

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3816
OFFERED BY MR. ROY OF TEXAS**

Beginning on page 1, strike line 1 and all that follows through the amendment to the title on page 23, and insert the following:

1 **SECTION 1. PROHIBITING DISCRIMINATION IN DISTRIBUTION.**
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3 The Clayton Act (15 U.S.C. 12 et seq.) is amended
4 by inserting after section 28 the following:

5 **“SEC. 29. PROHIBITING DISCRIMINATION IN DISTRIBUTION.**

6 “(a) DEFINITIONS.—In this section:

7 “(1) DISTRIBUTED PRODUCT.—The term ‘dis-
8 tributed product’ means a good or service that is
9 distributed by a person other than the person which
10 manufactures or provides the good or service.

11 “(2) DISTRIBUTION MARKET.—The term ‘dis-
12 tribution market’ means the geographic and product
13 markets for the distribution of a distributed product.

14 “(b) DISCRIMINATION BY PERSONS WITH MONOP-
15 OLY POWER.—A person with monopoly power in a dis-
16 tribution market, that also offers a product or service that
17 competes with a distributed product in the distribution

1 market in which it has monopoly power, may not engage
2 in discrimination in that distribution market that harms
3 competition in the market for the distributed product.”.

