

HR 5645

Standard Merger and Acquisition Reviews Through Equal Rules Act of 2018

Congress: 115 (2017–2019, Ended)

Chamber: House

Policy Area: Commerce

Introduced: Apr 27, 2018

Current Status: Received in the Senate and Read twice and referred to the Committee on the Judiciary.

Latest Action: Received in the Senate and Read twice and referred to the Committee on the Judiciary. (May 10, 2018)

Official Text: <https://www.congress.gov/bill/115th-congress/house-bill/5645>

Sponsor

Name: Rep. Handel, Karen C. [R-GA-6]

Party: Republican • **State:** GA • **Chamber:** House

Cosponsors (7 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Collins, Doug [R-GA-9]	R · GA		Apr 27, 2018
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Apr 27, 2018
Rep. Marino, Tom [R-PA-10]	R · PA		Apr 27, 2018
Rep. Peters, Scott H. [D-CA-52]	D · CA		Apr 27, 2018
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Apr 27, 2018
Rep. Messer, Luke [R-IN-6]	R · IN		May 3, 2018
Rep. Sessions, Pete [R-TX-32]	R · TX		May 3, 2018

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Apr 27, 2018
Judiciary Committee	Senate	Referred To	May 10, 2018

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
115 S 2847	Related bill	May 15, 2018: Read twice and referred to the Committee on the Judiciary.
115 HRES 872	Related bill	May 8, 2018: Motion to reconsider laid on the table Agreed to without objection.
115 HR 659	Related bill	Nov 15, 2017: Placed on the Union Calendar, Calendar No. 304.

Standard Merger and Acquisition Reviews Through Equal Rules Act of 2018

This bill amends the Clayton Act with respect to notice to a state by the Department of Justice (DOJ) about federal actions brought for violations of antitrust laws.

The Federal Trade Commission (FTC) shall exercise the same authority and procedures as DOJ under the Clayton Act if the FTC has brought an action under such Act with respect to the prohibition against acquisition by one corporation of the stock of another (merger) that may substantially lessen competition or tend to create a monopoly.

The Federal Trade Commission Act (FTCA) is amended to exclude proposed mergers, acquisitions, joint ventures, or similar transactions from ordinary FTC proceedings, except in cases where the FTC approves an agreement with the parties to the transaction that contains a consent order.

U.S. district courts shall have jurisdiction to issue writs of mandamus commanding compliance with the FTCA or any FTC order, if the FTC applies to such courts with respect to any activity related to consummation of a merger, acquisition, joint venture, or similar transaction that may result in an unfair method of competition.

Actions Timeline

- **May 10, 2018:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **May 9, 2018:** Considered under the provisions of rule H. Res. 872. (consideration: CR H5645; text of measure as reported in House: CR H3851)
- **May 9, 2018:** Rule provides for consideration of H.R. 5645, H.R. 2152 and S.J. Res. 57. Rule provides for consideration of H.R. 5645 under a structured rule, with one motion to recommit with or without instructions. Rule provides for consideration of H.R. 2152 under a closed rule, with one motion to recommit with or without instructions. Rule also provides for consideration of S.J. Res. 57 under a closed rule with one motion to commit.
- **May 9, 2018:** ORDER OF PROCEDURE - Mr. Goodlatte asked unanimous consent that the question of adopting the amendment to H.R. 5645 may be subject to postponement as though under clause 8 of rule 20. Agreed to without objection.
- **May 9, 2018:** DEBATE - The House proceeded with one hour of debate on H.R. 5645.
- **May 9, 2018:** DEBATE - Pursuant to the provisions of H. Res. 872, the House proceeded with 10 minutes of debate on the Goodlatte amendment No. 1.
- **May 9, 2018:** Mr. Doggett moved to recommit with instructions to the Committee on the Judiciary. (text: CR H3857)
- **May 9, 2018:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Doggett motion to recommit. The instructions contained in the motion seek to report the bill back to the House forthwith with an amendment to add a section relating to protecting consumers against high prescription drug costs.
- **May 9, 2018:** The previous question on the motion to recommit with instructions was ordered without objection.
- **May 9, 2018:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Doggett motion to recommit with instructions, the Chair put the question on adoption of the motion and by voice vote announced that the noes had prevailed. Mr. Doggett demanded the yeas and nays, and the Chair postponed further proceedings on the question of adoption until later in the legislative day.
- **May 9, 2018:** Considered as unfinished business. (consideration: CR H3865-3866)
- **May 9, 2018:** On motion to recommit with instructions Failed by the Yeas and Nays: 193 - 220 (Roll no. 176).
- **May 9, 2018:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 230 - 185 (Roll no. 177).
- **May 9, 2018:** On passage Passed by the Yeas and Nays: 230 - 185 (Roll no. 177).
- **May 9, 2018:** Motion to reconsider laid on the table Agreed to without objection.
- **May 7, 2018:** Rules Committee Resolution H. Res. 872 Reported to House. Rule provides for consideration of H.R. 5645, H.R. 2152 and S.J. Res. 57. Rule provides for consideration of H.R. 5645 under a structured rule, with one motion to recommit with or without instructions. Rule provides for consideration of H.R. 2152 under a closed rule, with one motion to recommit with or without instructions. Rule also provides for consideration of S.J. Res. 57 under a closed rule with one motion to commit.
- **Apr 27, 2018:** Introduced in House
- **Apr 27, 2018:** Referred to the House Committee on the Judiciary.
- **Apr 27, 2018:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.

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