

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 3825**

**OFFERED BY M**\_\_\_\_. \_\_\_\_\_ **OF** \_\_\_\_\_

Page 2, line 21, insert:

(c) **AFFIRMATIVE DEFENSE.**— Subsection (a) shall not apply if the defendant establishes by clear and convincing evidence that the conduct described in subsection (a) increases consumer welfare.