AMENDMENT NO._______  Calendar No._______

Purpose: To improve the bill.


S. 3663

To protect the safety of children on the internet.

Referred to the Committee on ________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mrs. FISCHER to the amendment (No. _________) proposed by Mr. BLUMENTHAL

Viz:

1  On page 3, between lines 11 and 12, insert the following:

2  (9) COMPULSIVE USAGE.—The term “compulsive usage” means any response stimulated by external factors that causes an individual to engage in repetitive behavior reasonably likely to cause psychological distress, loss of control, anxiety, depression, or harmful stress responses.

9  On page 5, line 4, strike “and notifications” and insert “notifications, and other features that result in compulsive usage of the covered platform by a minor”.

On page 8, line 1, insert "clear and conspicuous" after "in a".

On page 8, between lines 7 and 8, insert the following:

(2) DARK PATTERNS PROHIBITION.—For purposes of this section, it shall be unlawful for any covered platform to design, modify, or manipulate a user interface of a covered platform with the purpose or substantial effect of subverting or impairing user autonomy, decision-making, or choice in order to weaken or disable safeguards or parental controls.

On page 28, strike line 15 and insert the following:

with this Act; and

(4) outline conduct that does not have the purpose or substantial effect of subverting or impairing user autonomy, decision-making, or choice, or of causing, increasing, or encouraging compulsive usage for a minor, such as—

(A) de minimis user interface changes derived from testing consumer preferences, including different styles, layouts, or text, where such changes are not done with the purpose of weak-
ening or disabling safeguards or parental con-
trols;

(B) algorithms or data outputs outside the
control of a covered platform; and

(C) establishing default settings that pro-
vide enhanced privacy protection to users or
otherwise enhance their autonomy and decision-
making ability.

On page 35, strike lines 4 though 6, and insert the
following:

(4) recommending best practices and clear, con-
sensus-based technical standards for transparency
reports and audits, as required under this Act.

The recommended standards for reports and audits under
paragraph (4) shall include methods, criteria, and scope
to promote overall accountability.