

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3816
OFFERED BY MS. LOFGREN OF CALIFORNIA**

Page 1, line 7, strike “any conduct” and insert “conduct that results in harm to the competitive process”

Page 2, line 3, after “affecting commerce,” insert “and resulting in harm to the competitive process”

Page 4, strike lines 7 through 9.

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3816
OFFERED BY MS. LOFGREN OF CALIFORNIA**

Page 23, after line 5, insert the following:

(5) An action taken by a covered platform operator shall not be considered unlawful conduct under subsection 2(a) or (b) of this Act if it is taken in good faith, non-pretextual, and reasonably necessary—

(A) to protect the privacy and data security of a user of the online platform, operating system, hardware or software;

(B) to enable core functionality and ensure integrity of the online platform, operating system, hardware or software; or

(C) to ensure the security or safety of the on- line platform, operating system, hardware or software, or of a user of the online platform, operating system, hardware or software.