

## **ANTITRUST MODERNIZATION COMMISSION**

### **FREQUENTLY ASKED QUESTIONS**

#### **What is the Antitrust Modernization Commission?**

The Antitrust Modernization Commission is a twelve-member bipartisan commission created by Congress to examine whether a need exists to modernize United States antitrust law. The Commission is required to solicit the views of interested parties and to issue a report and recommendations to Congress and the President by April 2007.

#### **Now that it has held its first public meeting, when will the Commission hold future meetings?**

The Commission has not yet determined its schedule for future meetings. The Commission will announce future meetings in the *Federal Register* as well as on its website.

#### **Has the Commission already held any other meetings?**

Commission members have met to discuss purely administrative and organizational matters.

#### **Were those meetings not required to be public?**

No. Such meetings are not covered by the Federal Advisory Committee Act.

#### **How will the Commission decide which issues to study?**

This is the subject of the meeting on July 15. The Commission will consider procedures for obtaining public input and expects to adopt a procedure at the conclusion of the meeting.

**What will the Commission do with the input it receives from the public?**

The Commission initially will use public comment as an important input to its determination of issues to be studied in connection with its duties and will continue to solicit information and views of the public as it proceeds.

**One of the Commissioners, Deborah Majoras, has been nominated to be Chairman of the Federal Trade Commission. What will happen when she is confirmed?**

The Antitrust Modernization Commission Act provides that any Commissioner who is not a government employee when appointed, but becomes one, ceases to be a Commissioner 90 days after that change occurs. The vacancy created is filled in the same manner as the original appointment, which in Ms. Majoras's case was by presidential appointment. Until such time, Ms. Majoras has indicated her intent to continue as an active member of the Commission.

**Where is the Commission located?**

The Commission does not yet have a permanent office. The Commission's Executive Director and General Counsel is currently operating out of an office at the Federal Trade Commission. The Commission expects to have an independent office by the end of the third quarter of 2004.

**Does the Commission have a website?**

The Commission's website can be found at [www.amc.gov](http://www.amc.gov). The site contains Commission documents, biographical information about the Commissioners and Commission staff, and other information about the Commission. The Commission will use the website to make information about Commission undertakings available to the public.

**What is the Commission's budget?**

Congress authorized up to \$4 million to be appropriated for the Commission's work. Congress has thus far appropriated to the Commission \$1.2 million, which remains available until expended. The Commission expects that Congress will appropriate the remaining amount of its authorization for the remaining years of the Commission's existence.

**Has the Commission prepared a budget?**

The Commission is in the process of developing its budget.

**When was the Executive Director and General Counsel, Andrew Heimert, hired?**

Mr. Heimert was appointed by the Commission on May 28.

**Has the Commission hired any other staff?**

The Commission is in the process of determining its staffing needs and options.

**What other staff does the Commission intend to hire?**

Although the Commission has not yet made a final decision on staffing, it expects to hire at least one or two additional legal counsel, one or two paralegals, and an administrative assistant. The Commission also hopes to obtain the services of senior advisors and may hire a reporter (or reporters) to assist in drafting the Commission's report to Congress and the President.

**Will Commission meetings be transcribed?**

Yes. Public Commission meetings will be transcribed in their entirety. The transcripts from the meetings will be made available to the public.

**Are Commission documents subject to FOIA?**

Pursuant to the Federal Advisory Committee Act (“FACA”), Commission documents will be made available to the public at its offices and through the Commission’s website. Comments received from third parties will also be made available to the public in the same ways.