



Press Release

New HSR Rules Threaten M&A Activity Vital to Small Businesses

PAULINA ENCK | FEBRUARY 15, 2024

The Federal Trade Commission (FTC) and the Department of Justice's proposed new rules governing the Hart-Scott-Rodino premerger notification program—which requires companies that intend to undergo mergers and acquisitions of a certain size to notify the agencies prior to consummating the transactions—are expected to take effect in the latter half of 2024. In new research, Competition Economics Analyst Fred Ashton examines data from the Hart-Scott-Rodino Annual Report detailing merger and acquisition activity and considers the harm these changes could inflict on small businesses.

Ashton concludes:

The overhaul to the Hart-Scott-Rodino Antitrust Improvements Act would, by the FTC's own estimate, quadruple the regulatory burden and cost of compliance on companies seeking to engage in mergers and acquisitions. The changes threaten to choke off merger activity essential to small businesses despite most transactions posing no threat to competition.

[Read the analysis](#)