

Chap.		Sec.	Chap.		Sec.
50.	Consumer Product Warranties .....	2301	94.	Privacy .....	6801
51.	National Productivity and Quality of Working Life .....	2401	95.	Microenterprise Technical Assistance and Capacity Building Program .....	6901
52.	Electric and Hybrid Vehicle Research, Development, and Demonstration .....	2501	96.	Electronic Signatures in Global and National Commerce .....	7001
53.	Toxic Substances Control .....	2601	97.	Women's Business Enterprise Development .....	7101
54.	Automotive Propulsion Research and Development .....	2701	98.	Public Company Accounting Reform and Corporate Responsibility .....	7201
55.	Petroleum Marketing Practices .....	2801	99.	National Construction Safety Team .....	7301
56.	National Climate Program .....	2901	100.	Cyber Security Research and Development .....	7401
56A.	Global Change Research .....	2921	100A.	Cybersecurity Enhancement .....	7421
57.	Interstate Horseracing .....	3001	101.	Nanotechnology Research and Development .....	7501
58.	Full Employment and Balanced Growth .....	3101	102.	Fairness to Contact Lens Consumers .....	7601
59.	Retail Policies for Natural Gas Utilities .....	3201	103.	Controlling the Assault of Non-Solicited Pornography and Marketing .....	7701
60.	Natural Gas Policy .....	3301	104.	Sports Agent Responsibility and Trust .....	7801
61.	Soft Drink Interbrand Competition .....	3501	105.	Protection of Lawful Commerce in Arms .....	7901
62.	Condominium and Cooperative Conversion Protection and Abuse Relief .....	3601	106.	Pool and Spa Safety .....	8001
63.	Technology Innovation .....	3701	107.	Protection of Intellectual Property Rights .....	8101
64.	Methane Transportation Research, Development, and Demonstration .....	3801	108.	State-Based Insurance Reform .....	8201
65.	Liability Risk Retention .....	3901	109.	Wall Street Transparency and Accountability .....	8301
66.	Promotion of Export Trade .....	4001	110.	Online Shopper Protection .....	8401
67.	Arctic Research and Policy .....	4101	111.	Weather Research and Forecasting Innovation .....	8501
68.	Land Remote-Sensing Commercialization [Repealed] .....	4201			
69.	Cooperative Research .....	4301			
70.	Comprehensive Smokeless Tobacco Health Education .....	4401			
71.	Petroleum Overcharge Distribution and Restitution .....	4501			
72.	Semiconductor Research .....	4601			
73.	Export Enhancement .....	4701			
74.	Competitiveness Policy Council .....	4801			
75.	National Trade Data Bank .....	4901			
76.	Imitation Firearms .....	5001			
77.	Steel and Aluminum Energy Conservation and Technology Competitiveness .....	5101			
78.	Superconductivity and Competitiveness .....	5201			
79.	Metal Casting Competitiveness Research Program .....	5301			
80.	Fasteners .....	5401			
81.	High-Performance Computing .....	5501			
82.	Land Remote Sensing Policy [Repealed or Transferred] .....	5601			
83.	Telephone Disclosure and Dispute Resolution .....	5701			
84.	Commercial Space Competitiveness [Repealed or Transferred] ..	5801			
85.	Armored Car Industry Reciprocity ..	5901			
86.	Children's Bicycle Helmet Safety ..	6001			
87.	Telemarketing and Consumer Fraud and Abuse Prevention .....	6101			
87A.	National Do-Not-Call Registry .....	6151			
88.	International Antitrust Enforcement Assistance .....	6201			
89.	Professional Boxing Safety .....	6301			
90.	Propane Education and Research ..	6401			
91.	Children's Online Privacy Protection .....	6501			
91A.	Promoting a Safe Internet for Children .....	6551			
92.	Year 2000 Computer Date Change ..	6601			
93.	Insurance .....	6701			

**CHAPTER 1—MONOPOLIES AND COMBINATIONS IN RESTRAINT OF TRADE**

Sec.	
1.	Trusts, etc., in restraint of trade illegal; penalty.
2.	Monopolizing trade a felony; penalty.
3.	Trusts in Territories or District of Columbia illegal; combination a felony.
4.	Jurisdiction of courts; duty of United States attorneys; procedure.
5.	Bringing in additional parties.
6.	Forfeiture of property in transit.
6a.	Conduct involving trade or commerce with foreign nations.
7.	"Person" or "persons" defined.
8.	Trusts in restraint of import trade illegal; penalty.
9.	Jurisdiction of courts; duty of United States attorneys; procedure.
10.	Bringing in additional parties.
11.	Forfeiture of property in transit.
12.	Definitions; short title.
13.	Discrimination in price, services, or facilities.
13a.	Discrimination in rebates, discounts, or advertising service charges; underselling in particular localities; penalties.
13b.	Cooperative association; return of net earnings or surplus.
13c.	Exemption of non-profit institutions from price discrimination provisions.
14.	Sale, etc., on agreement not to use goods of competitor.
15.	Suits by persons injured.
15a.	Suits by United States; amount of recovery; prejudgment interest.
15b.	Limitation of actions.
15c.	Actions by State attorneys general.
15d.	Measurement of damages.

- Sec.
- 15e. Distribution of damages.
- 15f. Actions by Attorney General.
- 15g. Definitions.
- 15h. Applicability of parens patriae actions.
16. Judgments.
17. Antitrust laws not applicable to labor organizations.
18. Acquisition by one corporation of stock of another.
- 18a. Premerger notification and waiting period.
19. Interlocking directorates and officers.
- 19a, 20. Repealed.
21. Enforcement provisions.
- 21a. Actions and proceedings pending prior to June 19, 1936; additional and continuing violations.
22. District in which to sue corporation.
23. Suits by United States; subpoenas for witnesses.
24. Liability of directors and agents of corporation.
25. Restraining violations; procedure.
26. Injunctive relief for private parties; exception; costs.
- 26a. Restrictions on the purchase of gasohol and synthetic motor fuel.
- 26b. Application of antitrust laws to professional major league baseball.
27. Effect of partial invalidity.
- 27a. Transferred.
28. Repealed.
29. Appeals.
- 30 to 33. Repealed.
34. Definitions applicable to sections 34 to 36.
35. Recovery of damages, etc., for antitrust violations from any local government, or official or employee thereof acting in an official capacity.
36. Recovery of damages, etc., for antitrust violations on claim against person based on official action directed by local government, or official or employee thereof acting in an official capacity.
37. Immunity from antitrust laws.
- 37a. Definitions.
- 37b. Confirmation of antitrust status of graduate medical resident matching programs.
38. Association of marine insurance companies; application of antitrust laws.

#### HISTORICAL NOTE

This chapter includes among other statutory provisions the Sherman Act, comprising sections 1 to 7 of this title, the Clayton Act, comprising sections 12, 13, 14 to 19, 20, 21, and 22 to 27 of this title and sections 52 and 53 of Title 29, Labor, the Wilson Tariff Act, comprising sections 8 and 9 of this title, the Robinson-Patman Price Discrimination Act, comprising sections 13, 13a, 13b, and 21a of this title, the "Expediting Act", sections 28 and 29 of this title, and the "Hart-Scott-Rodino Antitrust Improvements Act of 1976", comprising sections 15c to 15h, 18a, and 66 of this title. For complete classification of the Hart-Scott-Rodino Act, see Short Title note under section 1 of this title.

#### CONGRESSIONAL INVESTIGATION OF MONOPOLY

Joint Res. June 16, 1938, ch. 456, 52 Stat. 705, created a Temporary National Economic Committee which was authorized to make a full investigation on monopoly and the concentration of economic power in and financial control over production and distribution of goods and services. The time for submitting the final report under Joint Res. June 16, 1938, ch. 456, 52 Stat. 705, as amended Apr. 26, 1939, ch. 104, §§1, 2, 53 Stat. 624, was extended to Apr. 3, 1941, by Joint Res. Dec. 16, 1940, ch. 932, 54 Stat. 1225. The committee's report was presented to Congress on Mar. 31, 1941, and was published in Senate Document No. 35.

#### EXECUTIVE ORDER NO. 12022

Ex. Ord. No. 12022, Dec. 1, 1977, 42 F.R. 61441, as amended by Ex. Ord. No. 12052, Apr. 7, 1978, 43 F.R. 15133, which related to the National Commission for the Review of Antitrust Laws and Procedures, was revoked by Ex. Ord. No. 12258, Dec. 31, 1980, 46 F.R. 1251, formerly set out as a note under section 14 of the Appendix to Title 5, Government Organization and Employees.

#### § 1. Trusts, etc., in restraint of trade illegal; penalty

Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is declared to be illegal. Every person who shall make any contract or engage in any combination or conspiracy hereby declared to be illegal shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding \$100,000,000 if a corporation, or, if any other person, \$1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.

(July 2, 1890, ch. 647, §1, 26 Stat. 209; Aug. 17, 1937, ch. 690, title VIII, 50 Stat. 693; July 7, 1955, ch. 281, 69 Stat. 282; Pub. L. 93-528, §3, Dec. 21, 1974, 88 Stat. 1708; Pub. L. 94-145, §2, Dec. 12, 1975, 89 Stat. 801; Pub. L. 101-588, §4(a), Nov. 16, 1990, 104 Stat. 2880; Pub. L. 108-237, title II, §215(a), June 22, 2004, 118 Stat. 668.)

#### AMENDMENTS

2004—Pub. L. 108-237 substituted "\$100,000,000" for "\$10,000,000", "\$1,000,000" for "\$350,000", and "10" for "three".

1990—Pub. L. 101-588 substituted "\$10,000,000" for "one million dollars" and "\$350,000" for "one hundred thousand dollars".

1975—Pub. L. 94-145 struck out from first sentence two provisos granting anti-trust exemption to State fair trade laws.

1974—Pub. L. 93-528 substituted "a felony, and, on conviction thereof, shall be punished by fine not exceeding one million dollars if a corporation, or, if any other person, one hundred thousand dollars, or by imprisonment not exceeding three years" for "a misdemeanor, and on conviction thereof, shall be punished by fine not exceeding fifty thousand dollars, or by imprisonment not exceeding one year".

1955—Act July 7, 1955, substituted "fifty thousand dollars" for "five thousand dollars".

1937—Act Aug. 17, 1937, inserted two provisos.

#### EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-72, §4, Nov. 20, 2001, 115 Stat. 650, provided that: "This Act [enacting and amending provisions set out as notes under this section] and the amendments made by this Act shall take effect on September 30, 2001."

#### EFFECTIVE DATE OF 1975 AMENDMENT

Pub. L. 94-145, §4, Dec. 12, 1974, 89 Stat. 801, provided that: "The amendments made by sections 2 and 3 of this Act [amending this section and section 45 of this title] shall take effect upon the expiration of the ninety-day period which begins on the date of enactment of this Act [Dec. 12, 1975]."

#### SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114-44, §1, Aug. 6, 2015, 129 Stat. 472, provided that: "This Act [amending provisions set out as a note under this section] may be cited as the 'Need-Based Educational Aid Act of 2015'."