

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 8152
OFFERED BY MR. ARMSTRONG OF NORTH
DAKOTA**

Page 108, after line 21, insert the following (and re-designate the succeeding paragraphs accordingly):

1 (4) NO PRIVATE ACTION WHILE FEDERAL OR
2 STATE ACTION PENDING.—

3 (A) FEDERAL ACTION PENDING.—In any
4 case in which a civil action is instituted by or
5 on behalf of the Commission for violation of
6 this Act or a regulation promulgated under this
7 Act, no person or class of persons may, during
8 the pendency of such action, institute a civil ac-
9 tion under paragraph (1) against any defendant
10 named in the complaint in the action instituted
11 by or on behalf of the Commission for violation
12 of this Act or a regulation promulgated under
13 this Act that is alleged in such complaint.

14 (B) STATE ACTION PENDING.—In any case
15 in which a civil action is instituted by the attor-
16 ney general of a State or a State Privacy Au-
17 thority for violation of this Act or a regulation

1 promulgated under this Act, no person or class
2 of persons who reside in such State may, during
3 the pendency of such action, institute a civil ac-
4 tion under paragraph (1) against any defendant
5 named in the complaint in the action instituted
6 by the attorney general or State Privacy Au-
7 thority for violation of this Act or a regulation
8 promulgated under this Act that is alleged in
9 such complaint.

