitrust funding to the De-  
12 partment of Justice, the Department of Justice  
13 shall compensate the FTC for the costs of the  
14 use of such office space or leased facilities.

15 (C) RESTRUCTURING.—Notwithstanding  
16 any other provision of law, the Attorney Gen-  
17 eral is authorized to restructure the Antitrust  
18 Division of the Department of Justice before  
19 the expiration of the transition period, as the  
20 Attorney General determines is appropriate, to  
21 carry out the purposes of this Act and accom-  
22 plish the efficient enforcement of the antitrust  
23 laws.

24 (4) ANTITRUST ACTIONS.—

1 (A) IN GENERAL.—As soon as is reason-  
2 ably practicable during the transition period, all  
3 open investigations, studies, litigations, matters,  
4 or other proceedings being supervised by an  
5 FTC antitrust unit and relating to the antitrust  
6 laws or unfair methods of competition under  
7 section 5 of the Federal Trade Commission Act  
8 (15 U.S.C. 45), as in effect on the day before  
9 the effective date, shall be transferred to and  
10 assumed by the Department of Justice.

11 (B) HANDLING OF FTC ANTITRUST AC-  
12 TIONS.—Any FTC antitrust action that was ini-  
13 tiated by the FTC and was unresolved as of the  
14 first day of the transition period shall be con-  
15 tinued as the Attorney General determines is  
16 appropriate. The FTC shall have the power to  
17 deputize former FTC antitrust employees, with  
18 the consent of the Attorney General, to con-  
19 tinue such FTC antitrust actions.

20 (C) INTERVENTION.—Any FTC antitrust  
21 action before a court of the United States that  
22 was initiated by the FTC and was unresolved as  
23 of the first day of the transition period, shall be  
24 continued as the Attorney General determines  
25 is appropriate. The FTC shall have the power

1 to deputize former FTC antitrust employees,  
2 with the consent of the Attorney General, to  
3 continue such FTC antitrust actions.

4 (D) CONSENT DECREES.—

5 (i) IN GENERAL.—At the end of the  
6 transition period, the Attorney General  
7 shall have sole authority to receive all re-  
8 ports as required under, enforce violations  
9 of, approve modifications to, or rescind any  
10 consent decree entered into by the FTC  
11 before the effective date that concerns con-  
12 duct alleged to violate the antitrust laws or  
13 unfair methods of competition under sec-  
14 tion 5 of the Federal Trade Commission  
15 Act (15 U.S.C. 45), as in effect on the day  
16 before the effective date.

17 (ii) ADMINISTRATIVE ENFORCE-  
18 MENT.—If determined necessary by the  
19 FTC and the Attorney General, the FTC  
20 shall have the power to deputize former  
21 FTC antitrust employees, with the consent  
22 of the Attorney General, to enforce and ne-  
23 gotiate modifications of FTC consent de-  
24 crees in effect on the day before the effec-

1           tive date in the administrative process of  
2           the FTC.

3           (5) AUTHORITY TO CONDUCT INVESTIGATIVE  
4           STUDIES.—

5           (A) REPORTS OF PERSONS, PARTNER-  
6           SHIPS, AND CORPORATIONS.—

7           (i) IN GENERAL.—The Attorney Gen-  
8           eral may require, by general or special or-  
9           ders, persons, partnerships, and corpora-  
10          tions, engaged in or whose business affects  
11          commerce to file with the Attorney General  
12          in such form as the Attorney General may  
13          prescribe annual or special reports or an-  
14          swers in writing to specific questions, fur-  
15          nishing to the Attorney General such infor-  
16          mation as the Attorney General may re-  
17          quire as to the organization, business, con-  
18          duct, practices, management, and relation  
19          to other corporations, partnerships, and in-  
20          dividuals of the respective persons, part-  
21          nerships, and corporations filing such re-  
22          ports or answers in writing.

23          (ii) OATH.—Reports and answers re-  
24          quired under clause (i) shall—

1 (I) be made under oath or other-  
2 wise as the Attorney General may pre-  
3 scribe;

4 (II) pertain solely to competition  
5 or the application of the antitrust  
6 laws; and

7 (III) be filed with the Attorney  
8 General within such reasonable period  
9 as the Attorney General may pre-  
10 scribe, unless additional time be  
11 granted in any case by the Attorney  
12 General.

13 (B) PUBLICATION OF INFORMATION OR  
14 REPORTS.—

15 (i) IN GENERAL.—Except as provided  
16 in clause (ii), the Attorney General—

17 (I) shall make public from time  
18 to time such portions of the informa-  
19 tion obtained by the Attorney General  
20 under this paragraph as are in the  
21 public interest;

22 (II) may make annual and spe-  
23 cial reports to Congress that include  
24 recommendations for additional legis-  
25 lation; and

1 (III) shall provide for the publi-  
2 cation of reports and decisions of the  
3 Attorney General in such form and  
4 manner as may be best adapted for  
5 public information and use.

6 (ii) PROHIBITION AGAINST PUBLICA-  
7 TION OF PRIVILEGED OR CONFIDENTIAL  
8 INFORMATION.—

9 (I) IN GENERAL.—Except as pro-  
10 vided in subclause (II), the Attorney  
11 General shall not make public any  
12 trade secret or any commercial or fi-  
13 nancial information that is obtained  
14 from any person and that is privileged  
15 or confidential.

16 (II) EXCEPTION.—The Attorney  
17 General may disclose information de-  
18 scribed in subclause (I) to—

19 (aa) officers and employees  
20 of appropriate Federal law en-  
21 forcement agencies or to any offi-  
22 cer or employee of any State law  
23 enforcement agency upon the  
24 prior certification of an officer of  
25 any such Federal or State law

1 enforcement agency that such in-  
2 formation will be maintained in  
3 confidence and will be used only  
4 for official law enforcement pur-  
5 poses; or

6 (bb) any officer or employee  
7 of any foreign law enforcement  
8 agency under the same cir-  
9 cumstances that making material  
10 available to foreign law enforce-  
11 ment agencies is permitted under  
12 section 21(b) of the Federal  
13 Trade Commission Act (15  
14 U.S.C. 57b-2(b)).

15 (6) BENEFIT OF ANTITRUST DIVISION.—All  
16 FTC antitrust assets and FTC antitrust funding  
17 transferred under this subsection shall be for the ex-  
18 clusive use and benefit of the Antitrust Division of  
19 the Department of Justice, except to the extent the  
20 FTC deputizes former FTC antitrust employees,  
21 with the consent of the Attorney General, to con-  
22 tinue any FTC antitrust actions that are ongoing  
23 and unresolved before the effective date.

24 (b) TRANSITION PERIOD.—

1           (1) IN GENERAL.—Except as provided in para-  
2 graph (2), beginning on the effective date, the FTC  
3 may not—

4           (A) hire or assign an employee to an FTC  
5 antitrust unit;

6           (B) open a new investigation or matter  
7 within an FTC antitrust unit or relating to the  
8 antitrust laws or unfair methods of competition  
9 under section 5 of the Federal Trade Commis-  
10 sion Act;

11           (C) without the approval of the Attorney  
12 General, enter into a consent decree, enter into  
13 a settlement agreement, or otherwise resolve an  
14 FTC antitrust action; or

15           (D) initiate a new FTC antitrust action.

16           (2) ENFORCEMENT ON BEHALF OF THE DE-  
17 PARTMENT OF JUSTICE.—Notwithstanding para-  
18 graph (1), during the transition period, the Attorney  
19 General may deputize an FTC antitrust employee to  
20 investigate or prosecute an alleged violation of the  
21 antitrust laws on behalf of the Department of Jus-  
22 tice before the completion of the transfer of per-  
23 sonnel under subsection (a).

24           (3) SAME RIGHTS AND OBLIGATIONS.—

1           (A) IN GENERAL.—Notwithstanding any  
2 other provision of law, during the transition pe-  
3 riod all Department of Justice employees under  
4 the supervision of the Attorney General shall  
5 have the same rights and obligations with re-  
6 spect to confidential information submitted to  
7 the FTC as FTC antitrust employees on the  
8 day before the effective date.

9           (B) RULE OF CONSTRUCTION.—Nothing in  
10 this paragraph may be construed as implying  
11 any change to the rights and obligations de-  
12 scribed in subparagraph (A) as a result of this  
13 Act.

14       (c) AGREEMENTS.—The Attorney General, in con-  
15 sultation with the Chairman of the FTC, shall—

16           (1) review any agreements between the FTC  
17 and any other Federal agency or any foreign law en-  
18 forcement agency; and

19           (2) before the end of the transition period, seek  
20 to amend, transfer, or rescind such agreements as  
21 necessary and appropriate to carry out this Act, en-  
22 deavoring to complete such amendment, transfer, or  
23 rescindment with all due haste.

24       (d) RULES.—The Attorney General shall, pursuant  
25 to section 7A of the Clayton Act (15 U.S.C. 18a) and in

1 accordance with section 553 of title 5, United States Code,  
2 prescribe or amend any rules as necessary to carry out  
3 the Clayton Act.

4 **SEC. 5. TRANSFER OF FUNCTIONS.**

5 (a) IN GENERAL.—Any requirement that an agency  
6 of the executive branch or an independent agency consult  
7 with or seek the concurrence of the FTC or the Chairman  
8 of the FTC, where such requirement relates to the anti-  
9 trust laws or unfair methods of competition under section  
10 5 of the Federal Trade Commission Act (15 U.S.C. 45)  
11 as in effect on the day before the effective date, shall be  
12 deemed transferred from the FTC or the Chairman of the  
13 FTC to the Department of Justice or the Attorney Gen-  
14 eral.

15 (b) PREMERGER NOTIFICATION FILINGS.—

16 (1) FTC PREMERGER NOTIFICATION FIL-  
17 INGS.—With respect to any requirement that an  
18 agency or entity provide notification to the FTC,  
19 where such requirement relates to the antitrust laws  
20 or unfair methods of competition under section 5 of  
21 the Federal Trade Commission Act (15 U.S.C. 45)  
22 as in effect on the day before the effective date, that  
23 notification shall be submitted to the Attorney Gen-  
24 eral.

1           (2) DEPARTMENT OF JUSTICE PREMERGER NO-  
2           TIFICATION FILINGS.—Nothing in paragraph (1)  
3           may be construed as implying any change to the re-  
4           quirement for any required notification to the Attor-  
5           ney General.

6           (c) EXISTING LITIGATION OR APPEALS.—Notwith-  
7           standing any other provision of law, the Attorney General  
8           shall not deny resources to the FTC or otherwise disrupt  
9           existing litigation or appeals that are ongoing on the day  
10          before the effective date.

11          (d) FUTURE ACTIONS OF ATTORNEY GENERAL.—  
12          Notwithstanding any other provision of law, nothing in  
13          this Act may be construed to limit the powers of the Attor-  
14          ney General to enforce the antitrust laws.

15          (e) FUTURE ACTIONS OF THE FTC.—Notwith-  
16          standing any other provision of law, the FTC shall not  
17          open a new investigation or begin an enforcement action  
18          that relates to the antitrust laws or unfair methods of  
19          competition under section 5 of the Federal Trade Commis-  
20          sion Act (15 U.S.C. 45), except as explicitly allowed under  
21          this Act with the approval of the Attorney General and  
22          relating to an investigation, litigation, appeal, or consent  
23          decree that was ongoing or in place on the day before the  
24          effective date.

1 **SEC. 6. TECHNICAL AND CONFORMING AMENDMENTS.**

2 (a) CLAYTON ACT.—The Clayton Act (15 U.S.C. 12  
3 et seq.) is amended—

4 (1) in section 2 (15 U.S.C. 13)—

5 (A) in subsection (a), by striking “Federal  
6 Trade Commission” and inserting “Attorney  
7 General of the United States”; and

8 (B) in subsection (b), by striking “Com-  
9 mission” and inserting “Attorney General of  
10 the United States”;

11 (2) in section 5(a) (15 U.S.C. 16(a)), in the  
12 second sentence, by striking “, except that, in any  
13 action or proceeding brought under the antitrust  
14 laws, collateral estoppel effect shall not be given to  
15 any finding made by the Federal Trade Commission  
16 under the antitrust laws or under section 5 of the  
17 Federal Trade Commission Act which could give rise  
18 to a claim for relief under the antitrust laws”;

19 (3) in section 7 (15 U.S.C. 18)—

20 (A) in the first undesignated paragraph, by  
21 striking “and no person subject to the jurisdic-  
22 tion of the Federal Trade Commission shall ac-  
23 quire the whole or any part of the assets of an-  
24 other person engaged also in commerce or in  
25 any activity affecting commerce”; and

1 (B) in the second undesignated paragraph,  
2 by striking “and no person subject to the juris-  
3 diction of the Federal Trade Commission shall  
4 acquire the whole or any part of the assets of  
5 one or more persons engaged in commerce or in  
6 any activity affecting commerce”;

7 (4) in section 7A (15 U.S.C. 18a)—

8 (A) in subsection (b)—

9 (i) in paragraph (1)(A), in the matter  
10 preceding clause (i), by striking “the Fed-  
11 eral Trade Commission and”;

12 (ii) in paragraph (2), by striking  
13 “Federal Trade Commission and the”;

14 (B) in subsection (c)—

15 (i) in paragraph (6), by striking “the  
16 Federal Trade Commission and”;

17 (ii) in paragraph (8), by striking “the  
18 Federal Trade Commission and”;

19 (C) in subsection (d)—

20 (i) in the matter preceding paragraph  
21 (1), by striking “Federal Trade Commis-  
22 sion, with the concurrence of the Attorney  
23 General and” and inserting “Attorney  
24 General of the United States”; and

1 (ii) in paragraph (1), by striking “the  
2 Federal Trade Commission and”;

3 (D) in subsection (e)—

4 (i) in paragraph (1)—

5 (I) in subparagraph (A), by strik-  
6 ing “Federal Trade Commission or  
7 the”; and

8 (II) in subparagraph (B), by  
9 striking “and the Federal Trade Com-  
10 mission shall each” and inserting  
11 “shall”; and

12 (ii) in paragraph (2)—

13 (I) by striking “Federal Trade  
14 Commission or the”;

15 (II) by striking “its or”;

16 (III) by striking “the Federal  
17 Trade Commission or” each place the  
18 term appears; and

19 (IV) by striking “, as the case  
20 may be,”;

21 (E) in subsection (f)—

22 (i) by striking “the Federal Trade  
23 Commission, alleging that a proposed ac-  
24 quisition violates section 7 of this Act or

1 section 5 of the Federal Trade Commission  
2 Act, or an action is filed by”; and

3 (ii) by striking “the Federal Trade  
4 Commission or”;

5 (F) in subsection (g)(2), in the matter fol-  
6 lowing subparagraph (C), by striking “the Fed-  
7 eral Trade Commission or”;

8 (G) in subsection (h), by striking “or the  
9 Federal Trade Commission”; and

10 (H) in subsection (i)—

11 (i) in paragraph (1), by striking “the  
12 Federal Trade Commission or” each place  
13 the term appears; and

14 (ii) in paragraph (2)—

15 (I) by striking “or the Federal Trade Com-  
16 mission”; and

17 (J) by striking “, the Federal Trade Com-  
18 mission Act,”; and

19 (5) in section 8(a)(5) (15 U.S.C. 19(a)(5)), in  
20 the second sentence, by striking “Federal Trade  
21 Commission” and inserting “Attorney General of the  
22 United States”.

23 (b) CHARITABLE GIFT ANNUITY ANTITRUST RELIEF  
24 ACT OF 1995.—Section 3(1) of the Charitable Gift Annu-  
25 ity Antitrust Relief Act of 1995 (15 U.S.C. 37a(1)) is

1 amended by striking “, except that such term includes sec-  
 2 tion 5 of the Federal Trade Commission Act (15 U.S.C.  
 3 45) to the extent that such section 5 applies to unfair  
 4 methods of competition”.

5 (c) PENSION FUNDING EQUITY ACT OF 2004.—Sec-  
 6 tion 207(b)(1)(A)(i) of the Pension Funding Equity Act  
 7 of 2004 (15 U.S.C. 37b(b)(1)(A)(i)) is amended by strik-  
 8 ing “, except that such term includes section 5 of the Fed-  
 9 eral Trade Commission Act (15 U.S.C. 45) to the extent  
 10 such section 5 applies to unfair methods of competition”.

11 (d) FEDERAL TRADE COMMISSION ACT.—The Fed-  
 12 eral Trade Commission Act (15 U.S.C. 41 et seq.) is  
 13 amended—

14 (1) in section 5 (15 U.S.C. 45)—

15 (A) in subsection (a)—

16 (i) in paragraph (1), by striking  
 17 “methods of competition in or affecting  
 18 commerce, and unfair”;

19 (ii) by striking paragraph (3); and

20 (iii) by redesignating paragraph (4) as  
 21 paragraph (3);

22 (B) in subsection (b)—

23 (i) in the first sentence, by striking  
 24 “unfair method of competition or”; and

25 (ii) in the fifth sentence—

- 1 (I) by striking “the method of  
2 competition or”; and
- 3 (II) by striking “method of com-  
4 petition or such”;
- 5 (C) in subsection (c)—
- 6 (i) in the first sentence—
- 7 (I) by striking “method of com-  
8 petition or”; and
- 9 (II) by striking “method of com-  
10 petition or the”; and
- 11 (ii) in the third sentence, by striking  
12 “or to competitors”;
- 13 (D) by striking subsection (e);
- 14 (E) in subsection (g), by striking para-  
15 graph (4); and
- 16 (F) in subsection (n), in the first sentence,  
17 by striking “or to competition”;
- 18 (2) in section 6 (15 U.S.C. 46)—
- 19 (A) by striking subsections (c) through (e)  
20 and (i);
- 21 (B) by redesignating—
- 22 (i) subsections (f), (g), and (h) as  
23 subsections (c) through (e), respectively;  
24 and

1 (ii) subsections (j) through (l) as sub-  
2 sections (f) through (h), respectively;

3 (C) in subsection (f)(1), as so redesign-  
4 nated, by striking “other than Federal antitrust  
5 laws (as defined in section 12(5) of the Inter-  
6 national Antitrust Enforcement Assistance Act  
7 of 1994 (15 U.S.C. 6211(5))),”; and

8 (D) in subsection (h)(2), as so redesign-  
9 nated, in the matter preceding subparagraph  
10 (A), by striking “or competition”;

11 (3) by repealing section 7 (15 U.S.C. 47);

12 (4) in section 11 (15 U.S.C. 51), by striking  
13 “antitrust Acts or the” each place the term appears;

14 (5) in section 18 (15 U.S.C. 57a(a)(2)), by  
15 striking the second sentence;

16 (6) in section 20 (15 U.S.C. 57b-1)—

17 (A) in subsection (a)—

18 (i) in paragraph (2), by striking “or  
19 in any antitrust violations”;

20 (ii) in paragraph (3), by striking “or  
21 any provisions relating to antitrust viola-  
22 tions”;

23 (iii) in paragraph (7), by striking “or  
24 any antitrust violation”; and

25 (iv) by striking paragraph (8);

1 (B) in subsection (c)(1), by striking “or to  
2 antitrust violations,”; and

3 (C) in subsection (j)(1), by striking “, any  
4 proceeding under section 11(b) of the Clayton  
5 Act (15 U.S.C. 21(b)),”;

6 (7) in section 21(b)(6) (15 U.S.C. 57b–  
7 2(b)(6)), in the matter following subparagraph (D),  
8 by striking “paragraphs (5) and (7)” and inserting  
9 “paragraphs (4) and (6)”;

10 (8) in section 21A (15 U.S.C. 57b–2a)—

11 (A) by striking subsection (f);

12 (B) by redesignating subsection (g) as sub-  
13 section (f);

14 (C) in subsection (f), as so redesignated,  
15 by striking “subsection (g)” each place the  
16 term appears and inserting “subsection (f)”;  
17 and

18 (D) in section 24 (15 U.S.C. 57b–5(a)), by  
19 striking “for any conduct which, because of the  
20 provisions of the Act entitled ‘An Act to author-  
21 ize association of producers of agricultural  
22 products’, approved February 18, 1922 (7  
23 U.S.C. 291 et seq., commonly known as the  
24 Capper-Volstead Act), is not a violation of any  
25 of the antitrust Acts or this Act”.

1 (e) WEBB-POMERENE ACT.—The Webb-Pomerene  
2 Act (15 U.S.C. 61 et seq.) is amended—

3 (1) by repealing section 4 (15 U.S.C. 64); and

4 (2) in section 5—

5 (A) in the first undesignated paragraph—

6 (i) in the first sentence, by striking

7 “Federal Trade Commission” and insert-

8 ing “Attorney General of the United

9 States”; and

10 (ii) in the second sentence, by striking

11 “commission” each place the term appears

12 and inserting “Attorney General of the

13 United States”;

14 (B) in the second undesignated para-

15 graph—

16 (i) in the first sentence, by striking

17 “Federal Trade Commission” and insert-

18 ing “Attorney General of the United

19 States”; and

20 (ii) by striking the third sentence; and

21 (C) by striking the third undesignated

22 paragraph.

23 (f) WOOL PRODUCTS LABELING ACT OF 1939.—The

24 Wool Products Labeling Act of 1939 (15 U.S.C. 68 et

25 seq.) is amended—

1           (1) by striking “an unfair method of competi-  
2           tion, and” each place the term appears; and

3           (2) in section 68g(b), by striking “an unfair  
4           method of competition and”.

5           (g) FUR PRODUCTS LABELING ACT.—The Fur Prod-  
6           ucts Labeling Act (15 U.S.C. 69 et seq.) is amended by  
7           striking “an unfair method of competition, and” each  
8           place the term appears.

9           (h) TEXTILE FIBER PRODUCTS IDENTIFICATION  
10          ACT.—The Textile Fiber Products Identification Act (15  
11          U.S.C. 70 et seq.) is amended—

12           (1) by striking “an unfair method of competi-  
13           tion, and” each place the term appears; and

14           (2) in section 3 (15 U.S.C. 70a), by striking  
15           “an unfair method of competition and” each place  
16           the term appears.

17          (i) ANTITRUST CIVIL PROCESS ACT.—Section 4(d) of  
18          the Antitrust Civil Process Act (15 U.S.C. 1313(d)) is  
19          amended—

20           (1) in paragraph (1), by striking “(1) Whoever”  
21           and inserting “Whoever”; and

22           (2) by striking paragraph (2).

23          (j) INTERNATIONAL ANTITRUST ENFORCEMENT AS-  
24          SISTANCE ACT OF 1994.—The International Antitrust

1 Enforcement Assistance Act of 1994 (15 U.S.C. 6201 et  
2 seq.) is amended—

3 (1) in section 2 (15 U.S.C. 6201), in the matter  
4 preceding paragraph (1), by striking “and the Fed-  
5 eral Trade Commission”;

6 (2) in section 3(b) (15 U.S.C. 6202(b)), by  
7 striking “and the Commission may, using their re-  
8 spective authority to investigate possible violations of  
9 the Federal antitrust laws,” and inserting “may”;

10 (3) in section 5(1) (15 U.S.C. 6204(1)), by  
11 striking “or the Commission” each place the term  
12 appears;

13 (4) in section 6 (15 U.S.C. 6205)—

14 (A) by striking “or the Commission”; and

15 (B) by striking “6(f)” and inserting  
16 “6(c)”;

17 (5) in section 7 (15 U.S.C. 6206)—

18 (A) by striking “, with the concurrence of  
19 the Commission,” each place the term appears;  
20 and

21 (B) in subsection (c)(2)(B), by striking  
22 “and the Commission”;

23 (6) in section 8 (15 U.S.C. 6207)—

24 (A) by striking “Neither the Attorney Gen-  
25 eral nor the Commission may” each place the

1 term appears and inserting “The Attorney Gen-  
2 eral may not”;

3 (B) in subsection (a), by striking “or the  
4 Commission, as the case may be,”;

5 (C) in subsection (b), by striking “or the  
6 Commission”; and

7 (D) in subsection (c)—

8 (i) by striking “or the Commission”;

9 and

10 (ii) by striking “or the Commission,  
11 as the case may be,”;

12 (7) in section 10 (15 U.S.C. 6209)—

13 (A) in subsection (a)—

14 (i) by striking “, the Commission,”;

15 and

16 (ii) by striking “(a) In General.—  
17 The” and inserting “The”; and

18 (B) by striking subsection (b);

19 (8) in section 12 (15 U.S.C. 6211)—

20 (A) in paragraph (2)—

21 (i) in the matter preceding subpara-  
22 graph (A)—

23 (I) by striking “and the Commis-  
24 sion jointly determine” and inserting  
25 “determines”;

- 1 (II) by striking “jointly”; and  
2 (III) by striking “and the Com-  
3 mission”;  
4 (ii) in subparagraph (A)—  
5 (I) by striking “and the Commis-  
6 sion” each place the term appears;  
7 and  
8 (II) by striking “provide” and in-  
9 serting “provides”;  
10 (iii) in subparagraph (E)(ii), in the  
11 matter preceding subclause (I), by striking  
12 “or the Commission, as the case may be,”;  
13 (iv) in subparagraph (F)—  
14 (I) by striking “or the Commis-  
15 sion”; and  
16 (II) by striking “or the Commis-  
17 sion, respectively,”; and  
18 (v) in subparagraph (H)—  
19 (I) in clause (i)—  
20 (aa) by striking “or the  
21 Commission”; and  
22 (bb) by striking “or the  
23 Commission, respectively,”; and

1 (II) in clause (ii), by striking “or  
2 the Commission” each place the term  
3 appears;

4 (B) by striking paragraph (4);

5 (C) by redesignating paragraphs (5)  
6 through (9) as paragraphs (4) through (8), re-  
7 spectively; and

8 (D) in paragraph (4), as so redesignated,  
9 by striking “but also includes section 5 of the  
10 Federal Trade Commission Act (15 U.S.C. 45)  
11 to the extent that such section 5 applies to un-  
12 fair methods of competition”; and  
13 (9) in section 13 (15 U.S.C. 6212)—

14 (A) by striking “and the Commission are”  
15 and inserting “is”; and

16 (B) by striking “or the Commission, re-  
17 spectively,”.

18 (k) MEDICARE PRESCRIPTION DRUG, IMPROVEMENT,  
19 AND MODERNIZATION ACT OF 2003.—Subtitle B of title  
20 XI of the Medicare Prescription Drug, Improvement, and  
21 Modernization Act of 2003 (Public Law 108–173; 117  
22 Stat. 2461) is amended—

23 (1) in the subtitle heading, by striking “Federal  
24 Trade Commission” and inserting “Antitrust”;

25 (2) in section 1111 (21 U.S.C. 355 note)—

1 (A) by striking paragraph (8); and

2 (B) by redesignating paragraphs (9)  
3 through (12) as paragraphs (8) through (11),  
4 respectively;

5 (3) in section 1112(c) (21 U.S.C. 355 note), by  
6 striking “and the Commission” each place the term  
7 appears;

8 (4) in section 1113 (21 U.S.C. 355 note), by  
9 striking “and the Commission”;

10 (5) in section 1114 (21 U.S.C. 355 note), by  
11 striking “or the Commission”;

12 (6) in section 1115 (21 U.S.C. 355 note)—

13 (A) in subsection (a), by striking “, or  
14 brought by the Commission in accordance with  
15 the procedures established in section 16(a)(1)  
16 of the Federal Trade Commission Act (15  
17 U.S.C. 56(a))”; and

18 (B) in subsection (b), by striking “or the  
19 Commission”;

20 (7) in section 1116 (21 U.S.C. 355 note), in  
21 the matter preceding paragraph (1), by striking  
22 “Commission, with the concurrence of the Attorney  
23 General” and inserting “Attorney General”; and

1           (8) in section 1117 (21 U.S.C. 355 note), by  
2       striking “or the Commission” each place the term  
3       appears.

4 **SEC. 7. EFFECTIVE DATE.**

5       Except as provided otherwise, this Act and the  
6       amendments made by this Act shall take effect on the  
7       start of the first fiscal year that is at least 90 days after  
8       the date of enactment of this Act.

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