

## S 3847

### Prohibiting Anticompetitive Mergers Act of 2022

**Congress:** 117 (2021–2023, Ended)

**Chamber:** Senate

**Policy Area:** Commerce

**Introduced:** Mar 16, 2022

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Mar 16, 2022)

**Official Text:** <https://www.congress.gov/bill/117th-congress/senate-bill/3847>

### Sponsor

**Name:** Sen. Warren, Elizabeth [D-MA]

**Party:** Democratic • **State:** MA • **Chamber:** Senate

### Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		Mar 16, 2022
Sen. Blumenthal, Richard [D-CT]	D · CT		Mar 16, 2022
Sen. Booker, Cory A. [D-NJ]	D · NJ		Mar 16, 2022
Sen. Markey, Edward J. [D-MA]	D · MA		Mar 16, 2022
Sen. Merkley, Jeff [D-OR]	D · OR		Mar 16, 2022
Sen. Sanders, Bernard [I-VT]	I · VT		Mar 16, 2022
Sen. Schatz, Brian [D-HI]	D · HI		Mar 16, 2022
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Mar 16, 2022

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Mar 16, 2022

### Subjects & Policy Tags

#### Policy Area:

Commerce

### Related Bills

Bill	Relationship	Last Action
117 HR 7101	Identical bill	Nov 1, 2022: Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.

## **Prohibiting Anticompetitive Mergers Act of 2022**

This bill prohibits certain business mergers, modifies the procedures for reviewing mergers, and establishes procedures for reversing certain mergers.

Specifically, the bill prohibits mergers that (1) are valued at more than \$5 billion in total assets, (2) result in the acquiring entity having a market share of greater than 33% (or a share of a labor market as an employer of greater than 25%), or (3) result in market concentration levels that exceed specified thresholds.

The bill also expands the authority of the Federal Trade Commission (FTC) and the Antitrust Division of the Department of Justice (DOJ) to review pending mergers, including whether a merger is likely to harm the competitive process and the effect of a merger on relevant labor markets.

Finally, the bill authorizes the FTC and the Antitrust Division of the DOJ to retroactively unwind mergers that are prohibited under the bill or that meet certain other anticompetitive criteria such as a merger that results in a greater than 50% share of a relevant market.

## **Actions Timeline**

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- **Mar 16, 2022:** Introduced in Senate
- **Mar 16, 2022:** Read twice and referred to the Committee on the Judiciary.