

I understand that the incoming chair of the Judiciary, my good friend, Mr. GOODLATTE, agrees with most of these observations and will work with me to ensure that the Judiciary Committee, next year, tries to address some of these concerns.

So, Madam Speaker, my concerns are not so much about what's in this bill as much as they are concerns about what is not in the bill. So I'm agreeing not to allow the perfect to be the enemy of the good.

I, therefore, ask my colleagues to join me in supporting the bill, but I also ask them to join me, in the next term of Congress, to protect consumer privacy and to update the outdated provisions of the Video Privacy Protection Act.

I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I yield myself such time as I may consume to thank both the ranking member, the gentleman from Michigan (Mr. CONYERS), for his longtime support, as well as the gentlewoman from California (Ms. LOFGREN), who I'm sure will have a word to say about this as well, and also the work that the gentleman from North Carolina, the ranking member of the subcommittee that I chair—and he has done a good job as the ranking member on—for working with us to find ground here that we could reach agreement upon.

I will also say that I have a great interest in looking at the Electronic Communications Privacy Act and other privacy issues that need to be reviewed and modernized, and I hope that, in my new capacity as chairman of the Judiciary Committee in the next Congress, we'll have the opportunity to work together on issues of that nature.

I reserve the balance of my time.

□ 1400

Mr. WATT. Madam Speaker, I yield such time as he may consume to the ranking member of the Judiciary Committee, Mr. CONYERS.

Mr. CONYERS. I would like to let everyone know that the gentleman from North Carolina, who's worked on this and has pledged to continue to work on it, has my support for the new ideas. Well, they're not new. They're old ideas that just didn't get into this bill. And we're going to work on it together.

I congratulate, of course, the chairman-elect of the Judiciary Committee, Mr. GOODLATTE, for his long work and service on that committee and look forward to joining with him to continue the kind of bipartisanship that frequently is worked out in our committee.

I believe this amended version of H.R. 6671 is a distinct improvement over its predecessor and urge that we continue the kind of vigilance that the gentleman from North Carolina, MEL WATT, has demonstrated in his zeal to protecting consumer privacy. Technology is constantly evolving. Each new development presents new opportunities and challenges to improve our

lives. This bill is a good step toward addressing this technological development, and we must continue to monitor it to ensure consumer privacy continues to be protected.

The language added by the Senate, the other body, improved the bill for consumers, and so I, too, urge my colleagues to support its passage today.

Mr. GOODLATTE. I reserve the balance of my time.

Mr. WATT. I yield such time as she may consume to a valued member of our Intellectual Property Subcommittee and a valued member of the Judiciary Committee, the gentlewoman from California (Ms. LOFGREN).

Ms. ZOE LOFGREN of California. I thank you, Mr. WATT and Mr. GOODLATTE. I am pleased that we've come together to support this good bill. This bill is going to allow consumers to share their video viewing habits as they see fit, and it will actually enhance consumer privacy without causing any significant detriment to providers of digital services.

I agree that the Senate amendments actually improve the bill, and I think, also, that passing this bill is going to support and enhance emerging online video companies to grow and expand their services. I think it's important that we come together to make sure that our laws actually work well in the Internet environment, which this bill now does.

I look forward to Congress working to do the same thing when it comes to the Electronic Privacy Act reforms we know that are necessary, even copyright reform, to make sure that the laws actually work with modern Internet services. The VPPA is a great start down this road. I look forward to voting in favor of it, and I commend all who worked on it.

Mr. WATT. Madam Speaker, I urge my colleagues to join us in supporting the bill and working with us next year to address the things that are not in the bill.

I yield back the balance of my time.

Mr. GOODLATTE. I thank my colleagues for coming together on this legislation. I believe that it is very good legislation that modernizes the use of the Internet and the use of information that people want to share with each other. It makes it feasible to do that now in ways that newer users of the Internet have become used to with music and other things they share, and now they'll be able to do that with video, television, and movies and other things like that.

So I urge my colleagues to support this legislation, and I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, H.R. 6671 makes a minor, overdue change to update the Video Privacy Protection Act. I thank the gentleman from Virginia, Mr. GOODLATTE, for sponsoring this commonsense, bipartisan legislation.

The Video Privacy Protection Act prohibits video stores from disclosing certain "personally identifiable information" of their customers.

In the event of an unauthorized disclosure, an individual can sue in civil court for damages. But the law has always allowed some personally identifiable information to be released in limited circumstances, such as in response to a court order or when the customer gives their prior, written consent.

However, the technologies of entertainment are changing. Today, consumers are just as likely to stream a movie from the Internet as they are to rent a movie from a video store. And when people view entertainment on the Internet, often they like to share their activities with friends through social media like Facebook and Twitter.

Under current law, the social media sites would have to obtain written consent each time someone wishes to share their video choices.

H.R. 6671 does not change the prohibition on disclosure of personal information or expand the exceptions when information can be disclosed. It does not change the requirement for informed, written consent by a consumer. It simply allows the consumer to consent once before using new social media programs to share their movie or TV show preferences.

An earlier version of this bill passed the House last year, by a vote of 303 to 116. In the Senate, two amendments were adopted to make the bill even more consumer friendly. This new version adopts these amendments to accommodate concerns about consumer choice and privacy.

H.R. 6671 adopts an amendment proffered in mark-up by Congressman NADLER, which requires the consumer consent agreement to be in a completely separate form apart from the other contract details.

In addition, H.R. 6671 adopts two Senate amendments that place limitations on how consent is obtained from consumers. The bill now limits the disclosure agreement to 2 years.

The bill also requires the video provider to give consumers easy options to end the sharing agreement. These changes will ensure that consumers are aware they are sharing information and are voluntarily taking part.

Rather than dramatically alter the Act's existing provisions, H.R. 6671 keeps the vast majority of the Act in place and simply modernizes the way in which consumers can give their informed consent. This bill brings the Video Privacy Protection Act into the 21st century. And the changes adopted made from the previous bill increase consumer protection from the beginning of the process to its end.

I again thank my colleague from Virginia, the Chairman-Elect of the Judiciary Committee, Mr. GOODLATTE, for his work on this important issue. I urge my colleagues to support this legislation.

The SPEAKER pro tempore (Ms. ROSLEHTINEN). The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 6671.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1815

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BASS of New Hampshire) at 6 o'clock and 15 minutes p.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 18, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 18, 2012 at 2:19 p.m.:

That the Senate passed S. Res. 622.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Mr. RIGELL. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight, December 18, to file the conference report to accompany H.R. 4310.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 6504, de novo;

H.R. 3783, by the yeas and nays;

H.R. 6621, by the yeas and nays;

S. 3642, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

SMALL BUSINESS INVESTMENT COMPANY MODERNIZATION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the

bill (H.R. 6504) to amend the Small Business Investment Act of 1958 to provide for increased limitations on leverage for multiple licenses under common control, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. RIGELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 359, nays 36, answered “present” 1, not voting 35, as follows:

[Roll No. 629]

YEAS—359

Adams	Conaway	Guthrie
Aderholt	Connolly (VA)	Gutierrez
Alexander	Conyers	Hahn
Altmire	Cooper	Hall
Amodei	Costa	Hanabusa
Andrews	Courtney	Hanna
Bachmann	Crawford	Harper
Bachus	Crenshaw	Hartzler
Baldwin	Critz	Hastings (FL)
Barber	Crowley	Hastings (WA)
Barletta	Cuellar	Hayworth
Barrow	Culberson	Heck
Bass (CA)	Cummings	Heinrich
Bass (NH)	Curson (MI)	Herger
Becerra	Davis (CA)	Herrera Beutler
Benishek	Davis (IL)	Higgins
Berg	DeFazio	Himes
Berkley	DeGette	Hinchev
Biggert	DeLauro	Hinojosa
Bilbray	DelBene	Hirono
Bilirakis	Denham	Hochul
Bishop (GA)	Dent	Holden
Bishop (NY)	Deutch	Holt
Bishop (UT)	Diaz-Balart	Honda
Black	Dicks	Hoyer
Blackburn	Doggett	Hultgren
Blumenauer	Dold	Hunter
Bonamici	Donnelly (IN)	Hurt
Bonner	Doyle	Israel
Boswell	Dreier	Issa
Boustany	Duffy	Jackson Lee
Brady (PA)	Edwards	(TX)
Brady (TX)	Ellison	Jenkins
Braley (IA)	Ellmers	Johnson (GA)
Brooks	Emerson	Johnson (OH)
Brown (FL)	Engel	Johnson, E. B.
Buchanan	Eshoo	Johnson, Sam
Bucshon	Farenthold	Jones
Buerkle	Farr	Kaptur
Burgess	Fattah	Keating
Butterfield	Fincher	Kelly
Calvert	Fitzpatrick	Kildee
Camp	Fleischmann	Kind
Canseco	Flores	King (IA)
Cantor	Forbes	King (NY)
Capito	Fortenberry	Kinzinger (IL)
Capps	Fox	Kline
Capuano	Franks (AZ)	Kucinich
Carmahan	Frelinghuysen	Labrador
Carney	Fudge	Lance
Carson (IN)	Gallely	Langevin
Carter	Garamendi	Larsen (WA)
Cassidy	Gardner	Larson (CT)
Castor (FL)	Gerlach	Latham
Chabot	Gibbs	LaTourette
Chaffetz	Gibson	Latta
Chandler	Gingrey (GA)	Lee (CA)
Chu	Gohmert	Levin
Ciilline	Goodlatte	Lewis (CA)
Clarke (MI)	Gosar	Lewis (GA)
Clarke (NY)	Gowdy	Lipinski
Clay	Graves (MO)	LoBiondo
Cleaver	Green, Al	Loeback
Clyburn	Green, Gene	Lofgren, Zoe
Coble	Griffin (AR)	Long
Coffman (CO)	Griffith (VA)	Lowey
Cohen	Grimm	Lucas
Cole	Guinta	Luetkemeyer

Lungren, Daniel E.	Pingree (ME)	Sherman
Maloney	Pitts	Shimkus
Manzullo	Platts	Shuster
Marchant	Polis	Simpson
Marino	Posey	Sires
Markey	Price (NC)	Slaughter
Matheson	Quayle	Smith (NE)
Matsui	Quigley	Smith (NJ)
McCarthy (CA)	Rahall	Smith (TX)
McCarthy (NY)	Rangel	Smith (WA)
McCaul	Reed	Speier
McCollum	Rehberg	Stivers
McDermott	Reichert	Sutton
McGovern	Renacci	Terry
McHenry	Richardson	Thompson (CA)
McIntyre	Richmond	Thompson (MS)
McKeon	Rigell	Thompson (PA)
McKinley	Rivera	Thornberry
McMorris	Roby	Tiberi
Rodgers	Roe (TN)	Tierney
McNerney	Rogers (AL)	Tipton
Meehan	Rogers (KY)	Tonko
Meeks	Rogers (MI)	Towns
Mica	Rohrabacher	Tsongas
Michaud	Rokita	Turner (NY)
Miller (FL)	Rooney	Turner (OH)
Miller (MI)	Ros-Lehtinen	Upton
Miller (NC)	Roskam	Van Hollen
Miller, Gary	Ross (FL)	Velázquez
Miller, George	Rothman (NJ)	Visclosky
Moore	Roybal-Allard	Walberg
Murphy (CT)	Runyan	Walden
Murphy (PA)	Ruppersberger	Walz (MN)
Myrick	Rush	Wasserman
Nadler	Ryan (OH)	Schultz
Napolitano	Sánchez, Linda T.	Waters
Neal	Sarbanes	Watt
Noem	Scalise	Waxman
Nugent	Schakowsky	Webster
Olson	Schiff	Welch
Olver	Schilling	West
Owens	Schmidt	Whitfield
Palazzo	Schock	Wilson (FL)
Pallone	Schrader	Wilson (SC)
Pascarella	Schwartz	Wittman
Pastor (AZ)	Schweikert	Wolf
Paulsen	Scott (VA)	Womack
Payne	Scott, Austin	Woolsey
Pelosi	Scott, David	Yoder
Perlmutter	Sensenbrenner	Young (AK)
Peters	Serrano	Young (FL)
Peterson	Sessions	Young (IN)
Petri	Sewell	

NAYS—36

Amash	Hensarling	Pearce
Barton (TX)	Huelskamp	Poe (TX)
Broun (GA)	Huizenga (MI)	Pompeo
Burton (IN)	Jordan	Ribble
Campbell	Kingston	Royce
DesJarlais	Lamborn	Scott (SC)
Duncan (SC)	Lankford	Southerland
Duncan (TN)	Lummis	Stearns
Flake	Massie	Stutzman
Garrett	McClintock	Walsh (IL)
Graves (GA)	Neugebauer	Westmoreland
Harris	Paul	Woodall

ANSWERED “PRESENT”—1

Mulvaney
NOT VOTING—35

Ackerman	Frank (MA)	Nunnelee
Akin	Gonzalez	Pence
Austria	Granger	Price (GA)
Baca	Grijalva	Reyes
Bartlett	Johnson (IL)	Ross (AR)
Berman	Kissell	Ryan (WI)
Bono Mack	Landry	Sanchez, Loretta
Boren	Lujan	Shuler
Costello	Lynch	Stark
Cravaack	Mack	Sullivan
Dingell	Moran	Yarmuth
Fleming	Nunes	

□ 1850

Messrs. POE of Texas, BURTON of Indiana, SCOTT of South Carolina, SOUTHERLAND, KINGSTON, DESJARLAIS, HUELSKAMP, and ROYCE changed their vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.