

## HR 1319

Informed P2P User Act

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Commerce

**Introduced:** Mar 5, 2009

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation. (Dec 9, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/1319>

### Sponsor

**Name:** Rep. Bono Mack, Mary [R-CA-45]

**Party:** Republican • **State:** CA • **Chamber:** House

**Cosponsors** (37 total)

| Cosponsor                                  | Party / State | Role | Date Joined  |
|--|---------------|------|--------------|
| Rep. Barrow, John [D-GA-12]                | D · GA        |      | Mar 5, 2009  |
| Rep. Barton, Joe [R-TX-6]                  | R · TX        |      | Mar 5, 2009  |
| Rep. Deal, Nathan [R-GA-9]                 | R · GA        |      | Mar 10, 2009 |
| Rep. DeGette, Diana [D-CO-1]               | D · CO        |      | Mar 11, 2009 |
| Del. Christensen, Donna M. [D-VI-At Large] | D · VI        |      | Mar 16, 2009 |
| Rep. Boren, Dan [D-OK-2]                   | D · OK        |      | Mar 16, 2009 |
| Rep. Calvert, Ken [R-CA-44]                | R · CA        |      | Mar 16, 2009 |
| Rep. Castor, Kathy [D-FL-11]               | D · FL        |      | Mar 16, 2009 |
| Rep. Chandler, Ben [D-KY-6]                | D · KY        |      | Mar 16, 2009 |
| Rep. Childers, Travis [D-MS-1]             | D · MS        |      | Mar 16, 2009 |
| Rep. Clay, Wm. Lacy [D-MO-1]               | D · MO        |      | Mar 16, 2009 |
| Rep. Cleaver, Emanuel [D-MO-5]             | D · MO        |      | Mar 16, 2009 |
| Rep. Donnelly, Joe [D-IN-2]                | D · IN        |      | Mar 16, 2009 |
| Rep. Eshoo, Anna G. [D-CA-14]              | D · CA        |      | Mar 16, 2009 |
| Rep. Gonzalez, Charles A. [D-TX-20]        | D · TX        |      | Mar 16, 2009 |
| Rep. Gordon, Bart [D-TN-6]                 | D · TN        |      | Mar 16, 2009 |
| Rep. Grayson, Alan [D-FL-8]                | D · FL        |      | Mar 16, 2009 |
| Rep. Griffith, Parker [D-AL-5]             | D · AL        |      | Mar 16, 2009 |
| Rep. Hill, Baron P. [D-IN-9]               | D · IN        |      | Mar 16, 2009 |
| Rep. Jackson, Jesse L., Jr. [D-IL-2]       | D · IL        |      | Mar 16, 2009 |
| Rep. Kagen, Steve [D-WI-8]                 | D · WI        |      | Mar 16, 2009 |
| Rep. Lofgren, Zoe [D-CA-16]                | D · CA        |      | Mar 16, 2009 |
| Rep. Maloney, Carolyn B. [D-NY-14]         | D · NY        |      | Mar 16, 2009 |
| Rep. Matheson, Jim [D-UT-2]                | D · UT        |      | Mar 16, 2009 |
| Rep. McCollum, Betty [D-MN-4]              | D · MN        |      | Mar 16, 2009 |
| Rep. Pallone, Frank, Jr. [D-NJ-6]          | D · NJ        |      | Mar 16, 2009 |
| Rep. Perlmutter, Ed [D-CO-7]               | D · CO        |      | Mar 16, 2009 |
| Rep. Sarbanes, John P. [D-MD-3]            | D · MD        |      | Mar 16, 2009 |
| Rep. Scott, David [D-GA-13]                | D · GA        |      | Mar 16, 2009 |
| Rep. Space, Zachary T. [D-OH-18]           | D · OH        |      | Mar 16, 2009 |
| Rep. Stupak, Bart [D-MI-1]                 | D · MI        |      | Mar 16, 2009 |
| Rep. Sutton, Betty [D-OH-13]               | D · OH        |      | Mar 16, 2009 |
| Rep. Tanner, John S. [D-TN-8]              | D · TN        |      | Mar 16, 2009 |
| Rep. Weiner, Anthony D. [D-NY-9]           | D · NY        |      | Mar 16, 2009 |
| Rep. Issa, Darrell E. [R-CA-49]            | R · CA        |      | Apr 22, 2009 |
| Rep. Blackburn, Marsha [R-TN-7]            | R · TN        |      | Apr 23, 2009 |
| Rep. Radanovich, George [R-CA-19]          | R · CA        |      | Sep 29, 2009 |

## Committee Activity

| Committee                                       | Chamber | Activity        | Date         |
|---|---------|-----------------|--------------|
| Commerce, Science, and Transportation Committee | Senate  | Referred To     | Dec 9, 2009  |
| Energy and Commerce Committee                   | House   | Discharged from | Sep 30, 2009 |

## Subjects & Policy Tags

### Policy Area:

Commerce

## Related Bills

| Bill       | Relationship | Last Action  |
|------------|--------------|--|
| 111 S 3027 | Related bill | Feb 23, 2010: Read twice and referred to the Committee on Commerce, Science, and Transportation. |

### Summary (as of Dec 8, 2009)

Informed P2P User Act - (Sec. 2) Makes it unlawful for any commercial entity that developed a file sharing program or distributed such a program (if the distributor is owned by the developing entity) to install, make available for installation, or download a file sharing program without: (1) immediately before program installation or downloading, providing conspicuous notice that the program allows files to be searched and copied by one or more other computers and obtaining informed consent to the installation from an owner; and (2) immediately before initial activation of a file sharing function of the program, providing conspicuous notice of which files will be made available and obtaining the owner's informed consent.

Exempts: (1) modifications or upgrades of a program that was originally installed in compliance with this Act, provided certain requirements are met; and (2) pre-installed software.

Makes it unlawful for such an entity to prevent the reasonable efforts of an owner or authorized user to block the installation of such a program or to prevent such a user from having a reasonable way to disable or remove the program.

(Sec. 3) Treats a violation of this Act as a violation of a rule defining an unfair or deceptive act or practice prescribed under the Federal Trade Commission Act. Prohibits construing this Act to limit or supersede any other federal or state law.

(Sec. 4) Defines "protected computer" to include a computer used by a financial institution or the federal government or which is used in or affecting interstate or foreign commerce or communication, including a computer located outside the United States that is used in a way that affects U.S. interstate or foreign commerce.

(Sec. 6) Makes this Act inapplicable to the federal or any state government or subdivision.

## Actions Timeline

---

- **Dec 9, 2009:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **Dec 8, 2009:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 111-361.
- **Dec 8, 2009:** Placed on the Union Calendar, Calendar No. 213.
- **Dec 8, 2009:** Mr. Rush moved to suspend the rules and pass the bill, as amended.
- **Dec 8, 2009:** Considered under suspension of the rules. (consideration: CR H13591-13594)
- **Dec 8, 2009:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1319.
- **Dec 8, 2009:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H13592)
- **Dec 8, 2009:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H13592)
- **Dec 8, 2009:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 8, 2009:** The title of the measure was amended. Agreed to without objection.
- **Sep 30, 2009:** Subcommittee on Commerce, Trade and Consumer Protection Discharged.
- **Sep 30, 2009:** Committee Consideration and Mark-up Session Held.
- **Sep 30, 2009:** Ordered to be Reported (Amended) by Voice Vote.
- **May 6, 2009:** Subcommittee Hearings Held.
- **Mar 6, 2009:** Referred to the Subcommittee on Commerce, Trade and Consumer Protection.
- **Mar 5, 2009:** Introduced in House
- **Mar 5, 2009:** Referred to the House Committee on Energy and Commerce.