

AMENDMENT TO H.R. _____**OFFERED BY M____. _____****Page and line numbers refer to BLACKB__028 April 10, 2015**

Page 16, line 9, insert after “5(4)(A).” the following: “Notwithstanding section 5(m) of the Federal Trade Commission Act, the Commission may impose civil penalties for violations of section 3 in an amount not greater than \$1,000 per violation. Each failure to send notification as required under section 3 to a resident of the United States shall be treated as a separate violation.”

Page 16, insert after line 9 the following new paragraphs:

1 (3) MAXIMUM TOTAL LIABILITY FOR FIRST-
2 TIME VIOLATION OF SECTION 2.—The maximum
3 total civil penalty for which any covered entity is lia-
4 ble under this subsection for all violations of section
5 2 resulting from the same related act or omission
6 may not exceed \$8,760,000, if such act or omission
7 constitutes the covered entity’s first violation of sec-
8 tion 2.

1 (4) MAXIMUM TOTAL LIABILITY FOR FIRST-
2 TIME VIOLATION OF SECTION 3.—The maximum
3 total civil penalty for which any covered entity is lia-
4 ble under this subsection for all violations of section
5 3 resulting from the same related act or omission
6 may not exceed \$17,520,000, if such act or omission
7 constitutes the covered entity’s first violation of sec-
8 tion 3.

Page 17, beginning on line 7, strike “a violation of section 2” and insert “all violations of section 2 resulting from the same related act or omission”.

Page 17, line 21, strike “\$11,000” and insert “\$1,000”.

