

## Update: Treasury Issues Rules to Impose CFIUS Filing Fees

04.29.20



On April 28, 2020, the Office of Investment Security of the U.S. Department of the Treasury (“Treasury”) issued interim rules to impose filing fees for notices to the Committee on Foreign Investment in the United States (“CFIUS” or “Committee”). The fees for notices to CFIUS progressively increase from no fee for transactions valued at less than \$500,000 USD to a maximum fee of \$300,000 USD for transactions valued at equal to or greater than \$750 million USD. With filing fees representing no more than 0.15 percent of the overall value of the notified transactions, the fee structure is meant to minimize the impact on small businesses and avoid discouraging foreign investment in the U.S. Notably, abbreviated “declarations” that parties may submit to the Committee in lieu of a full notice will not be subject to any filing fees. Any applicable fee must be paid prior to CFIUS accepting a notice for review and the Committee may reject a notice if it determines that the fee paid was insufficient.

The interim rules become effective on May 1, 2020, though they remain subject to continued notice-and-comment rulemaking. Treasury originally issued the proposed rules in March of this year, and allowed public comments until April 3, 2020. Recognizing the challenges posed by the coronavirus pandemic during the comment period, Treasury extended the deadline for comments to June 1, 2020.

[Read our March 6 Report from Washington»](#)

### Authors and Contacts

#### Malcolm Tuesley

Partner

[mick.tuesley@stblaw.com](mailto:mick.tuesley@stblaw.com)

+1-202-636-5561

#### George Wang

Partner

[gwang@stblaw.com](mailto:gwang@stblaw.com)

+1-212-455-2228

#### Laurel Fresquez

#### Abram Ellis

Partner

[aellis@stblaw.com](mailto:aellis@stblaw.com)

+1-202-636-5579

#### Claire DiMario

Associate

[claire.dimario@stblaw.com](mailto:claire.dimario@stblaw.com)

+1-202-636-5536

#### Jennifer Ho

Associate  
[laurel.fresquez@stblaw.com](mailto:laurel.fresquez@stblaw.com)  
+1-202-636-5537

**Lani Lear**  
Associate  
[lani.lear@stblaw.com](mailto:lani.lear@stblaw.com)  
+1-202-636-5827

**Nicholas Ridley**  
Counsel  
[nicholas.ridley@stblaw.com](mailto:nicholas.ridley@stblaw.com)  
+1 (202) 636-5826

**Mark Skerry**  
Partner  
[mark.skerry@stblaw.com](mailto:mark.skerry@stblaw.com)  
+1-202-636-5523

Associate  
[jennifer.ho@stblaw.com](mailto:jennifer.ho@stblaw.com)  
+1-202-636-5525

**Daniel Levien**  
Counsel  
[daniel.levien@stblaw.com](mailto:daniel.levien@stblaw.com)  
+1-212-455-7092

**Samantha Sergent**  
Associate  
[samantha.sergent@stblaw.com](mailto:samantha.sergent@stblaw.com)  
+1-202-636-5861

