

HR 2471

To amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet.

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: Jul 8, 2011

Current Status: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-258. Additional

Latest Action: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-258. Additional views filed. (Dec 20, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/2471>

Sponsor

Name: Rep. Goodlatte, Bob [R-VA-6]

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

Cosponsors (34 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Coble, Howard [R-NC-6]	R · NC		Jul 8, 2011
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Jul 8, 2011
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Jul 8, 2011
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Jul 13, 2011
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Jul 26, 2011
Rep. Chu, Judy [D-CA-32]	D · CA		Aug 1, 2011
Rep. Issa, Darrell E. [R-CA-49]	R · CA		Sep 9, 2011
Rep. Terry, Lee [R-NE-2]	R · NE		Sep 9, 2011
Rep. Sanchez, Loretta [D-CA-47]	D · CA		Sep 12, 2011
Rep. Waxman, Henry A. [D-CA-30]	D · CA		Sep 14, 2011
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		Sep 20, 2011
Rep. Meeks, Gregory W. [D-NY-6]	D · NY		Sep 21, 2011
Rep. Towns, Edolphus [D-NY-10]	D · NY		Sep 22, 2011
Rep. Griffin, Tim [R-AR-2]	R · AR		Sep 23, 2011
Rep. Stearns, Cliff [R-FL-6]	R · FL		Sep 23, 2011
Rep. Eshoo, Anna G. [D-CA-14]	D · CA		Oct 3, 2011
Rep. Quayle, Benjamin [R-AZ-3]	R · AZ		Oct 3, 2011
Rep. Chaffetz, Jason [R-UT-3]	R · UT		Oct 4, 2011
Rep. Latta, Robert E. [R-OH-5]	R · OH		Oct 4, 2011
Rep. Courtney, Joe [D-CT-2]	D · CT		Oct 5, 2011
Rep. Lungren, Daniel E. [R-CA-3]	R · CA		Oct 5, 2011
Rep. Kinzinger, Adam [R-IL-11]	R · IL		Oct 6, 2011
Rep. Lance, Leonard [R-NJ-7]	R · NJ		Oct 6, 2011
Rep. Deutch, Theodore E. [D-FL-19]	D · FL		Oct 12, 2011
Rep. Smith, Adam [D-WA-9]	D · WA		Oct 13, 2011
Rep. Larsen, Rick [D-WA-2]	D · WA		Oct 14, 2011
Rep. Honda, Michael M. [D-CA-15]	D · CA		Oct 24, 2011
Rep. Schwartz, Allyson Y. [D-PA-13]	D · PA		Oct 25, 2011
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Oct 26, 2011
Rep. Butterfield, G. K. [D-NC-1]	D · NC		Oct 31, 2011
Rep. Crowley, Joseph [D-NY-7]	D · NY		Nov 1, 2011
Rep. Clarke, Hansen [D-MI-13]	D · MI		Nov 10, 2011
Rep. Peters, Gary C. [D-MI-9]	D · MI		Nov 10, 2011
Rep. Petri, Thomas E. [R-WI-6]	R · WI		Nov 25, 2011

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Aug 25, 2011
Judiciary Committee	Senate	Hearings By (subcommittee)	Jan 31, 2012

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
112 HR 6671	Related bill	Jan 10, 2013: Became Public Law No: 112-258.
112 S 1011	Related bill	May 17, 2011: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3055-3057)

Title I: Video Privacy Protection - Video Privacy Protection Act Amendments Act of 2012 - (Sec. 102) Amends provisions of the federal criminal code authorizing a video tape service provider to disclose personally identifiable information concerning any consumer to any person with the informed, written consent of the consumer to: (1) allow such consent to be provided through an electronic means using the Internet; (2) require such consent be in a form distinct and separate from any form setting forth other legal or financial obligations of the consumer; (3) allow such consent to be given in advance for a set period of time, not to exceed two years or until consent is withdrawn by the consumer, whichever is sooner; and (4) require the video tape service provider to provide an opportunity for the consumer to withdraw such consent on a case-by-case basis or to withdraw for ongoing disclosures, at the consumer's election.

Title II: Electronic Communications Privacy - Electronic Communications Privacy Act Amendments Act of 2012 - (Sec. 202) Amends the Electronic Communications Privacy Act of 1986 to prohibit a provider of remote computing service or electronic communication service to the public from knowingly divulging to any governmental entity the contents of any communication that is in electronic storage or otherwise maintained by the provider.

(Sec. 203) Revises provisions under which the government may require, pursuant to a warrant, the disclosure by such a provider of the contents of such communications. Eliminates the different requirements applicable under current law depending on whether such communications were stored for fewer than, or more than, 180 days.

Requires a law enforcement agency, within 10 days after receiving the contents of a customer's communication, or a governmental entity, within 3 days, to provide the customer a copy of the warrant and a notice that such information was requested by, and supplied to, the government entity.

(Sec. 204) Authorizes a governmental entity that is seeking a warrant for the contents of communications to include in the application a request for an order delaying the notification required for up to 180 days, in the case of a law enforcement agency, or up to 90 days, in the case of any other governmental entity. Authorizes a court to grant one or more of such extensions on the basis of determinations required under existing law.

Allows a governmental entity that is obtaining the contents of a communication, or information or records, to apply to a court for an order directing a provider of electronic communication service or remote computing service to which a warrant, order, subpoena, or other directive is directed not to notify any other person of the existence of the directive for up to 180 days, in the case of of a law enforcement agency, or up to 90 days, in the case of any other governmental entity. Provides for further extensions.

Requires service providers, after such extension, to provide the government three business days' notice of their intent to inform a customer or subscriber that the provider has disclosed the individual's electronic communications information to the government.

Actions Timeline

- **Dec 20, 2012:** By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-258. Additional views filed.
- **Nov 29, 2012:** Committee on the Judiciary. Ordered to be reported with amendments favorably.
- **Nov 29, 2012:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute and an amendment to the title. Without written report.
- **Nov 29, 2012:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 556.
- **Jan 31, 2012:** Committee on the Judiciary Senate Subcommittee on Privacy, Technology and the Law. Hearings held. With printed Hearing: S.Hrg. 112-869.
- **Dec 7, 2011:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Dec 6, 2011:** Mr. Goodlatte moved to suspend the rules and pass the bill, as amended.
- **Dec 6, 2011:** Considered under suspension of the rules. (consideration: CR H8161-8165)
- **Dec 6, 2011:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2471.
- **Dec 6, 2011:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Dec 6, 2011:** Considered as unfinished business. (consideration: CR H8169)
- **Dec 6, 2011:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 303 - 116 (Roll no. 891).(text: CR H8161)
- **Dec 6, 2011:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 303 - 116 (Roll no. 891). (text: CR H8161)
- **Dec 6, 2011:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 2, 2011:** Reported (Amended) by the Committee on Judiciary. H. Rept. 112-312.
- **Dec 2, 2011:** Placed on the Union Calendar, Calendar No. 211.
- **Oct 13, 2011:** Committee Consideration and Mark-up Session Held.
- **Oct 13, 2011:** Ordered to be Reported (Amended) by Voice Vote.
- **Aug 25, 2011:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Jul 8, 2011:** Introduced in House
- **Jul 8, 2011:** Sponsor introductory remarks on measure. (CR E1276-1277)
- **Jul 8, 2011:** Referred to the House Committee on the Judiciary.