California (Mr. FILNER), the whole number of the House is 432.

ENTITLEMENT REFORMS MUST BE ADDRESSED

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, over the next 29 days, the President has a huge responsibility to work together with Congress and find a solution to avert the fiscal cliff. With over $16 trillion in debt, our Nation is at a crossroads. We must rein in our out-of-control spending by addressing entitlement reform, a driving force that is jeopardizing our long-term fiscal security.

According to a recent blog post from The Heritage Foundation:

Social Security, Medicare, and Medicaid are on auto pilot. It's not even subject to the regular budget process. Spending on just those three programs will jump from 10.4 percent of gross domestic product (GDP) in 2012 to 18.2 percent in 2048, meaning it will require every single cent of Federal taxes collected.

Because of this fact, we must reform entitlement programs to protect current participants and to ensure that future generations will benefit, rather than inherit more debt caused by out-of-control spending. It is my hope that the President will reconsider his recent proposal and work with Republicans to save America's entitlement systems, which are a vital safety net.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

THE PENTAGON'S SPIES

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Over 12 million Americans are unemployed while our infrastructure is falling apart. But at least the U.S. is creating some jobs—for spies.

The Washington Post says the Pentagon will dramatically expand the role and size of its own personal spy agency, the Defense Intelligence Agency, the DIA. It's like the CIA, but they get their mission assignments from the Pentagon. The report says the plan includes sending 1,600 ''collectors''—that's what they call their spies—all over the world. This is what the CIA does, except they're called ''agents.'' The DIA doesn't have to report to Congress like the CIA does, so we would know even less than we know about situations like Benghazi.

Why the Pentagon needs its own spy agency is anyone's guess—maybe to keep an eye on its own generals when the CIA and FBI do not. Meanwhile, the CIA has been taking over Pentagon functions, conducting military strikes with drones all around the world. We have the CIA bombing people and the Pentagon spying on people. Who knows what the other dozen spy agencies are up to.

Big government leads to a big national security state which leads to Big Brother getting fat on tax dollars while we have less freedom.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1603

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. FOXX) at 4 o'clock and 3 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

ELIMINATE PRIVACY NOTICE CONFUSION ACT

Mrs. CAPITO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5817) to amend the Gramm-Leach-Bliley Act to provide an exception to the annual privacy notice requirement.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5817

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Eliminate Privacy Notice Confusion Act''.

SEC. 2. EXCEPTION TO ANNUAL PRIVACY NOTICE REQUIREMENT UNDER THE GRAMM-LEACH-BLILEY ACT.

Section 503 of the Gramm-Leach-Bliley Act (15 U.S.C. 6803) is amended by adding the following new subsections:

''(f) EXCEPTION TO ANNUAL NOTICE REQUIREMENT.—A financial institution that—

''(1) provides nonpublic personal information only in accordance with the provisions of subsection (b)(2) or (e) of section 502 or regulations prescribed under section 504(b),

''(2) does not share information with affiliates under section 603(d)(2)(A) of the Fair Credit Reporting Act, and

''(3) has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with this subsection,

shall not be required to provide an annual disclosure under this subsection until such time as the financial institution fails to comply with any criteria described in paragraph (1), (2), or (3).

''(g) EXCEPTION TO NOTICE REQUIREMENT.—A financial institution shall not be required to provide any disclosure under this section if—

''(1) the financial institution is licensed by a State and is subject to existing regulation of consumer confidentiality that prohibits disclosure of nonpublic personal information without knowing and expressed consent of the consumer in the form of laws, rules, or regulation of professional conduct or ethics promulgated either by the court of highest appellate authority or by the principal legislative body or regulatory agency or body of any State of the United States, the District of Columbia, or any territory of the United States; or

''(2) the financial institution is licensed by a State and becomes subject to future regulation of consumer confidentiality that prohibits disclosure of nonpublic personal information without knowing and expressed consent of the consumer in the form of laws, rules, or regulation of professional conduct or ethics promulgated either by the court of highest appellate authority or by the principal legislative body or regulatory agency or body of any State of the United States, the District of Columbia, or any territory of the United States.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentleman from California (Mr. SHERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia.

GENERAL LEAVE

Mrs. CAPITO. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

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

There was no objection.

Mrs. CAPITO. Madam Speaker, I yield myself such time as I may consume.

I would first like to thank Mr. LUETKEMEYER and Mr. SHERMAN for authoring the bill before the House today. I would also like to thank Mr. LUETKEMEYER for his hard work on the Financial Institution and Consumer Credit Subcommittee, where he has championed many initiatives to provide commonsense regulatory relief for small financial institutions.

The House of Representatives has already passed one bill to remove an outdated requirement for duplicative disclosure of ATM fees on the machines—commonsense reform. I urge our colleagues in the Senate to pass both of these bills to provide this commonsense regulatory relief for banks and credit unions across the country.

I know Mr. LUETKEMEYER shares my concerns that in recent years Federal financial regulatory agencies have piled on more regulations without properly assessing the current regulatory regime to remove outdated, unnecessary, or overly burdensome regulations. Last year, members of our

House Financial Services Committee urged the Treasury Secretary to make good on a promise from the summer of 2010 to take care, as the Dodd-Frank Act was implemented, to ensure that Federal agencies conducted a thorough assessment of the current regulatory structure, to ensure this opportunity to truly modernize and streamline the Federal code. We wanted to make sure this opportunity was not missed. Although Secretary Geithner claims that this streamlining is a priority, we've really seen very little progress on this front.

H.R. 5817 provides an example of how both sides can come together—and I would like to thank Mr. SHERMAN for his work on this as well—to identify outdated and duplicative regulatory requirements. Under current law, financial institutions are required to provide annual privacy notices to their customers that explain all of their information and practices. Financial institutions are required to mail those notices regardless of whether or not the information-sharing practices have changed. These annual mailings cost millions of dollars each year and do not provide consumers with new information if the financial institution has not changed their practice.

The legislation before us today will require a financial institution to provide annual privacy notices only if they have changed privacy policies that affect the customer. This is an important, commonsense bill that will provide further clarity to customers and consumers and eliminate an unnecessary regulatory burden for our financial institutions.

Again, I would like to thank Mr. LUETKEMEYER and Mr. SHERMAN for their leadership on this issue, and I reserve the balance of my time.

Mr. SHERMAN. I yield myself such time as I may consume in support of H.R. 5817, the Eliminate Privacy Notice Confusion Act. I want to thank Representative LUETKEMEYER for his work in introducing this bill. I've enjoyed working with him on it.

Madam Speaker, this is commonsense legislation that makes a minor change to our banking laws to revise a very costly and unnecessary requirement that financial institutions such as banks and credit unions and other depository institutions must send each of their customers a copy of their privacy policy every year, even when that policy hasn't changed from the prior year when they got the same exact privacy notification. For banks, credit unions, and other financial institutions of all sizes, this means spending a small fortune to reprint millions of complicated and long documents, then mailing them to every consumer, even when there's been no change in the policy.

□ 1610

It is disadvantageous not only because of the time and cost in mailing these—and the trees that are no doubt consumed—but also because customers have no way to separate the wheat from the shaft. They're getting these notices every year from every financial institution with whom they have dealings without any indication as to whether there's been a change from the privacy policy that they received just a year ago. By sending out less, we attract attention to those situations where there's been a change in the privacy policy.

Our bill makes a simple fix to this problem, requiring financial institutions to provide their customers with this additional notification only when there's been a change that affects the policy or practice as it relates to that consumer. As a result, consumers will know that the privacy notices that arrive in their mailbox actually require their attention. And banks, credit unions, other financial institutions that have been spending millions of dollars to mail out duplicative notices and redundant notifications each year can redirect those savings back to providing for the consumer, to their community, or to loans to help our economy grow.

Madam Speaker, I want to thank, as I did at the beginning of my presentation, our colleague and chief sponsor of this bill, Representative LUETKEMEYER of Missouri, and thank him for his leadership on this issue. I also want to thank our long-time colleague, ranking member of our Financial Services Committee, BARNEY FRANK, for his work in getting us to this point where we can consider this bill on the floor today.

I will, in short order, be asking for a recorded vote on this bill, not because it needs a recorded vote, but because I've been informed by my leadership that it's important to this House that we have time on the floor tomorrow to confer with each other on Members and that we have a sufficient number of recorded votes. So my colleagues should not interpret my request for a recorded vote as any statement that this bill is something we have to go on record on or that I would disagree with the outcome of any voice vote, but simply as an act of collegiality, showing that I think we ought to spend more time with each other on this floor tomorrow, and I know we will all enjoy that process.

With that, I reserve the balance of my time.

Mrs. CAPITO. Madam Speaker, I would like to yield such time as he wishes to consume to the principal sponsor of this bill, a great member of the Financial Services Committee, the gentleman from Missouri (Mr. LUETKEMEYER).

Mr. LUETKEMEYER. Thank you, Chairwoman CAPITO, for yielding.

Also, I want to thank Mr. SHERMAN for his fine remarks. We certainly will take no offense to a recorded vote and will not oppose that. We understand and support collegiality among ourselves, especially in this time when it seems to be more partisan and toxic than it is friendly, so no problem there, Representative.

I rise today in strong support of H.R. 5817, the Eliminate Privacy Notice Confusion Act. I introduced this legislation earlier this year in an effort to reduce yet another unnecessary burden facing consumers and financial institutions alike.

Under current law, financial institutions of all sizes are required to provide annual privacy notices explaining information sharing practices to all customers. Banks and credit unions are required to give these notices each year even if their privacy policies have not changed in the slightest. This creates not only waste for financial institutions, but confusion among and increased indirect cost to consumers.

H.R. 5817 would require institutions to provide privacy policy information to their customers only if they've changed any policy or practice related to that customer's privacy. This bill would eliminate millions of costly, confusing, and often ignored mailings that cost millions of dollars to produce each year. And with passage of this bill, information included in these mailings would likely be more significant to the consumer because they would only come after a change in the privacy policy.

Again, I want to remind my colleagues that this legislation specifically ensures that a financial institution cannot be exempted from annual privacy notices if that institution changes in any way its policies or practices related to the disclosure of nonpublic personal information.

This legislation is supported by Independent Community Bankers of America, the Credit Union National Association, the American Bankers Association, and the National Association of Federal Credit Unions, among others.

Again, I want to thank the gentleman from California (Mr. SHERMAN) for his fine support and his good work on this issue. Also, I want to thank Chairman BACHUS, Ranking Member FRANK, Chairwoman CAPITO, and Ranking Member MALONEY for their assistance in ensuring that this legislation passes without delay. This commonsense legislation has garnered widespread bipartisan support, and I urge my colleagues to join me in supporting its passage.

Mr. SHERMAN. I'll take a minute to put into the RECORD the statements of Adam Levitin, a professor of law at the Georgetown University Law School, in support of this bill. He came before our committee in May of 2012 and stated ''there are unquestionably financial regulations that do little other than add to regulatory burdens.'' He cited, in particular, the provision that this bill addresses, and said: ''I would also urge the elimination of the privacy disclosure requirement even if there is no substantive replacement for it.'' But then he added: ''And, at the very least, eliminate the requirement of an annual

disclosure when there has been no change to the policy.'' I couldn't agree more with the professor.

SMALL BANKS' REGULATORY BURDENS

While many small banks and credit unions believe that their regulatory burden is too great, it has little to do with the Dodd-Frank Act. Therefore, concerns about the regulatory burdens on small banks do not provide a good justification for altering or repealing provisions of the Dodd-Frank Act. If there is a problem with the burdens created by specific regulations, then by all means, we should reexamine those regulations and decide if they make sense.

There are unquestionably financial regulations that do little other than add to regulatory burdens. For example, the Gramm-Leach-Bliley Act/Reg P privacy disclosures create an ongoing regulatory burden for financial institutions, which have to craft their privacy policies and send annual disclosures to consumers, irrespective of whether there have been changes to the policies. Yet the benefits from these disclosures are at best small and likely non-existent or negative; few consumers read the policies, and they cannot be negotiated. Gramm-Leach-Bliley Act privacy disclosures instead substitute for meaningful substantive privacy protections. While I would urge Congress to consider more substantive privacy protections rather than mere disclosure that there are few protections, I would also urge the elimination of the entire Gramm-Leach-Bliley Act privacy disclosure requirement even if there is no substantive replacement, and, at the very least, eliminate the requirement of an annual disclosure when there has been no change to the policy.

Madam Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman very much.

The language which is in question here is language which was spurred by Mr. BARTON and I in 1999 as part of the consideration of the Gramm-Leach-Bliley bill. The language for privacy, none had been included in the Senate and none had been included in the rest of the process. But as the bill came to the Energy and Commerce Committee in 1999, Mr. BARTON and I, we added privacy language, believing that as companies are able to consolidate banking records, insurance records, brokerage records, the physical examinations of customers and their medical secrets, that there should be privacy here. We were no longer talking about just going into a bank and having old Mr. Wentworth there that you and your family had known your entire life, and you trusted Mr. Wentworth, and there was actually a whole long family history. That is no longer the case. We are now basically living in a world where we have moved from an era of privacy keepers to privacy peepers and data-mining reapers trying to create profiles of people, using all of their financial information as a way of basically making their companies more efficient, but simultaneously compromising the privacy of families all across our country. So, while ultimately the language which Mr. BARTON and I included on the House side in Gramm-Leach-Bliley was watered down in the final compromise, that's the privacy that's in the bill.

So, one of the things, of course, that I believed and Mr. BARTON believed was that people should get the information that their privacy could be compromised by these now huge mega-banks.

□ 1620

So what this bill is saying is, you don't have to notify people of that each year. You don't have to tell them. If they didn't figure that out when the bank first signed you up as a company, they never have to tell you again because they notified you once right there in the beginning.

Ladies and gentlemen, the amount of information which we get at home from these banks, massive, as you know. You open up your mailbox every day, and there's like 25 solicitations from financial institutions all across the country. They've got loads of money to do that, loads of money. You look at their TV commercials, loads of money. ''You're in safe hands when you give your family's wealth over to this financial institution.''

But if you ask them to just provide a scintilla of information on what privacy rights they have in terms of protecting all of their family secrets inside of that financial information, the banks say, Oh, no, that's too expensive. We can't do that. How can you afford that?

So this just gets right back to the same argument that we had during Gramm-Leach-Bliley, the same exact debate, the same exact terms. And all I can tell you is, there's a looming privacy catastrophe coming in this country. People just don't understand the full consequences of what this new cyberworld makes possible in terms of the compromise of information.

You know, when you're writing out the information to buy the Ritalin for your child, that's a check that the bank has. There it is. You haven't told anyone else in your family that you have a daughter who needs it. All of this has to be told to the public on an ongoing basis.

I urge a ''no'' vote on this suspension.

Mrs. CAPITO. Madam Speaker, I yield 2 minutes to my friend from Texas (Mr. BARTON).

Mr. BARTON of Texas. I thank the gentlelady from West Virginia for her courtesy. She didn't have to yield me time since I'm in opposition to the bill, and I appreciate it.

I am in opposition to this bill, although it is very well-meaning and well-intentioned. Who could be opposed to saving some money for our struggling financial institutions when they have to send out these privacy notices? And for the smaller institutions, there's no question that they're very expensive.

The problem is that you can't just give away your privacy rights. And while this bill does nothing about the underlying issue of privacy, it does, at least, require that once a year, banks and financial institutions subject to Gramm-Leach-Bliley inform people that there are some privacy protections in the law. I don't think they're very strong. I think they need to be upgraded. And Congressman MARKEY and I, who are cochairmen of the bipartisan Privacy Caucus, have legislation that does that.

Having said that, we should not willingly give up the privacy protections that we have. And this bill would eliminate a requirement of notification, which is, I admit, not the same as reducing the privacy that is in the law. But when you start down that slippery slope where you know that you don't have to notify of privacy protection, the next step is to not even have privacy at all. So I do oppose this bill—respectfully so—and would ask for a ''no'' vote when we call for the yeas and nays.

Again, I want to thank the gentlelady for her courtesy, and I commend the sponsor for his efforts on the bill.

Mr. SHERMAN. I rise again in support of this bill, and I yield to no Member in terms of my dedication to privacy.

If this bill passes, you're going to get notification of what the privacy rules are when you start with the financial institution. You are going to get notified every time they make a change. And you are going to be notified any time of the night or day when you simply go onto the Web site and look at the required privacy notification.

When Gramm-Leach-Bliley was passed, not everybody had access to the Internet. I realize today not everybody does. But a much larger percentage of Americans are familiar with the Internet, have access to the Internet, and know that if they want to see the privacy notification, the privacy rules of their financial institution, it's there on the Internet in a way that most Americans are going to have easy access to.

The idea that you are mailed a copy of something you've already been mailed a copy of, which hasn't changed, that does little or nothing to provide additional privacy, except that we can say, Oh, we're for privacy.

If we want to protect the privacy of our constituents, we ought to do so in a meaningful way, not to simply say, The same thing you got a copy of a year ago today, which is available to you any time of the day or night, is something we're going to chop down some more trees and send you a copy of again. And that's the best idea we can come up with to protect your privacy.

I think, instead, we ought to pass this bill, know that we've given everybody a copy of the privacy policy of the financial institution on paper, that they get another paper notice if there's any change, and there is a continuous notice on the Internet every day of the year, every night of the year.

With that, I yield 1 minute to the gentleman from Massachusetts.

Mr. MARKEY. For the record, for anyone who's listening, the American Civil Liberties Union opposes this; the

American Library Association opposes this; the Consumer Union opposes this; the Liberty Coalition opposes this; and the Coalition for Patient Privacy opposes this.

And the reason is this: You signed up with a bank 10 years ago—Megabank Inc. They sent you a privacy notice. Then every year for the next 10 years, they buy a new entity that locks right in as an affiliate. And you've already signed off on everything they do, but they don't have to notify you that this new entity, this new affiliate is going to have a totally new use for that information. But you are supposed to have already been notified in 2002.

Moreover, ladies and gentlemen, why can't they just email this notice each year to people? Why can't they just email it to people? ''Here's your privacy.'' And every year it goes out. No tree is chopped down. There is nothing done that affects the environment. Everybody just gets the email each year. ''Here are your privacy rights.'' And it goes in a separate email so that everyone is really getting the opportunity to single it out. It doesn't cost anything. It gives everyone all the information they need.

Mr. SHERMAN. I thank the gentleman for his presentation.

I would be happy to cosponsor legislation to require an email notification once a year to every customer who's willing to provide their email address to the financial institution. There are some who would say, I don't want to give my email address to my financial institution. But to everybody who is willing to provide that email. I couldn't agree with you more. If this was done by email, it ought to be done at least annually.

I look forward to joining with the Members who are here in this room and are interested in requiring an annual email notification. I don't know if the sponsor of the bill would be interested in that. But I will join the gentleman from Massachusetts in legislation on that.

But let's act today to end the expensive and resource-consuming annual paper notification.

And with that, I reserve the balance of my time.

Mrs. CAPITO. Madam Chair, I yield such time as he may consume to the gentleman from Missouri, the principal sponsor of the legislation.

Mr. LUETKEMEYER. I thank Chairwoman CAPITO.

I would like to respond to some of the comments that have been made. First, I want to thank the gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Texas (Mr. BARTON) for their work on the privacy notice and protection of our private information. I think it is extremely important, and I applaud those efforts, and I support those efforts.

If you will look at this particular bill, this is not an effort to thwart any sort of ability for people to protect their private information. Within the privacy law, there are all sorts of other protections. So it doesn't change one single dot of an I or a cross of a T on the rest of the notifications there, whether it deals with the kind of information you can collaborate on or the different kinds of information that you can be a part of.

□ 1630

All it does is just say that the notification that is supposed to be required annually is not made unless there is a change.

The gentleman from Massachusetts made some comments with regards, Madam Speaker, to the amount of mail that he gets from the banks. That's not necessarily something that is the compliance area; it's called marketing. Whenever they're trying to market for their credit cards or market for their services, that's part of their marketing budget. That's where those dollars come from to be able to do those things. That's part of being a business.

When it comes time for an individual to be notified of changes, such as you merge another bank or another institution with others and you're one of the individuals whose institution was bought out, you will receive a new notice because obviously there will be a change in the information that's going to be held by the banks. You'll be notified of that because it is a significant change.

I'm not sure that the gentlemen that spoke in opposition have quite thought through their arguments. Basically, all we're doing is allowing for some bookkeeping things to be done here. We're not impacting the individual's privacy at all. I think if you went on the street and you asked 10 people whether they thought this was a good idea or not, I guarantee there would be at least nine, and probably one would say, I can take it either way. I don't see any opposition from the consumers themselves whenever they're actually paying for these notices through higher charges through their bank accounts.

I think that there is a lot of good we're trying to do here. We're not trying to change the world. All we're trying to do is continue to protect the integrity of the information the banks and credit unions are holding on these individuals and provide for the ability of those institutions to do it in a more effective and cost-effective manner.

Mr. SHERMAN. Madam Speaker, I yield myself such time as I may consume.

I would just state that I agree with the gentleman from Massachusetts, that we ought to require email notification of what the privacy policy is annually as a good compromise. I would hope that some of the others here on the floor would take a minute to comment on that, or I would yield to them. Obviously, such an email could be sent only to those customers who voluntarily provide their email address to the financial institution.

When you look at the idea of an expensive postal mailing using resources to provide an exact copy of something that was previously mailed in hard copy on paper to the same consumer a year earlier, on balance, that is not a good use of societal resources nor a good use of most consumers' time. I think the fact that these policies are up on the Web and available whenever somebody takes an interest in them is also important.

With that, I reserve the balance of my time.

Mrs. CAPITO. Does the gentleman have any more speakers? I'm prepared to close if you're prepared.

Mr. SHERMAN. I have no further speakers, and I yield myself such time as I may consume.

I would just add that there are many of us who are dedicated to privacy, but not every privacy requirement makes sense. Here's a case where people are notified on paper.

Finally, I want to address the gentleman from Massachusetts' comment that maybe when you were notified on paper your financial institution only had two or three subsidiaries and 10 years later they have several more subsidiaries with whom they may share information. The fact is that isn't disclosed in another copy of the financial institution's privacy policies. It may, in fact, be that your financial institution is offering more products, sharing your information with more subsidiaries. But voting down this bill is not a solution to that issue.

What is a solution is to have a policy where you have to send it in writing once, send it in writing when it changes, provide it on the Web. And I would join with others, I would hope, in introducing legislation requiring annual email distribution.

With that, I have no speakers, I have no further comments, and I yield back the balance of my time.

Mrs. CAPITO. Madam Speaker, I recognize myself just simply to close to say privacy is an issue that is of concern to all of us. In these new ways of communicating that we have—and we can only imagine in our future—I think it becomes more and more difficult.

I would respond to the gentleman from California when he says that email notices—I haven't discussed it with the bill's sponsor. I wouldn't have an objection to that. However, many of us live in areas where the penetration of email is not like it is in California or Massachusetts or probably areas of Texas. There is a long way to go before that could be. Maybe next time this is debated in 10 years or whatever, that would be the norm. So I would make sure that that option for those who want to receive the paper can still do this.

Frankly, I think we're overcomplicating this issue. I think it is a commonsense revision. If we took the gentleman's 10 people that he met on the street and said, What would you think if the bank didn't mail these privacy

notices to you every year, if he further questioned them and asked them how many read these point by point—and I put myself in this category—it is probably very small, as well. Not to say that it doesn't need to be publicly available. When changes are made, we have to have public notification. I agree with that.

But I do believe, serving on the Financial Services Committee, I think it's become very apparent, when you talk to institutions and when you talk to customers that the piling on of new regulations, without weeding out some of these old regulations that have either been antiquated or duplicative or repetitive or wasteful or whatever, is burdening not just the institution, it is burdening the customer, too. I'm not sure it gets the wanted understanding of what's going on to the customer that we're trying to achieve here, and I do believe it's been overcomplicated.

Mr. SHERMAN. Will the gentlewoman yield?

Mrs. CAPITO. I yield to the gentleman from California.

Mr. SHERMAN. This bill was passed by the House as part of a package on March 8, 2006; this bill was pretty much in this exact form and was passed by this House June 24, 2008, as part of a package; then finally, as a separate bill, H.R. 3506 was passed by this House on April 14, 2010. So the House has a strong record of passing this legislation, and I hope we continue to do so.

With that, I thank the gentlelady for yielding.

Mrs. CAPITO. I thank the gentleman for bringing that up. I think it's an important point.

With that, I urge support of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and pass the bill, H.R. 5817.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

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 3, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, 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 3, 2012 at 3:08 p.m.:

That the Senate passed S. 2170.
That the Senate agreed to S. Res. 607.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

□ 1640

DEPARTMENT OF LABOR ''HOT GOODS'' ISSUES

(Mr. WALDEN asked and was given permission to address the House for 1 minute.)

Mr. WALDEN. Madam Speaker, I rise today to ask Labor Secretary Hilda Solis a simple question on behalf of the farmers of Oregon: When will we get answers about the Department's heavy-handed enforcement tactics?

In August, my colleagues and I from the Oregon delegation—Republicans and Democrats alike—wrote to the Secretary about reports that the Department of Labor had been discarding rights of due process and appeal in using ''hot goods'' orders to enforce labor laws on farms in the Pacific Northwest. So far, we are still waiting for a written response 108 days later.

We know the Department can move with great speed when it wants to—when it's trying to shut down a farm with little due process or appeal. So why does it take so long to get answers for Oregon farmers? Again, I ask the Secretary to clarify in writing the Department of Labor's procedures for due process after a farm inspection.

Certainly, no one is advocating for unfair labor practices, but our farmers deserve due process and a clear understanding of what to expect from an investigation. Only the Department of Labor can provide these answers to Oregon's congressional delegation and to the citizens we represent. 108 days later, we and they still do not have those written answers, and that is simply unacceptable.

JOHNNY ''FOOTBALL'' MANZIEL FOR HEISMAN

(Mr. BARTON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTON of Texas. Madam Speaker, I rise in strong support of freshman sensation Johnny ''Football'' Manziel's quest to become the first freshman to win the Heisman Trophy. He is a redshirt freshman quarterback at Texas A&M who has led the Texas Aggies to a 10–2 record this year, losing only to Florida, which is currently ranked No. 3 in the Nation, and to LSU, which I believe is currently ranked No. 7 in the Nation.

He has broken the record for total offense, not once but twice this year, in the Southeastern Conference. His total offense for the year exceeds that of both Cam Newton's, of Auburn, and Tim Tebow's, of Florida, when they were playing, and they both won the Heisman Trophy in their years.

Texas A&M is going to play Oklahoma in the Cotton Bowl on January 7. It would be a supreme blessing if the Heisman Trophy voters for the first time were to vote for Johnny ''Football'' Manziel, quarterback of the fighting Texas Aggies.

HOUSE BILLS AND A JOINT RESOLUTION APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates, he had approved and signed bills and a joint resolution of the following titles:

September 28, 2012:

H.J. Res. 117. A joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

October 5, 2012:

H.R. 1272. An Act to provide for the use and distribution of the funds awarded to the Minnesota Chippewa Tribe, et al., by the United States Court of Federal Claims in Docket Numbers 19 and 188, and for other purposes.

H.R. 1791. An Act to designate the United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the ''Alto Lee Adams, Sr., United States Courthouse''.

H.R. 2139. An Act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Club International.

H.R. 2240. An Act to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes.

H.R. 2706. An Act to prohibit the sale of billfish.

H.R. 3556. An Act to designate the new United States courthouse in Buffalo, New York, as the ''Robert H. Jackson United States Courthouse''.

H.R. 4158. An Act to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions.

H.R. 4223. An Act to amend title 18, United States Code, to prohibit theft of medical products, and for other purposes.

H.R. 4347. An Act to designate the United States courthouse located at 709 West 9th Street in Juneau, Alaska, as the ''Robert Boochever United States Courthouse''.

H.R. 5512. An Act to amend title 28, United States Code, to realign divisions within two judicial districts.

H.R. 6189. An Act to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs.

H.R. 6215. An Act to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution.

H.R. 6375. An Act to authorize certain Department of Veterans Affairs major medical facility projects, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes.

H.R. 6431. An Act to provide flexibility with respect to United States support for assistance provided by international financial institutions for Burma, and for other purposes.

H.R. 6433. An Act to make corrections with respect to Food and Drug Administration user fees.

November 27, 2012:

H.R. 2606. An Act to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes.