

**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”.

