

Gov Docs 101: Legislative History Research

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University of Denver, Main Library
January 12, 2021

What is a Legislative History?

- All the documents that surround the passage of a particular Act (limited to a particular Congress). This is the focus of this presentation. This is the formal legislative history.
- All of the above, but including similar legislation and background documents from previous Congresses. This broader view goes beyond the formal legislative history to general public policy issues that span multiple Congresses.

Elements of Legislative History

- Congressional Debate
- Congressional Bills/Resolutions
- History of Bills
- Congressional Hearings
- Congressional Reports
- Congressional Documents
- Presidential Signing Statements
- CRS Reports
- CBO Cost Estimates
- Congressional Committee Prints
- Any of the Above from Previous Congresses
- Archival Papers from Members of Congress
- Court Cases

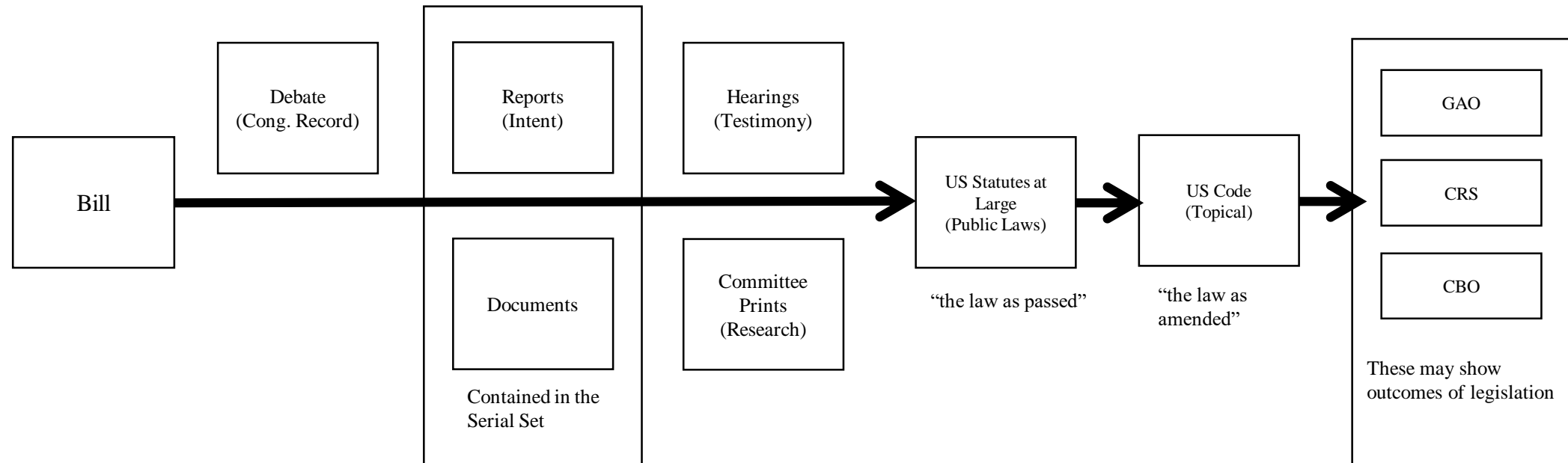
Why do Users Want Legislative Histories?

- To understand ambiguities in legislation
- To discover what motivated lawmakers to pass legislation
- To understand where legislation fits into a public policy issue
- To understand successes or failures of outcomes of legislation
- To understand the social or cultural influences upon legislation within a particular slice of time

Where to Find Legislative Histories

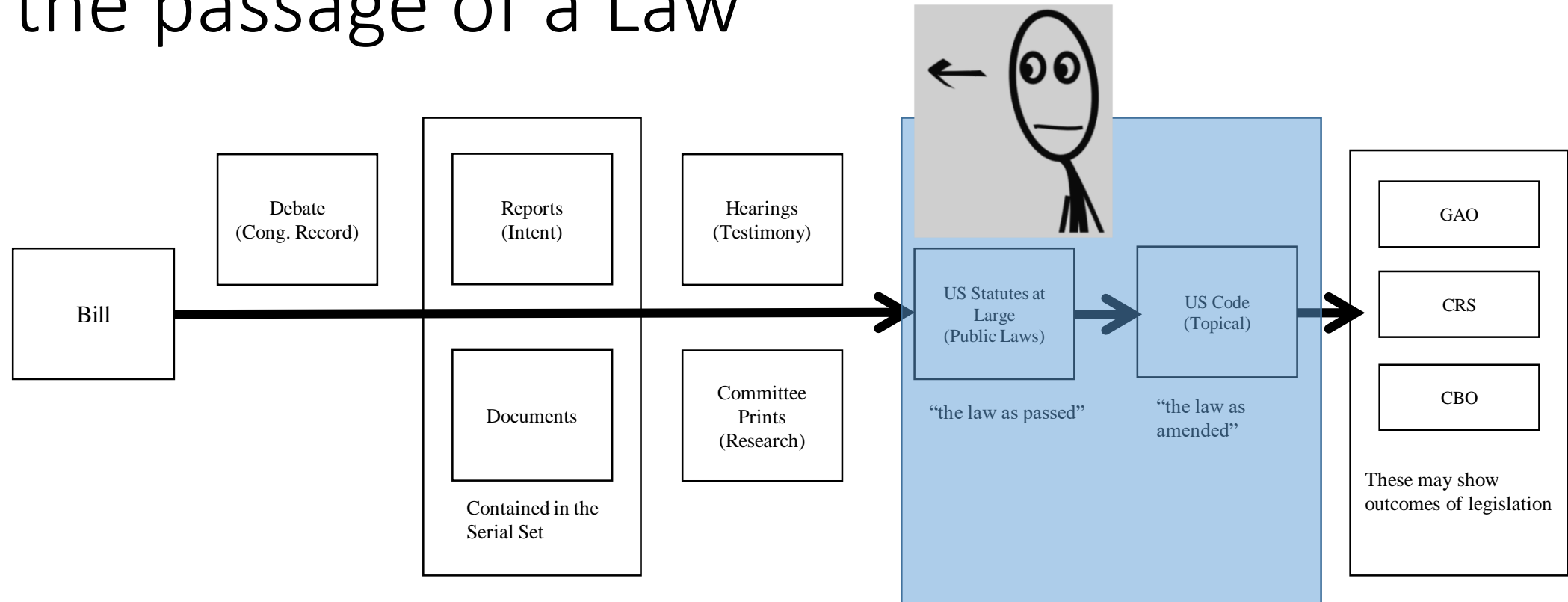
- Published books and journal articles
- HeinOnline (U.S. Federal Legislative History Library)
- ProQuest Legislative Insight
- ProQuest Congressional
- Many parts of legislative histories can be found in [Congress.gov](https://www.congress.gov) and [Govinfo.gov](https://www.govinfo.gov). Most of our focus today will be on these two resources.

Document Trail of Legislation



(not intended to show chronology, only documents that come out of the process)

Legislative Histories Look Back at what led up the passage of a Law



ProQuest Legislative Insight: The Best Tool for Leg. Hist.

The screenshot shows the ProQuest Legislative Insight interface. At the top right, there are links for "Historical Context", "Help", and "Quick Start", along with a "Related Subscriptions" dropdown. The main navigation bar includes "Home", "Quick Search", "Guided Search", "Search by Number", "Timeline Browse", "Legislative Process", and "Regulatory Insight". Below this, there are options for "PDF", "Print", and "Export", and a "Legislative Process" link. The search area includes "Options" (set to "Sort by pub type"), "Publication Filter" (set to "Show all"), and a "Go to" dropdown menu. The dropdown menu is open, showing options: "Select a pub type", "Select a pub type" (highlighted), "Bill", "Congressional Record Report", "Hearing", "Committee Print", "CRS and Misc. Publications", and "Presidential Signing Statement". Below the search area, it states "PL109-58 contains 389 publications." and provides a tip: "Tip: Begin your research with reports marked with ★ ... or d". There are two search boxes: "Find terms on this page:" and "Find terms in full text publications:", each with a "Go" button. The main content area is titled "Energy Policy Act of 2005" and has a "Publication Type: Legislative History" filter. Below this, there is a "NOTE: Energy" section with the following details: DIGITAL-PDF ID: PL109-58, PUBLIC LAW PDF ID: PL109-58FT, DATE: Aug. 8, 2005, ENACTED-BILL: 109 H.R. 6, STATUTE AT LARGE: 119 Stat. 594, CONG-SESS: 109-1, USCS: 2 USCS § 441b, 5 USCS § 5314, 5 USCS § 5315, more..., and DURABLE URL: https://congressional-proquest-com.du.idm.oclc.org/legisinsight?id=PL109-58&type=LEG_HIST. Below the note are sections for "SUMMARY:", "REGULATORY HISTORY:", and "SUPREME COURT CASE HISTORY:", each with a brief description and a link to view more information.

But not all libraries can afford this product. This presentation emphasizes how to do legislative history research with freely available sources.

The “poor man’s” legislative history can be found as an endnote to Public Laws (94th Congress, 1975 onward).



PUBLIC LAW 109–58—AUG. 8, 2005 119 STAT. 1143

- (C) identifiable environmental impacts of each project included in the study, including to fish and wildlife, water quality, and recreation;
 - (D) projected water yield from each such project;
 - (E) beneficiaries of each such project;
 - (F) the amount authorized and expended;
 - (G) projected funding needs and timelines for completing the study (if applicable);
 - (H) anticipated costs of each such project; and
 - (I) other factors that might interfere with construction of any such project.
- (4) An identification of potential hydroelectric facilities that might be developed pursuant to each study identified under paragraph (1).
- (5) Applicable costs and benefits associated with potential hydroelectric production pursuant to each study.

Approved August 8, 2005.

H.R.6 - Energy Policy Act of 2005 - P.L. 109-58

LEGISLATIVE HISTORY—H.R. 6:

HOUSE REPORTS: No. 109–190 (Comm. of Conference).
CONGRESSIONAL RECORD, Vol. 151 (2005):

Apr. 20, 21, considered and passed House.

June 14–16, 20–23, 28, considered and passed Senate, amended.

July 28, House agreed to conference report.

July 29, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 41 (2005):

Aug. 8, Presidential remarks and statement.

LEGISLATIVE HISTORY—H.R. 6:
HOUSE REPORTS: No. 109–190 (Comm. of Conference).
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July 28, House agreed to conference report.
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WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 41 (2005):
Aug. 8, Presidential remarks and statement.

Overview of Finding Legislative History Resources, part 1

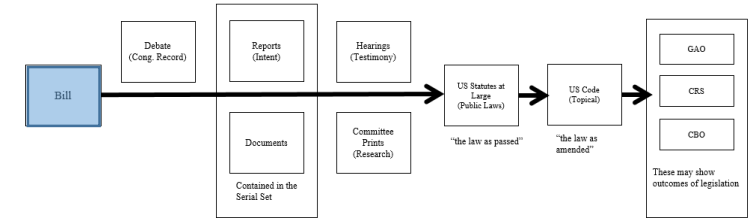
Doc Type	Congress.gov	Govinfo.gov	Other
Bill text	Search or browse bills/resolutions. All actions links to text	Search or browse bills/resolutions . 80 versions (https://www.govinfo.gov/help/bills)	
Debate	Search or browse by date (Daily ed. 1989-present). Also links to FT within context	Search or browse Daily ed (1994-present) or Permanent ed (1873-2015). Bill no. as “hook”	
Hearings	Link to congressional reports to see if hearings held	Look at reports to see if hearings held	Search CGP for hearings not in Govinfo.gov.
Reports	Find link to report under “All actions” in bill	Search by Rpt. no. to find Leg. Intent	Search CGP by Congress-report number.
Documents	Rarely		Search CGP by Congress-document number.
Committee Prints		Search by broad topic and limit to comm. prints	

Overview of Finding Legislative History Resources, part 2

Doc Type	Congress.gov	Govinfo.gov	Other
Presidential Signing Statements	Date signed included, but have to search CPD in Govinfo.gov	Get signing date from end of PL and search CPD	Unofficial: American Presidency Project
Public Law	Linked to from bill; search for or browse all PLs	Use bill no. or PL no as "hook". Browse or search " Public and Private Laws "	
US Code	---	Find codification in PL margin. Then use citation lookup, or browse to section.	Find codification in PL, or in Table III of House US Code ; annual "rollback" if desired. Hook is Stat citation.
Outcome Resources (GAO/CBO/CRS)	---	Only selected GAO rpts from 1994-2008. Best to search GAO.gov	GAO.gov Crsreports.congress.gov CBO.gov

Bill and Resolution Text

Easily retrieved from either Congress.gov or Govinfo.gov



Home > Legislation > 109th Congress > H.R. 6

H.R. 6 - Energy Policy Act of 2005

109th Congress (2005-2006)

LAW Hide Overview

Sponsor: [Rep. Barton, Joe \[R-TX-6\]](#) (Introduced 04/18/2005)

Committees: House - Energy and Commerce, Education and the Workforce, Financial Services, Agriculture, Resources, Science, Ways and Means, Transportation and Infrastructure

Committee Reports: [H. Rept. 109-190 \(Conference Report\)](#)

Latest Action: 08/08/2005 Became Public Law No: 109-58. [TXT](#) | [PDF](#) | [All Actions](#)

Roll Call Votes: There have been [43 roll call votes](#)

Tracker:

Introduced > Passed House > Passed Senate > Resolving Differences > To President > **Became Law**

Summary (3) **Text (7)** Actions (376) Titles (53) Amendments (266) Cosponsors (2) Committees (8) Related Bills (7)

Text: H.R. 6 — 109th Congress (2005-2006)

There are 7 versions: **Public Law (08/08/2005)** Text available as: [TXT](#) | [PDF](#)

Shown Here: **Public Law (08/08/2005)**

- Enrolled Bill
- Public Print (07/14/2005)
- Engrossed Amendment Senate (07/02/2005)
- Placed on Calendar Senate (06/09/2005)
- Engrossed in House (04/21/2005)
- Introduced in House (04/18/2005)

[109th Congress Pl
[From the U.S. Gov

[DOCID: f:pub1058.109]

[[Page 593]]

ENERGY POLICY ACT OF 2005

govinfo Browse About Developers Features Help Feedback SEARCH

You Searched For: **hr 6**

Refined By: Collection: **Congressional Bills** Date Published: **2005**

2,616 Records View Historical Results Relevance

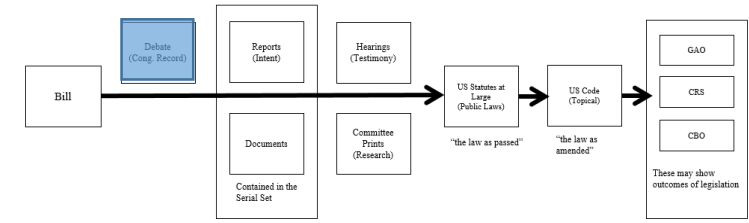
Previous 1 2 3 4 ... 261 262 Next 10 per page

- H.R. 6 (PCS) - Energy Policy Act of 2005**
Congressional Bills. 109th Congress. Placed on Calendar Senate. Thursday, June 9, 2005.
...the calendar AN ACT To ensure jobs for our future with secure, affordable, and reliable energy. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SECTION 1. SHORT TITLE; TABLE OF CONTENTS. (a) Short Title--This Act may be cited as the "Energy Policy Act of 2005". (b) Table of Contents...
[PDF](#) [TEXT](#) [DETAILS](#) [SHARE](#)
- H.R. 6 (EH) - Energy Policy Act of 2005**
Congressional Bills. 109th Congress. Engrossed in House. Thursday, April 21, 2005.
... jobs for our future with secure, affordable, and reliable energy. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SECTION 1. SHORT TITLE; TABLE OF CONTENTS. (a) Short Title--This Act may be cited as the "Energy Policy Act of 2005". (b) Table of Contents--The table of contents...
[PDF](#) [TEXT](#) [DETAILS](#) [SHARE](#)
- H.R. 6 (EAS) - Energy Policy Act of 2005**
Congressional Bills. 109th Congress. Engrossed Amendment Senate. Saturday, July 2, 2005.
... In the Senate of the United States, June 28, 2005, Resolved, That the bill from the House of Representatives (H.R. 6) entitled "An act to ensure jobs for our future with secure, affordable, and reliable... 2006 2 2007 4 2008 6 2009 8 2010 10 2011 12 2012 14 2013 16 2014 18 2015 20."
"(B) The energy reduction...
[PDF](#) [TEXT](#) [DETAILS](#) [SHARE](#)
- H.R. 6 (IH) - Energy Policy Act of 2005**
Congressional Bills. 109th Congress. Introduced in House. Monday, April 18, 2005.
... 1st Session H. R. 6 To ensure jobs for our future with secure, affordable, and reliable energy. IN. 6 2009 8 2010 10 2011 12 2012 14 2013 16 2014 18 2015 20'. (2) Reporting baseline--The energy... a Federal building, industrial process, or structure. (3) Plan--Not later than 6 months after the...
[PDF](#) [TEXT](#) [DETAILS](#) [SHARE](#)

Refine Your Search Further

- Government Author**
 - Congress (2616)
 - House of Representatives (2370)
 - Senate (195)
- Organization**
 - Committee on Ways and Means (626)
 - Committee on Energy and Commerce (477)
 - Committee on the Judiciary (345)
 - Committee on Education and the Workforce (282)
 - Committee on Resources (281)
- Person**
 - Owens, Major R. (181)
 - McDermott, Jim (172)
 - Grijalva, Raul M. (164)
 - Maloney, Carolyn B. (151)
 - Payne, Donald M. (142)
- Congress Number**
 - Congress 1 count

Debate in the Congressional Record



7072

CONGRESSIONAL RECORD—HOUSE

April 20, 2005

THE ENERGY BILL

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

Mr. DEFAZIO. Mr. Speaker, I have nothing against classics. I drove a 1968 Barracuda to work today. But I am looking at hybrids because of the high cost of gas and to get a little more efficient.

The Republicans are offering us a classic energy bill today, firmly rooted in the 1950s: no improvements in efficiency, no investment in energy-efficient technologies, no breakthroughs. Even worse, \$8 billion of subsidies to the oil and gas industry. Well, heck, they need it. That was only the quarterly profit of ExxonMobil gouging people at the pump last quarter. They want to give us more of the same.

The President's own energy information administration says this bill will, quote, have only negligible impact on production, consumption and imports of oil. In fact, they said it will probably increase the price of gasoline by 3 cents per gallon. I guess that is to pay for the new subsidies to the suffering oil and gas industry.

That is an energy policy for the 21st century?

LEGISLATIVE HISTORY—H.R. 6:

HOUSE REPORTS: No. 109–190 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 151 (2005):

Apr. 20, 21, considered and passed House.

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July 28, House agreed to conference report.

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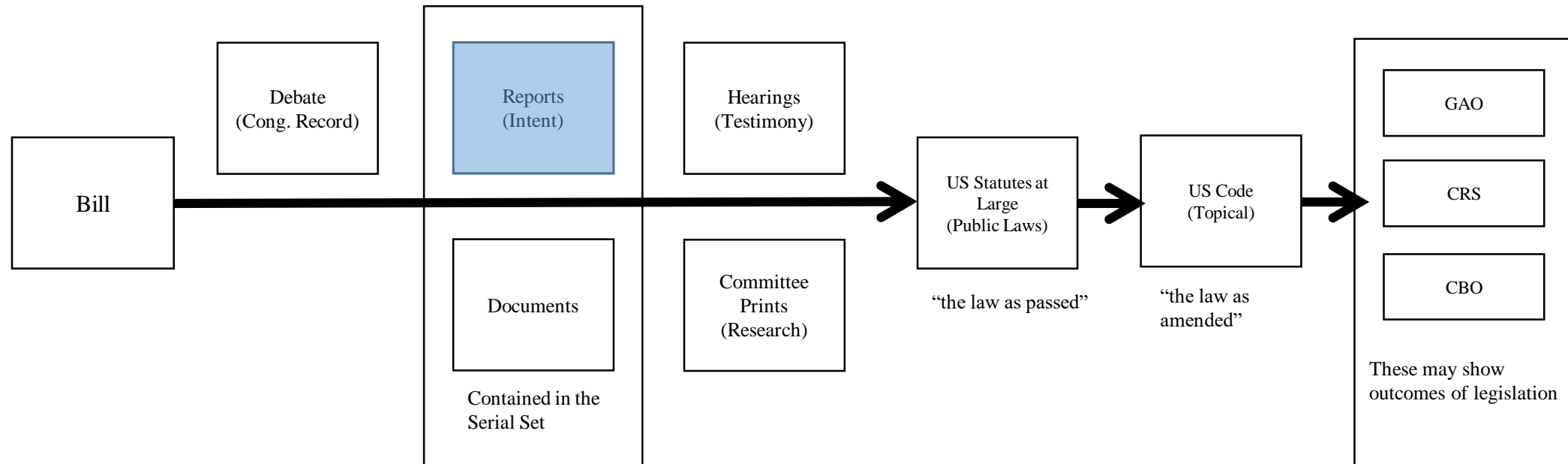
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 41 (2005):

Aug. 8, Presidential remarks and statement.

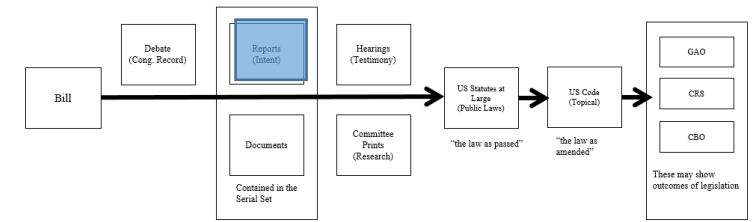
Congressional Record debate is also linked to from within Congress.gov

Time	Location	Description
04/20/2005-5:12pm	House	DEBATE - Pursuant to the provisions of H. Res. 219 , the Committee of the Whole proceeded with 20 minutes of debate on the Dingell amendment.
04/20/2005-5:11pm	House	H. Amdt. 71 Amendment (A002) offered by Mr. Dingell. (consideration: CR H2325-2334 , H2380 ; text: CR H2325-2332)
04/20/2005-5:10pm	House	H. Amdt. 70 On agreeing to the Hall amendment (A001) Agreed to by voice vote.
04/20/2005-4:59pm	House	DEBATE - Pursuant to the provisions of H. Res. 219 , the Committee of the Whole proceeded with 10 minutes of debate on the Hall amendment.
04/20/2005-4:58pm	House	H. Amdt. 70 Amendment (A001) offered by Mr. Hall. (consideration: CR H2321-2325 ; text: CR H2321-2324)
04/20/2005-2:56pm	House	GENERAL DEBATE - The Committee of the Whole proceeded with one hour and thirty minutes of general debate on H.R. 6 .
04/20/2005-2:55pm	House	The Speaker designated the Honorable Shelley Moore Capito to act as Chairwoman of the Committee.
04/20/2005-2:55pm	House	House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 219 and Rule XVIII.

Congressional Reports: The Gold Mine for Legislative Background



Legislative Intent from Reports



All Actions H.R.510 — 115th Congress (2017-2018)

[Bill History – Congressional Record References](#)

[All Information](#) (Except)

Hide Filters

19 results for All Actions | [Compact View](#)

Sort by

- Actions Overview [8]
 - All Actions Except Amendments [19]
 - All Actions [19]
-
- Action By
- Check all
- House [13]
 - Senate [4]
 - Executive Branch [2]
-
- House Committees
- Check all
- Judiciary [4]
 - Crime, Terrorism, Homeland Security, and Investigations [1]
-
- Senate Committees
- Check all
- Judiciary [2]

Date	Chamber	All Actions
08/18/2017		Became Public Law No. 115-50. TXT PDF
08/18/2017		Signed by President.
08/07/2017	House	Presented to President.
08/02/2017	Senate	Message on Senate action sent to the House.
08/01/2017	Senate	Passed Senate without amendment by Unanimous Consent. (consideration: CR S4695)
08/01/2017	Senate	Senate Committee on the Judiciary discharged by Unanimous Consent.
05/17/2017	Senate	Received in the Senate and Read twice and referred to the Committee on the Judiciary.
05/16/2017-4:17pm	House	Motion to reconsider laid on the table Agreed to without objection.
05/16/2017-4:17pm	House	On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H4204)
05/16/2017-4:03pm	House	DEBATE - The House proceeded with forty minutes of debate on H.R. 510 .
05/16/2017-4:03pm	House	Considered under suspension of the rules. (consideration: CR H4204)
05/16/2017-4:03pm	House	Mr. Goodlatte moved to suspend the rules and pass the bill.
05/11/2017	House	Placed on the Union Calendar, Calendar No. 70.
05/11/2017	House	Reported by the Committee on Judiciary. H. Rept. 115-117 .
04/27/2017	House	Ordered to be reported by Voice Vote.
04/27/2017	House	Committee Consideration and Mark-up Session Held.
04/27/2017	House	Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Action By: Committee on the Judiciary
01/12/2017	House	Referred to the House Committee on the Judiciary.
01/12/2017	House	Introduced in House

CONGRESS.GOV

H. Rpt. 115-117 2

Background and Need for the Legislation

The DNA Identification Act of 1994¹ established federal DNA labs and authorized the Federal Bureau of Investigation to begin compiling DNA information into a central database. This database is known as the National DNA Index System (NDIS) and the system for analyzing and communicating the data is the Combined DNA Index System (CODIS). The 1994 Act allowed DNA testing to be done by accredited state labs with results from state labs being uploaded to CODIS.

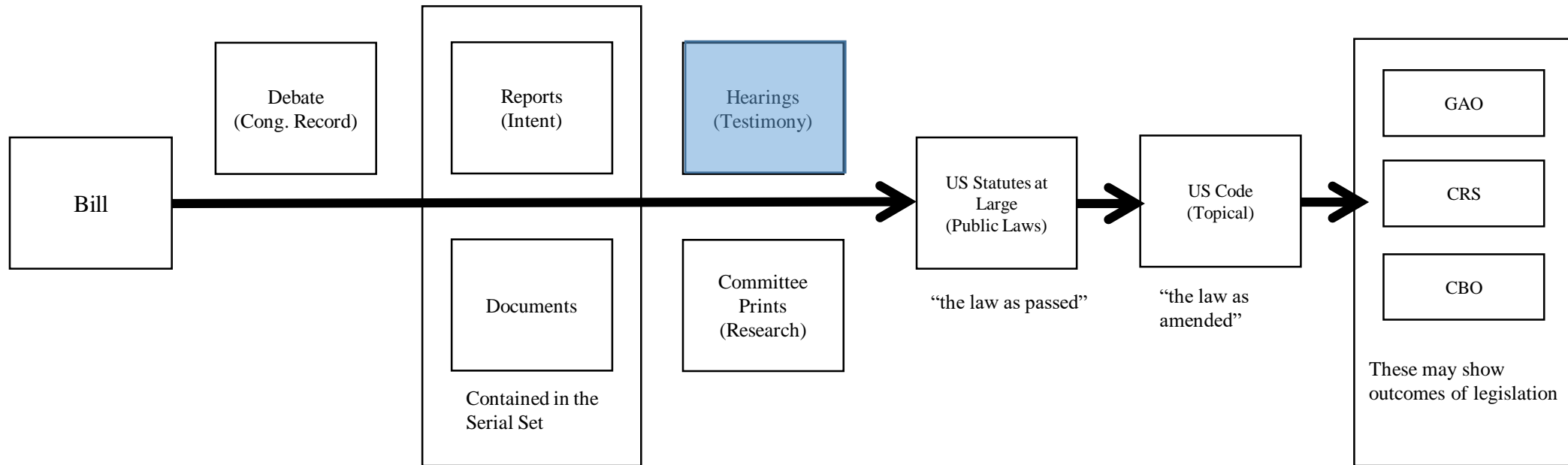
DNA technology has advanced a great deal in the years since the 1994 Act. Whereas it once took days or weeks, DNA testing can now be completed in a matter of hours. There is currently technology, known as Rapid DNA technology, that allows for DNA testing and identification on a small, copier-sized machine. A DNA sample—oftentimes a cheek swab—is taken, placed into a cartridge that slides into the Rapid DNA machine, and reports back the DNA profile in approximately ninety minutes. The FBI, working with the forensics community, is hopeful that this technology can be used in a booking station to help identify suspects in the same way a fingerprint is currently used. At present, Rapid DNA technology can only be used for identification purposes, not crime scene analysis.

Unfortunately, the 1994 Act creating CODIS does not allow for the use of this technology since only state labs are allowed access to CODIS. Currently, booking stations have to send their DNA samples off to state labs and wait weeks for the results. This has created a backlog that impacts all criminal investigations using forensics, not just forensics used for identification purposes. H.R. 510 would modify the current law regarding DNA testing and access to CODIS. The short turnaround time resulting from increased use of Rapid DNA technology would help to quickly eliminate potential suspects, capture those who have committed a previous crime and left DNA evidence, as well as free up current DNA profilers to do advanced forensic DNA analysis, such as crime scene analysis and rape-kits.

CONGRESS.GOV

govinfo

Congressional Hearings



Perhaps not so important to attorneys, but very important to social scientists, public policy interests, and students writing policy papers.

Most Difficult Aspect of Legislative History Research: Finding Hearings

- No reference to hearings in Congress.gov or in Congressional Calendars
- Selected hearings are in Govinfo.gov, but not connected to legislative histories
- Endnotes of Public Laws make no references to hearings
- ProQuest Legislative Insight mentions hearings in the contemporary Congress and previous Congresses, but not everyone is able to afford this product.
- ProQuest Congressional lists hearings in their Legislative History module (1969-present). This is the online version of Congressional Information Service's *CIS Annual*, which is functionally superseded by ProQuest Legislative Insight.

Legislative History Information within Hearings



BLACKOUT 2003: HOW DID IT HAPPEN AND WHY?

HEARINGS
BEFORE THE
COMMITTEE ON ENERGY AND
COMMERCE
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTH CONGRESS
FIRST SESSION
SEPTEMBER 3 and SEPTEMBER 4, 2003

Serial No. 108-54

Printed for the use of the Committee on Energy and Commerce



Available via the World Wide Web: <http://www.access.gpo.gov/congress/house>

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON | 2004

For sale by the Superintendent of Documents, U.S. Government Printing Office:
Internet: bookstore.gpo.gov Phone: toll free (800) 541-1800; (202) 512-1800
Fax: (202) 512-2250 Mail: Stop 9009, Washington, DC 20540-9001



S. Hrg. 108-277
**KEEPING THE LIGHTS ON: THE FEDERAL ROLE
IN MANAGING THE NATION'S ELECTRICITY**

HEARING
BEFORE THE
OVERSIGHT OF GOVERNMENT MANAGEMENT,
THE FEDERAL WORKFORCE AND THE DISTRICT
OF COLUMBIA SUBCOMMITTEE
OF THE
COMMITTEE ON
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE
ONE HUNDRED EIGHTH CONGRESS
FIRST SESSION
SEPTEMBER 10 AND NOVEMBER 20, 2003

Printed for the use of the Committee on Governmental Affairs



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON | 2004

For sale by the Superintendent of Documents, U.S. Government Printing Office:
Internet: bookstore.gpo.gov Phone: toll free (800) 541-1800; (202) 512-1800
Fax: (202) 512-2250 Mail: Stop 9009, Washington, DC 20540-9001



THE ENERGY POLICY ACT OF 2005

HEARINGS
BEFORE THE
SUBCOMMITTEE ON ENERGY AND AIR QUALITY
OF THE
COMMITTEE ON ENERGY AND
COMMERCE
HOUSE OF REPRESENTATIVES
ONE HUNDRED NINTH CONGRESS
FIRST SESSION
FEBRUARY 10 and FEBRUARY 16, 2005

Serial No. 109-1

Printed for the use of the Committee on Energy and Commerce



Available via the World Wide Web: <http://www.access.gpo.gov/congress/house>

The FERC-related provisions of the conference report on H.R. 6 address the most pressing issues in the areas regulated by the FERC. The discussion below updates the Subcommittee on progress made by the Commission in the key FPA and NGA areas addressed by the conference report on H.R. 6, recommends changes to certain provisions in the conference report on H.R. 6, and recommends the addition of some new provisions. Since the Energy Policy Act of 2005 had not been introduced at the time this testimony was prepared and may contain provisions that differ from those in the conference report on H.R. 6, this testimony does not include specific recommended legislative text. I would be happy to provide such text once Commission staff has reviewed any newly introduced bill.

Key Provisions in the Conference Report on H.R. 6

The provisions in the conference report on H.R. 6 address the major areas in which FPA and NGA legislation is needed. My testimony identifies possible improvements to the bill.

Reliability

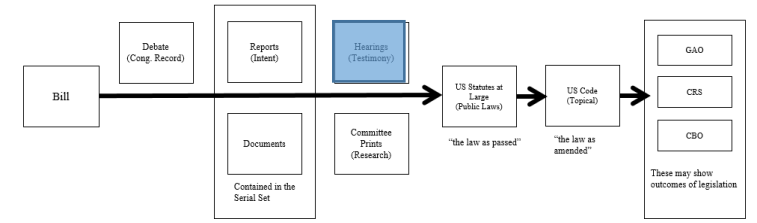
In the past year, in the wake of the Task Force Report on the Blackout of August 2003, the Commission has taken certain actions to enhance the reliability of the electricity grid. On April 19, 2004, the Commission issued a policy statement clarifying that it interprets the term “Good Utility Practice”—which is a requirement currently contained in all public utility open access transmission tariffs—to include compliance with North American Electric Reliability Council (NERC) reliability standards or more stringent regional reliability council standards. Accordingly, public utilities that own, control or operate transmission systems subject to FERC jurisdiction are required to operate their systems in compliance with NERC reliability standards.

In addition, concurrent with the issuance of the policy statement, the Commission issued an order directing transmission providers to report on their vegetation management practices related to certain overhead interstate transmission lines. The Commission later submitted a report to the Congress summarizing the responses it received from transmission owners, and making certain recommendations on vegetation management practices.

Most recently, in December 2004, the Commission directed certain control area operators and transmission providers to complete a survey on their operator training practices to help determine best operator training practices for the industry. Responses were due on January 31, 2005 and the Commission will report the results to the Congress.

These actions, however, clearly are not a substitute for much-needed reliability legislation. Federal legislation is necessary to provide a clear, enforceable framework for reliability rules. Specifically, a system of mandatory reliability rules, with penalties for violations of these rules, is needed to maintain the reliability of our nation’s transmission system. The reliability provisions in the conference report on H.R. 6 generally are adequate. However, the Congress also should consider improv-

Finding References to Hearings in Reports



- Govinfo.gov – search using bill number as hook
- S. 802 (114th Congress); June 12, 2015
- No reports were issued
- But, using Congress.gov, we see that a “Related Bill” was H.R. 2100 (114th Congress).

Serial No. 114-56 (House Hearing) - To Direct the President to Develop A Strategy to Obtain Observer Status for Taiwan in the...

Congressional Hearings. Markup. Foreign Affairs. Thursday, May 21, 2015.

... OF REPRESENTATIVES ONE HUNDRED FOURTEENTH CONGRESS FIRST SESSION ON H.R. 1853, H.R. 2100, H.R. 2323... other purposes 3 H.R. 2100, To authorize the Secretary of State and the Administrator of the United... Taiwan in INTERPOL; H.R. 2100, the Girls Count Act of 2015; H.R. 2323, the U.S. International...

PDF

TEXT

DETAILS

SHARE

TO DIRECT THE PRESIDENT TO DEVELOP A STRATEGY TO OBTAIN OBSERVER STATUS FOR TAIWAN IN THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION; **THE GIRLS COUNT ACT OF 2015**; THE UNITED STATES INTERNATIONAL COMMUNICATIONS REFORM ACT OF 2015; CONDEMNING THE APRIL 2015 TERRORIST ATTACK AT THE GARISSA UNIVERSITY COLLEGE IN GARISSA, KENYA; AND EXPRESSING DEEPEST CONDOLENCES TO AND SOLIDARITY WITH THE PEOPLE OF NEPAL FOLLOWING THE DEVASTATING EARTHQUAKE ON APRIL 25, 2015

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

ON

**H.R. 1853, H.R. 2100, H.R. 2323, H. Res. 213 and
H. Res. 235**

MAY 21, 2015

Serial No. 114-56

Printed for the use of the Committee on Foreign Affairs

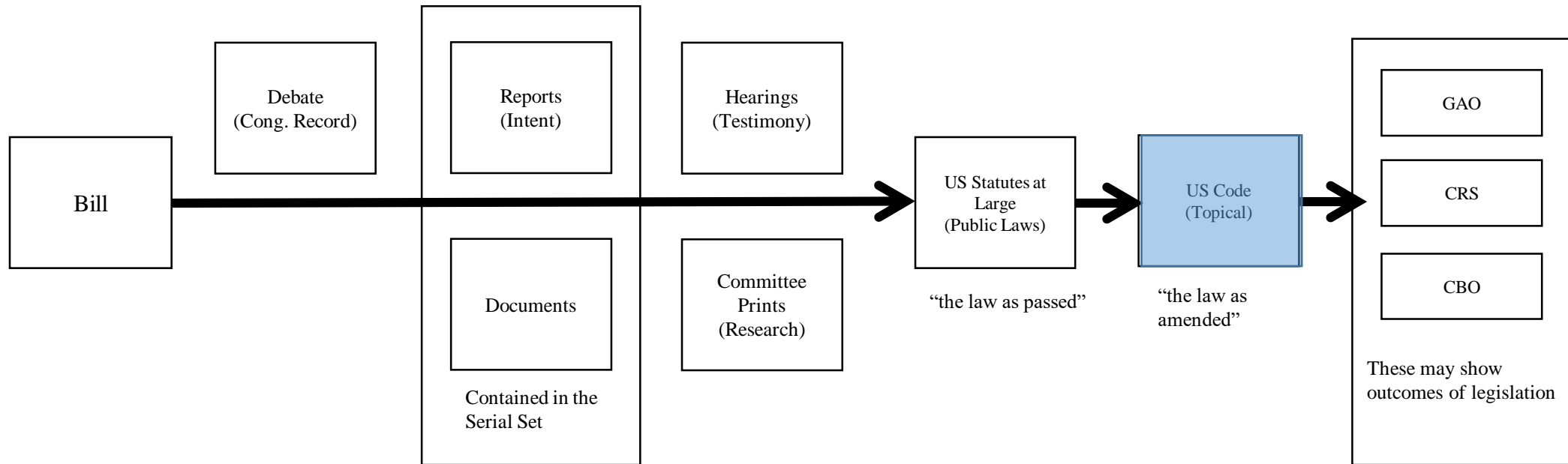
Find Out about Hearings in One of Three Ways

- Congressional Reports: "Hearings" heading in text of report
- Search Govinfo.gov Hearings database for Bill no. in the right Congress.
- House or Senate Committee website

Documents & Committee Prints

- Often not associated with legislation, but there are some times when they are. There are usually no “hooks” to connect these with legislation. You just have to forage around.
- As an example, see the PQ Legislative Insight Leg Insight for PL 115-141, the Consolidated Appropriations Act of 2018.
 - *America First: A Budget Blueprint To Make America Great Again*. H.doc.115-18
 - *Request for Additional Fiscal Year 2018 Funding and the Necessary Authority To Address Ongoing Recovery Efforts Due to the 2017 Atlantic Hurricane Season, Communication from the Director, the Office of Management and Budget*. H.doc.115-80
- Over 40 committee prints are listed in PQ Leg. Insight, but no “hooks” exist to retrieve these.

U.S. Code



Usually US Code citations can be found under the Short Title in the PL, or later in the law.

govinfo

119 STAT. 594

PUBLIC LAW 109–58—AUG. 8, 2005

Public Law 109–58
109th Congress


An Act

Aug. 8, 2005
[H.R. 6]

To ensure jobs for our future with secure, affordable, and reliable energy.

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

Energy Policy Act
of 2005.
42 USC 15801
note.



SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Energy Policy Act of 2005”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

House Office of Law Revision Counsel

<https://uscode.house.gov/>

Not all Public Laws go into the US Code. Use Table III of the House US Code to see if it is in USC, and where it is codified.

“The Code only includes the general and permanent laws of the United States. Temporary laws, such as appropriations acts, and special laws, such as one naming a post office, are not included in the Code.” (<https://uscode.house.gov/faq.xhtml>).

Key to Table III of the House U.S. Code is knowing the PL or Stat citation

Some Examples:

- Girls Count Act of 2015 - PL114-24, 129 Stat. 314 (very simple)
https://uscode.house.gov/table3/114_24.htm
- Energy Policy Act of 2005 - PL109-58, 119 Stat. 594 (very complex)
https://uscode.house.gov/table3/109_58.htm

Legislative History Case Study 1: Rapid DNA Act of 2017

Public Law 115–50
115th Congress

An Act

To establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

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 “Rapid DNA Act of 2017”.

Aug. 18, 2017
[H.R. 510]

Rapid DNA Act
of 2017,
42 USC 13701
note.



PUBLIC LAW 115–50—AUG. 18, 2017

131 STAT. 1001

Public Law 115–50
115th Congress

An Act

To establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

Aug. 18, 2017
[H.R. 510]

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 “Rapid DNA Act of 2017”.

Rapid DNA Act
of 2017,
42 USC 13701
note.

SEC. 2. RAPID DNA INSTRUMENTS.

(a) STANDARDS.—Section 210303(a) of the DNA Identification Act of 1994 (42 U.S.C. 14131(a)) is amended by adding at the end the following:

“(5)(A) In addition to issuing standards as provided in paragraphs (1) through (4), the Director of the Federal Bureau of Investigation shall issue standards and procedures for the use of Rapid DNA instruments and resulting DNA analyses.

Procedures.

“(B) In this Act, the term ‘Rapid DNA instruments’ means instrumentation that carries out a fully automated process to derive a DNA analysis from a DNA sample.”

Definition.

(b) INDEX.—Paragraph (2) of section 210304(b) of the DNA Identification Act of 1994 (42 U.S.C. 14132(b)(2)) is amended to read as follows:

“(2) prepared by—

“(A) laboratories that—

“(i) have been accredited by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community; and

“(ii) undergo external audits, not less than once every 2 years, that demonstrate compliance with standards established by the Director of the Federal Bureau of Investigation; or

Deadline.

“(B) criminal justice agencies using Rapid DNA instruments approved by the Director of the Federal Bureau of Investigation in compliance with the standards and procedures issued by the Director under section 210303(a)(5); and”.

SEC. 3. CONFORMING AMENDMENTS RELATING TO COLLECTION OF DNA IDENTIFICATION INFORMATION.

(a) FROM CERTAIN FEDERAL OFFENDERS.—Section 3 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a) is amended—

Waiver authority.
Definition.

Legislative History Case Study I: Rapid DNA Act of 2017

1

115TH CONGRESS
1ST SESSION

H. R. 510

To establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2017

Mr. SENSENBRENNER (for himself, Mr. SWALWELL of California, Mr. RODNEY DAVIS of Illinois, Mr. KIND, Mr. RYAN of Ohio, Mr. COHEN, Mrs. WAGNER, Mr. RATCLIFFE, Ms. SPEIER, Mr. PEARCE, and Mr. DESAULNIER) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

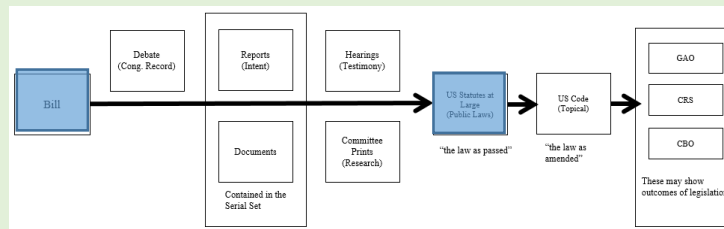
1 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

2 **SECTION 1. SHORT TITLE.**

3

4 This Act may be cited as the “Rapid DNA Act of

5 2017”.



Hooks:

- H.R. 510 – 115th Congress
- P.L. 115-50

PUBLIC LAW 115–50—AUG. 18, 2017 131 STAT. 1001

Public Law 115–50
115th Congress

An Act

To establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog. Aug. 18, 2017
[H.R. 510]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Rapid DNA Act of 2017,
42 USC 13701 note.

SECTION 1. SHORT TITLE.
This Act may be cited as the “Rapid DNA Act of 2017”.

SEC. 2. RAPID DNA INSTRUMENTS.

(a) STANDARDS.—Section 210303(a) of the DNA Identification Act of 1994 (42 U.S.C. 14131(a)) is amended by adding at the end the following:

“(5)(A) In addition to issuing standards as provided in paragraphs (1) through (4), the Director of the Federal Bureau of Investigation shall issue standards and procedures for the use of Rapid DNA instruments and resulting DNA analyses. Procedures.

“(B) In this Act, the term ‘Rapid DNA instruments’ means instrumentation that carries out a fully automated process to derive a DNA analysis from a DNA sample.” Definition.

(b) INDEX.—Paragraph (2) of section 210304(b) of the DNA Identification Act of 1994 (42 U.S.C. 14132(b)(2)) is amended to read as follows:

“(2) prepared by—

“(A) laboratories that—

“(i) have been accredited by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community; and Deadline.

“(ii) undergo external audits, not less than once every 2 years, that demonstrate compliance with standards established by the Director of the Federal Bureau of Investigation; or

“(B) criminal justice agencies using Rapid DNA instruments approved by the Director of the Federal Bureau of Investigation in compliance with the standards and procedures issued by the Director under section 210303(a)(5); and”.

SEC. 3. CONFORMING AMENDMENTS RELATING TO COLLECTION OF DNA IDENTIFICATION INFORMATION. Waiver authority.
Definition.

(a) FROM CERTAIN FEDERAL OFFENDERS.—Section 3 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a) is amended—

Bill Text from Congress.gov or Govinfo.gov

Summary (5) **Text (6)** Actions (19) Titles (6) Amendments (0) Cosponsors

Text: H.R.510 — 115th Congress (2017-2018)

There are 6 versions: Public Law (08/18/2017) Text available as: TXT | PDF

Shown Here:
Public Law No: 115-50
Enrolled Bill
Referred in Senate (05/17/2017)
Engrossed in House (05/16/2017)
Reported in House (05/11/2017)
Introduced in House (01/12/2017)

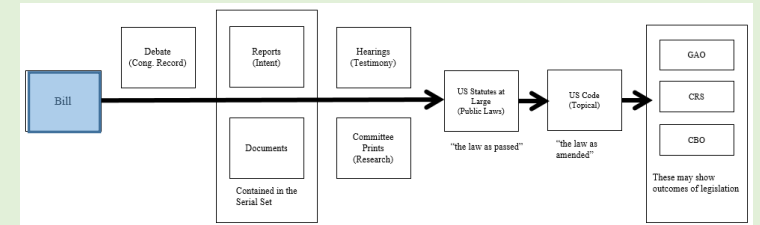
[115th Congress Public Law 115-50]
[From the U.S. Government Publishing Office]

[[Page 131 STAT. 1001]]

Public Law 115-50
115th Congress

An Act

Congress.gov



Hooks:

- H.R. 510 – 115th Congress
- P.L. 115-50

Govinfo.gov

H.R. 510 (Introduced in House) - Rapid DNA Act of 2017

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H.R. 510 (Reported in House) - Rapid DNA Act of 2017

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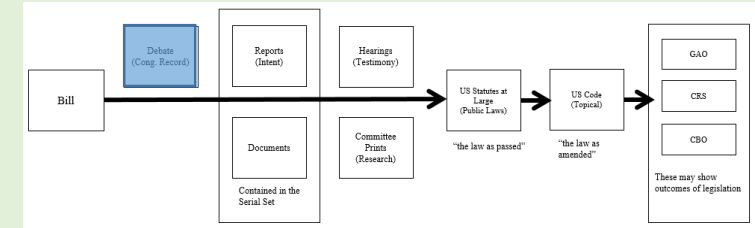
H.R. 510 (Engrossed in House) - Rapid DNA Act of 2017

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H.R. 510 (Referred in Senate) - Rapid DNA Act of 2017

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Debate in Congressional Record



Bill History in the Congressional Record

Page numbers for legislative actions on this bill link to the Congressional Record. Learn

From the Congressional Record, Volume 163 (2017)

H.R. 510--A bill to establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. Swalwell of California, Mr. Rodney Davis of Illinois, Mr. Kind, Mr. Ryan of Ohio, Mr. Cohen, Mrs. Wagner, Mr. Ratcliffe, Ms. Speier, Mr. Pearce, and Mr. DeSaulnier), [H471](#) [12JA]

Cosponsors added, [H821](#) [31JA], [H1595](#) [7MR], [H1949](#) [8MR], [H2185](#) [17MR], [H2517](#) [28MR], [H2802](#) [12AP], [H2848](#) [25AP], [H2898](#) [26AP], [H2943](#) [27AP]

Reported ([H. Rept. 115-117](#)), [H4189](#) [11MY]

Rules suspended. Passed House, [H4204](#) [16MY]

Text, [H4204](#) [16MY]

Message from the House, [S3005](#) [17MY]

Read the first and second times, [S3005](#) [17MY]

Referred to the Committee on the Judiciary, [S3005](#) [17MY]

Committee discharged. Passed Senate, [S4695](#) [1AU]

Message from the Senate, [H6587](#) [4AU]

Message from the House (received August 4, 2017, during adjournment), [S4929](#) [5SE]

Examined and signed in the House (August 2, 2017), [H6589](#) [4AU]

Examined and signed in the Senate (August 4, 2017, during adjournment), [S4929](#) [5SE]

Presented to the President (August 7, 2017), [H6591](#) [8AU]

Approved [Public Law 115-50] (signed August 18, 2017)

Congress.gov

H4204

CONGRESSIONAL RECORD—HOUSE

May 16, 2017

today on motions 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.

Backlog Elimination Act of 2000 (42 U.S.C. 14135b) is amended—

(1) in subsection (b), by adding at the end the following: “The Director of the Federal Bureau of Investigation may waive the re-

I believe this is necessary, responsible legislation that will aid law enforcement and protect American citizens by keeping offenders off the streets. I again thank Congressman SENSENBRENNER for sponsoring this legislation, and I urge my colleagues in favor of this bill.

With Rapid DNA technology, it is possible to test the DNA of arrestees as soon as they are in custody and determine within hours whether they match the DNA profile from a crime scene or from other earlier crimes.

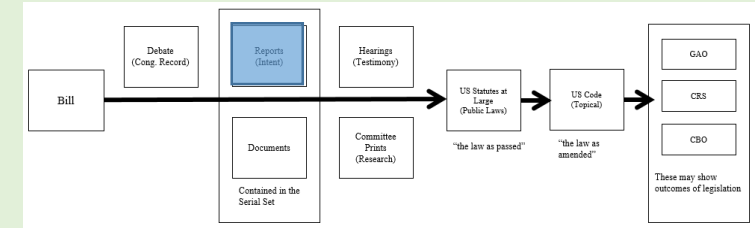
This technology would also enable police to check the Federal DNA database to see if an arrestee matches the DNA profile from previous crimes for which a DNA sample exists but no known suspect has been identified.

Rather than waiting weeks for a DNA sample to be processed and risk releasing a suspect back into the public to potentially reoffend, creating new victims, police will be able to determine at initial booking if the suspect is a person of interest in other crimes.

This bill will provide important tools for law enforcement. For instance, it will inform decisions about pretrial release or detention and their conditions. It will solve and prevent all crimes, including violent crimes. By freeing up forensic analysts, it will prevent DNA analysis backlogs.

From either
Congress.gov or
Govinfo.gov

Legislative Background from Reports



All Actions H.R.510 — 115th Congress (2017-2018)

05/11/2017

House

Reported by the Committee on Judiciary. [H. Rept. 115-117.](#)

Need to check for related bills in the other chamber

Summary (5)

Text (6)

Actions (19)

Titles (6)

Amendments (0)

Cosponsors (24)

Committees (2)

Related Bills (1)

All Actions H.R.510 — 115th Congress (2017-2018)

Related Bills: H.R.510 — 115th Congress (2017-2018)

[All Information](#) (Except Text)

A related bill may be a [companion measure](#), an [identical bill](#), a [procedurally-related measure](#), or one with [text similarities](#). Bill relationships are identified by the House, the Senate, or CRS, and refer only to same-congress measures.

Bill	Latest Title	Relationships to H.R.510	Relationships Identified by	Latest Action
S.139	FISA Amendments Reauthorization Act of 2017	Identical bill	CRS	01/19/2018 Became Public Law No: 115-118.
		Related bill	House	

House Report 115-117

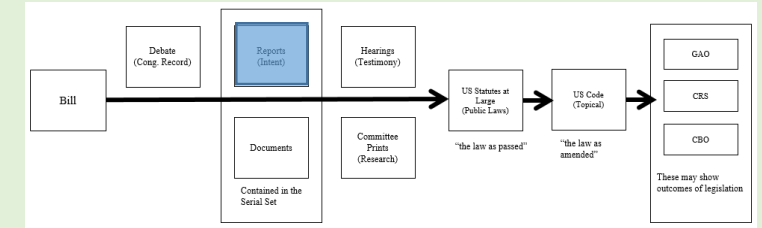
2

Background and Need for the Legislation

The DNA Identification Act of 1994¹ established federal DNA labs and authorized the Federal Bureau of Investigation to begin compiling DNA information into a central database. This database is known as the National DNA Index System (NDIS) and the system for analyzing and communicating the data is the Combined DNA Index System (CODIS). The 1994 Act allowed DNA testing to be done by accredited state labs with results from state labs being uploaded to CODIS.

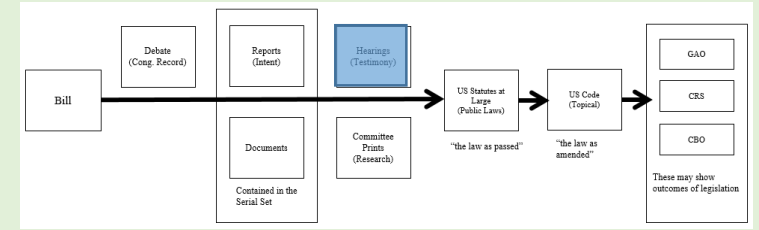
DNA technology has advanced a great deal in the years since the 1994 Act. Whereas it once took days or weeks, DNA testing can now be completed in a matter of hours. There is currently technology, known as Rapid DNA technology, that allows for DNA testing and identification on a small, copier-sized machine. A DNA sample—oftentimes a cheek swab—is taken, placed into a cartridge that slides into the Rapid DNA machine, and reports back the DNA profile in approximately ninety minutes. The FBI, working with the forensics community, is hopeful that this technology can be used in a booking station to help identify suspects in the same way a fingerprint is currently used. At present, Rapid DNA technology can only be used for identification purposes, not crime scene analysis.

Unfortunately, the 1994 Act creating CODIS does not allow for the use of this technology since only state labs are allowed access to CODIS. Currently, booking stations have to send their DNA samples off to state labs and wait weeks for the results. This has created a backlog that impacts all criminal investigations using forensics, not just forensics used for identification purposes. H.R. 510 would modify the current law regarding DNA testing and access to CODIS. The short turnaround time resulting from increased use of Rapid DNA technology would help to quickly eliminate potential suspects, capture those who have committed a previous crime and left DNA evidence, as well as free up current DNA profilers to do advanced forensic DNA analysis, such as crime scene analysis and rape-kits.



The Background and Need section is generally a very clear and brief explanation of the deficiencies in current law and the justification for the legislation.

Notices of hearings can be found in congressional reports



All Actions H.R.510 — 115th Congress (2017-2018) [All Information](#) (Except)

[Bill History — Congressional Record References](#)

Hide Filters 19 results for All Actions | [Compact View](#) Sort by Newest to Oldest

Actions Overview [8]
 All Actions Except Amendments [19]
 All Actions [19]

Action By
 Check all
 House [13]
 Senate [4]
 Executive Branch [2]

House Committees
 Check all
 Judiciary [4]
 Crime, Terrorism, Homeland Security, and Investigations [1]

Senate Committees
 Check all
 Judiciary [2]

Date	Chamber	All Actions
08/18/2017		Became Public Law No. 115-50. TEXT PDF
08/18/2017		Signed by President.
08/07/2017	House	Presented to President.
08/02/2017	Senate	Message on Senate action sent to the House.
08/01/2017	Senate	Passed Senate without amendment by Unanimous Consent. (consideration: CR S4695)
08/01/2017	Senate	Senate Committee on the Judiciary discharged by Unanimous Consent.
05/17/2017	Senate	Received in the Senate and Read twice and referred to the Committee on the Judiciary.
05/16/2017-4:17pm	House	Motion to reconsider laid on the table Agreed to without objection.
05/16/2017-4:17pm	House	On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H4204)
05/16/2017-4:03pm	House	DEBATE - The House proceeded with forty minutes of debate on H.R. 510 .
05/16/2017-4:03pm	House	Considered under suspension of the rules. (consideration: CR H4204-4205)
05/16/2017-4:03pm	House	Mr. Goodlatte moved to suspend the rules and pass the bill.
05/11/2017	House	Placed on the Union Calendar, Calendar No. 70.
05/11/2017	House	Reported by the Committee on Judiciary. H. Rept. 115-117 .
04/27/2017	House	Ordered to be reported by Voice Vote.
04/27/2017	House	Committee Consideration and Mark-up Session Held.
04/27/2017	House	Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Action By: Committee on the Judiciary
01/12/2017	House	Referred to the House Committee on the Judiciary.
01/12/2017	House	Introduced in House

Serial No. 114-25 (House Hearing) - RAPID DNA ACT

Congressional Hearings. General. Judiciary, Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Thursday, June 18, 2015.

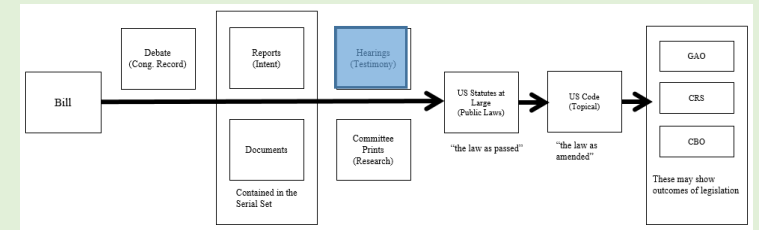
... REPRESENTATIVES ONE HUNDRED FOURTEENTH CONGRESS FIRST SESSION ON H.R. 320 JUNE 18, 2015 Serial No. 114-25 Printed for the use of the Committee on the Judiciary [GRAPHIC NOT AVAILABLE IN TIFF FORMAT] Available via the World Wide Web: <http://judiciary.house.gov> U.S. GOVERNMENT PRINTING OFFICE: 2015 For sale by the ...

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H. Rpt. 115-117 **Hearings**

The Committee on the Judiciary held no hearings on H.R. 510. However, the Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security and Investigations held a hearing on a virtually identical bill, H.R. 320, on June 18, 2015. Testimony was received from: Ms. Amy Hess, Executive Assistant Director of Science and Technology, Federal Bureau of Investigation; Ms. Jody Wolf, Assistant Crime Laboratory Administrator, Phoenix Police Department Crime Laboratory, President, American Society of Criminal Laboratory Directors; and Ms. Natasha Alexenko, Founder, Natasha's Justice Project.

Find Hearings in Govinfo.gov or CGP



Serial No. 114-25 (House Hearing) - RAPID DNA ACT

Congressional Hearings. General. Judiciary, Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. Thursday, June 18, 2015.

... . **RAPID DNA ACT HEARING BEFORE THE SUBCOMMITTEE ON CRIME, TERRORISM, HOMELAND SECURITY, AND...** N T S JUNE 18, 2015 Page THE BILL H.R. 320, the ``**Rapid DNA Act**`` 2 OPENING STATEMENTS The Honorable... distinguished panel, and particularly their thoughts on the role that **rapid DNA** can play in aiding sexual...

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JUNE 18, 2015

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Legislative History Case Study 2: Check Clearing for the 21st Century Act

Public Law 108–100 108th Congress

An Act

To facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, and for other purposes.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Check Clearing for the 21st Century Act” or the “Check 21 Act”.

Oct. 28, 2003
[H.R. 1474]

Check Clearing
for the 21st
Century Act.
12 USC 5001
note.



PUBLIC LAW 108–100—OCT. 28, 2003

117 STAT. 1177

Public Law 108–100 108th Congress

An Act

To facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, and for other purposes.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Check Clearing for the 21st Century Act” or the “Check 21 Act”.

is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings; purposes.
- Sec. 3. Definitions.
- Sec. 4. General provisions governing substitute checks.
- Sec. 5. Substitute check warranties.
- Sec. 6. Indemnity.
- Sec. 7. Expedited recredit for consumers.
- Sec. 8. Expedited recredit procedures for banks.
- Sec. 9. Delays in an emergency.
- Sec. 10. Measure of damages.
- Sec. 11. Statute of limitations and notice of claim.
- Sec. 12. Consumer awareness.
- Sec. 13. Effect on other law.
- Sec. 14. Variation by agreement.
- Sec. 15. Regulations.
- Sec. 16. Study and report on funds availability.
- Sec. 17. Statistical reporting of costs and revenues for transporting checks between Federal Reserve banks.
- Sec. 18. Evaluation and report by the Comptroller General.
- Sec. 19. Depository services efficiency and cost reduction.
- Sec. 20. Effective date.

SEC. 2. FINDINGS; PURPOSES.

(a) **FINDINGS.**—The Congress finds as follows:

(1) In the Expedited Funds Availability Act, enacted on August 10, 1987, the Congress directed the Board of Governors of the Federal Reserve System to consider establishing regulations requiring Federal reserve banks and depository institutions to provide for check truncation, in order to improve the check processing system.

(2) In that same Act, the Congress—

(A) provided the Board of Governors of the Federal Reserve System with full authority to regulate all aspects of the payment system, including the receipt, payment, collection, and clearing of checks, and related functions of the payment system pertaining to checks; and

Oct. 28, 2003
[H.R. 1474]

Check Clearing
for the 21st
Century Act.
12 USC 5001
note.

12 USC 5001.

Legislative History Case Study 2: Check Clearing for the 21st Century Act

108TH CONGRESS
1ST SESSION

H. R. 1474

To facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 2003

Ms. HART (for herself, Mr. FORD, Mr. FERGUSON, Mr. OXLEY, Mr. BACHUS, Mr. CROWLEY, Mr. JONES of North Carolina, Mr. ROYCE, Mrs. KELLY, Mr. TOOMEY, Mr. GILLMOR, Mr. HINOJOSA, Mr. LUCAS of Kentucky, Mr. ROSS, Mrs. MCCARTHY of New York, Mr. MCINTYRE, Ms. NORTON, and Mr. BOSWELL) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, and for other purposes.

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

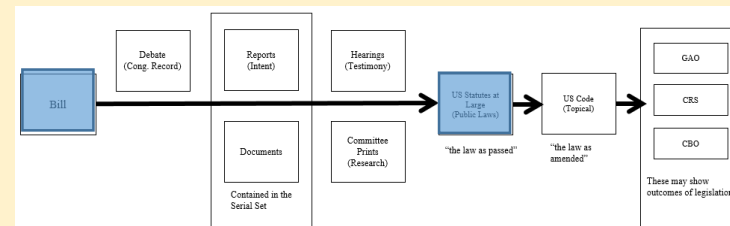
2 **SECTION 1. SHORT TITLE; FINDINGS; PURPOSES.**

3 (a) SHORT TITLE.—This Act may be cited as the

4 “Check Clearing for the 21st Century Act”.

Hooks:

- H.R. 1474 – 108th Congress
- P.L. 108-100



PUBLIC LAW 108-100—OCT. 28, 2003 117 STAT. 1177

Public Law 108-100
108th Congress

An Act

To facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, and for other purposes.

Oct. 28, 2003
[H.R. 1474]

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

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(a) SHORT TITLE.—This Act may be cited as the “Check Clearing for the 21st Century Act” or the “Check 21 Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings; purposes.
Sec. 3. Definitions.
Sec. 4. General provisions governing substitute checks.
Sec. 5. Substitute check warranties.
Sec. 6. Indemnity.
Sec. 7. Expedited recredit for consumers.
Sec. 8. Expedited recredit procedures for banks.
Sec. 9. Delays in an emergency.
Sec. 10. Measure of damages.
Sec. 11. Statute of limitations and notice of claim.
Sec. 12. Consumer awareness.
Sec. 13. Effect on other law.
Sec. 14. Variation by agreement.
Sec. 15. Regulations.
Sec. 16. Study and report on funds availability.
Sec. 17. Statistical reporting of costs and revenues for transporting checks between Federal Reserve banks.
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Sec. 19. Depository services efficiency and cost reduction.
Sec. 20. Effective date.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—The Congress finds as follows:

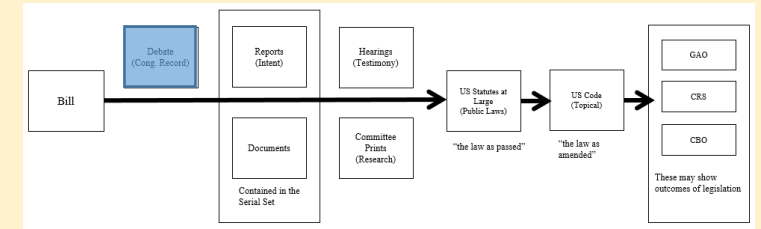
(1) In the Expedited Funds Availability Act, enacted on August 10, 1987, the Congress directed the Board of Governors of the Federal Reserve System to consider establishing regulations requiring Federal reserve banks and depository institutions to provide for check truncation, in order to improve the check processing system.

(2) In that same Act, the Congress—

(A) provided the Board of Governors of the Federal Reserve System with full authority to regulate all aspects of the payment system, including the receipt, payment, collection, and clearing of checks, and related functions of the payment system pertaining to checks; and

12 USC 5001 note.

Debate in Congressional Record



Hook: H.R. 1474 (108th Congress)

LEGISLATIVE HISTORY—H.R. 1474 (S. 1334):

HOUSE REPORTS: Nos. 108–132 (Comm. on Financial Services) and 108–291 (Comm. of Conference).

SENATE REPORTS: No. 108–79 accompanying S. 1334 (Comm. on Banking, Housing, and Urban Affairs).

CONGRESSIONAL RECORD, Vol. 149 (2003):

June 5, considered and passed House.

June 26, considered and passed Senate, amended, in lieu of S. 1334.

Oct. 8, House agreed to conference report.

Oct. 15, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 39 (2003):

Oct. 28, Presidential statement.

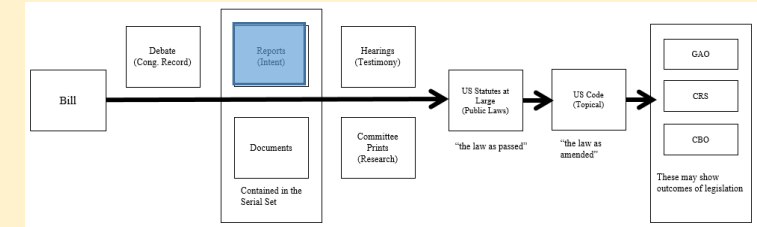


Today, as a cosponsor of the Check Clearing for the 21st Century Act, I am proud to announce the introduction of a new instrument of commerce into the American economy, the substitute check. The substitute check will provide opportunities to greatly decrease the frantic highway and air traffic associated with the gargantuan task of shipping and flying billions of dollars worth of checks around this country every single year.

Thanks to electronic imaging, paper checks have the opportunity to be converted into electronic form, transmitted in seconds to the home bank across the country, and printed out at their final destination as substitute checks.

06/05/2003-12:07pm	House	Rule provides for consideration of H.R. 1474 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Measure will be read by section. Bill is open to amendments.
06/05/2003-12:07pm	House	Considered under the provisions of rule H. Res. 256 . (consideration: CR H4996-5005 ; text of measure as reported in House: CR H5001 , H5002-5005)
06/05/2003-12:06pm	House	Rule H. Res. 256 passed House.

Reports for Legislative Intent



LEGISLATIVE HISTORY—H.R. 1474 (S. 1334):

HOUSE REPORTS: Nos. 108–132 (Comm. on Financial Services) and 108–291 (Comm. of Conference).

SENATE REPORTS: No. 108–79 accompanying S. 1334 (Comm. on Banking, Housing, and Urban Affairs).

CONGRESSIONAL RECORD, Vol. 149 (2003):

June 5, considered and passed House.

June 26, considered and passed Senate, amended, in lieu of S. 1334.

Oct. 8, House agreed to conference report.

Oct. 15, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 39 (2003):

Oct. 28, Presidential statement.



1. S. Rept. 108-79 - CHECK TRUNCATION ACT OF 2003

Congressional Reports. Committee on Banking, Housing, and Urban Affairs. To accompany S. 1334. Wednesday, June 25, 2003.

... Calendar No. 168 108th Congress Report SENATE 1st Session **108-79** CHECK TRUNCATION ACT OF 2003 _____ June 25, 2003.—Ordered to be printed _____ Mr. Shelby, from the Committee on Banking, Housing, and Urban Affairs, submitted the following R E P O R T [To accompany S. 1334] [Including cost estimate of...

PDF TEXT DETAILS SHARE

Calendar No. 168

108TH CONGRESS }
1st Session }

SENATE

{ REPORT
108-79

CHECK TRUNCATION ACT OF 2003

JUNE 25, 2003.—Ordered to be printed

Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, submitted the following

R E P O R T

[To accompany S. 1334]

[Including cost estimate of the Congressional Budget Office]

The Committee on Banking, Housing, and Urban Affairs, reported an original bill (S. 1334) to facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, and for other purposes, having considered the same, reports favorably thereon and recommends that the bill do pass.

INTRODUCTION

On June 18, 2002, the Senate Committee on Banking, Housing, and Urban Affairs considered original legislation entitled "The Check Truncation Act of 2003", a bill to facilitate the use of check truncation and the electronic collection and return of checks. The Committee voted unanimously to report the bill, as amended by a managers' amendment that was adopted by voice vote, to the Senate for consideration.

PURPOSE OF THE LEGISLATION

Under current law, banks must physically present and return original checks to receive payment unless the bank has an agreement with another bank to do so by electronic means. The electronic process for transmitting information allows banks which have these voluntary agreements to stop, or truncate, the flow of paper checks. Some banks have such agreements and have been able to take advantage of electronic processing using advanced imaging technology. However, since there are over fifteen thousand

Hearing Info from Reports

From Senate Report 108-79

HEARINGS

The Banking Committee's action followed a hearing on the check truncation proposal. On April 3, 2003, the Committee heard testimony regarding the Federal Reserve Board proposal on Check Truncation. The witnesses testifying were Vice Chairman Roger Ferguson, Board of Governors of the Federal Reserve System; Ms. Lindsay Alexander, President and Chief Executive Officer of the NIH Federal Credit Union, representing the Credit Union National Association; Ms. Janell Mayo Duncan, Legislative and Regulatory Counsel from Consumers Union; and Mr. Danne Buchanan, Executive Vice President from Zions Bancorporation, representing the American Bankers Association, the Financial Services Roundtable, America's Community Bankers, Independent Community Bankers of America and the Consumer Bankers Association.



I searched CGP: banking committee april 3, 2003 check

Y 4.B 22/3:S.HRG.108-397

<http://purl.access.gpo.gov/GPO/LPS48705>

From House Report 108-132

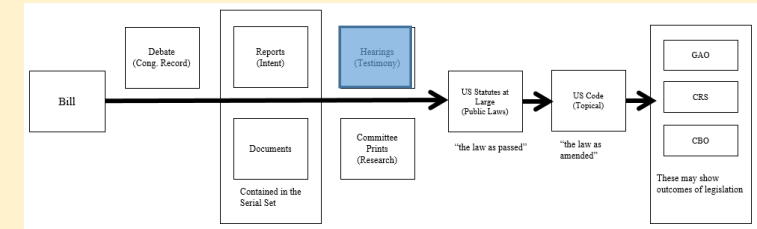
HEARINGS

The Subcommittee on Financial Institutions and Consumer Credit held a hearing on Tuesday, April 8, 2003 on H.R. 1474, the "Check Clearing for the 21st Century Act". The following witnesses testified: The Honorable Roger W. Ferguson, Vice-Chairman, Board of Governors of the Federal Reserve System; Mr. C.R. Cloutier, President and CEO, MidSouth Bank, NA, on behalf of Independent Community Bankers of America and America's Community Bankers; Mr. Grant Cole, Senior Vice President and Senior Change Management Executive, Transaction Services, Bank of America, on behalf of American Bankers Association, Consumer Bankers Association, the Electronic Check Clearing House Organization, and the Financial Services Roundtable; Mr. Dale Dentlinger, Director, ETRADE Access, ETRADE Bank; Ms. Janell Mayo Duncan, Legislative and Regulatory Counsel, Consumers Union; Mr. Joseph Kniceley, Vice President, Payment Solutions, NCR Corporation; Ms. Celia C. Woodham, Director of Operations, Chartway FCU, on behalf of Credit Union National Association.

I searched CGP: "H.R. 1474" check clearing

AE 2.110:108-100

<http://purl.access.gpo.gov/GPO/LPS43077>



Presidential Signing Statement

- Search Govinfo.gov → 108-100 → limit to Compilation of Presidential Documents → Limit to year (2003)

39 WCPD 1485 - Statement on Signing the Check Clearing for the 21st Century Act

Compilation of Presidential Documents. Bill Signings. Tuesday, October 28, 2003.

... White House, October 28, 2003. Note: H.R. 1474, approved October 28, was assigned Public Law No. **108- 100**. ...

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Statement on Signing the Check Clearing for the 21st Century Act

October 28, 2003

Today I have signed into law H.R. 1474, the "Check Clearing for the 21st Century Act." This Act is intended to update and modernize the Nation's check payment and collection systems. Section 16(b) of the Act purports to require executive branch officials to submit to the Congress recommendations for legislative action. The executive branch shall construe section 16(b) in a manner consistent with the President's authority under the Recommendations Clause of the Constitution to submit for the consideration of the Congress such measures as the President shall judge necessary or expedient.

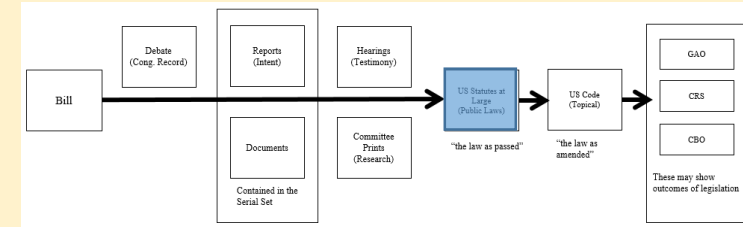
George W. Bush

The White House,
October 28, 2003.

NOTE: H.R. 1474, approved October 28, was assigned Public Law No. 108-100.

Public Law: “law as passed”

Get through Congress.gov or Govinfo.gov.



108th Congress (2003 - 2004)

- Private Law (Pvt. L.)
- Public Law (Pub. L.)
 - 0 - 99
 - 100 - 199
 - 200 - 299
 - 300 - 399
 - 400 and above

PUBLIC LAW 108-100—OCT. 28, 2003 117 STAT. 1177

Public Law 108-100
108th Congress

An Act

To facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, and for other purposes.

Oct. 28, 2003
[H.R. 1474]

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

Check Clearing for the 21st Century Act.
12 USC 5001 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Check Clearing for the 21st Century Act” or the “Check 21 Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings; purposes.
Sec. 3. Definitions.
Sec. 4. General provisions governing substitute checks.
Sec. 5. Substitute check warranties.
Sec. 6. Indemnity.
Sec. 7. Expedited recredit for consumers.
Sec. 8. Expedited recredit procedures for banks.
Sec. 9. Delays in an emergency.
Sec. 10. Measure of damages.
Sec. 11. Statute of limitations and notice of claim.
Sec. 12. Consumer awareness.
Sec. 13. Effect on other law.
Sec. 14. Variation by agreement.
Sec. 15. Regulations.
Sec. 16. Study and report on funds availability.
Sec. 17. Statistical reporting of costs and revenues for transporting checks between Federal Reserve banks.
Sec. 18. Evaluation and report by the Comptroller General.
Sec. 19. Depository services efficiency and cost reduction.
Sec. 20. Effective date.

12 USC 5001.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—The Congress finds as follows:

(1) In the Expedited Funds Availability Act, enacted on August 10, 1987, the Congress directed the Board of Governors of the Federal Reserve System to consider establishing regulations requiring Federal reserve banks and depository institutions to provide for check truncation, in order to improve the check processing system.

(2) In that same Act, the Congress—

(A) provided the Board of Governors of the Federal Reserve System with full authority to regulate all aspects of the payment system, including the receipt, payment, collection, and clearing of checks, and related functions of the payment system pertaining to checks; and

Presidential Signing Statement

Easiest way is to look it up in the American Presidency Project.


Then find the official full text in Govinfo.gov

Documents

ARCHIVE GUIDEBOOK
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Categories

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ELECTIONS AND TRANSITIONS (23544) ▼
MISCELLANEOUS (456) ▼
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[GEORGE W. BUSH](#)
43rd President of the United States: 2001 - 2009

Statement on Signing the Check Clearing for the 21st Century Act

October 28, 2003

Today I have signed into law H.R. 1474, the "Check Clearing for the 21st Century Act." This Act is intended to update and modernize the Nation's check payment and collection systems. Section 16(b) of the Act purports to require executive branch officials to submit to the Congress recommendations for legislative action. The executive branch shall construe section 16(b) in a manner consistent with the President's authority under the Recommendations Clause of the Constitution to submit for the consideration of the Congress such measures as the President shall judge necessary or expedient.

GEORGE W. BUSH

The White House, October 28, 2003.

NOTE: H.R. 1474, approved October 28, was assigned Public Law No. 108-100.

George W. Bush, Statement on Signing the Check Clearing for the 21st Century Act Online by Gerhard Peters and John T. Woolley, The American Presidency Project <https://www.presidency.ucsb.edu/node/216056>

Administration of George W. Bush, 2003 / Oct. 29 1485

Statement on Senate Confirmation of Michael O. Leavitt as Administrator of the Environmental Protection Agency

October 28, 2003

I am pleased the Senate acted today to confirm Governor Mike Leavitt as my new Administrator of the Environmental Protection Agency. Governor Leavitt is an exceptional leader who shares my commitment to reaching out across partisan lines to get things done. I know he will work closely with me to build upon my administration's initiatives to make our air and water cleaner, protect the land, and use technology to improve our environment while our economy grows and creates jobs. I thank Chairman Inhofe and Senator Reid for their leadership in ensuring Governor Leavitt's confirmation.

Message to the Senate Transmitting the Protocol Amending the Sri Lanka-United States Taxation Convention

October 28, 2003

To the Senate of the United States:

I transmit herewith, for Senate advice and consent to ratification, the Protocol Amending the Convention Between the Government of the United States of America and the Government of the Democratic Socialist Republic of Sri Lanka for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Colombo on March 14, 1985, together with an exchange of notes, signed at Washington on September 20, 2002 (the "Protocol"). I also transmit, for the information of the Senate, the report of the Department of State concerning the Protocol.

The Protocol would amend the Convention to make it similar to tax treaties between the United States and other developing nations. The Convention would provide maximum rates of tax to be applied to various types of income and protection from double taxation of income. The Convention, as amended by the Protocol, also provides for resolution of disputes and sets forth rules making its benefits unavailable to residents that are engaged in treaty shopping.

I recommend that the Senate give early and favorable consideration to this Protocol in conjunction with the Convention, and that the Senate give its advice and consent to ratification.

George W. Bush

The White House,
October 28, 2003.

Statement on Signing the Check Clearing for the 21st Century Act

October 28, 2003

Today I have signed into law H.R. 1474, the "Check Clearing for the 21st Century Act." This Act is intended to update and modernize the Nation's check payment and collection systems. Section 16(b) of the Act purports to require executive branch officials to submit to the Congress recommendations for legislative action. The executive branch shall construe section 16(b) in a manner consistent with the President's authority under the Recommendations Clause of the Constitution to submit for the consideration of the Congress such measures as the President shall judge necessary or expedient.

George W. Bush

The White House,
October 28, 2003.

Remarks on Medicare Reform Legislation

October 29, 2003

The President. Thank you all for coming. Good morning. Welcome to the White House. I'm glad you're here. We're meeting at an historic time, and the reason why is,

NOTE: H.R. 1474, approved October 28, was assigned Public Law No. 108-100.

U.S. Code: “law as amended”

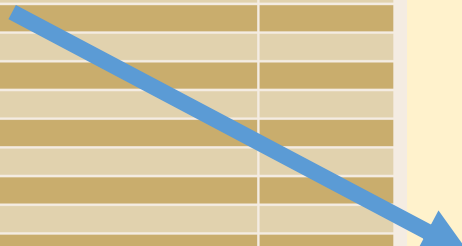
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TABLE III TOOL [CURRENT THROUGH 116-63 (OCTOBER 4, 2019)]

The Table III Tool enables you to browse the United States Code Table III. For printing purposes, the [PDF file](#) is

108th Cong. ↑	117 Stat. ↑	Oct. 28, 2003 ↑
108–99	108–100(pdf)	108–101

Act Section	Stat. Pg.	United States Code		
		Title	Section	Status
1(a)	1177	12	5001 nt	
2	1177	12	5001	
3	1178	12	5002	
4	1180	12	5003	
5	1181	12	5004	
6	1181	12	5005	
7	1182	12	5006	
8	1186	12	5007	
9	1188	12	5008	
10	1188	12	5009	
11	1188	12	5010	
12	1189	12	5011	
13	1190	12	5012	
14	1190	12	5013	
15	1190	12	5014	
16	1190	12	5015	
17	1191	12	5016	
18	1191	12	5017	
19	1191	12	5018	
19(d)	1193	12	412	
20	1194	12	5001 nt	



§ 5001. Findings; purposes

(a) Findings

The Congress finds as follows:

(1) In the Expedited Funds Availability Act [12 U.S.C. 4001 et seq.], enacted on August 10, 1987, the Congress directed the Board of Governors of the Federal Reserve System to consider establishing regulations requiring Federal reserve banks and depository institutions to provide for check truncation, in order to improve the check processing system.

(2) In that same Act, the Congress—

(A) provided the Board of Governors of the Federal Reserve System with full authority to regulate all aspects of the payment system, including the receipt, payment, collection, and clearing of checks, and related functions of the payment system pertaining to checks; and

(B) directed that the exercise of such authority by the Board superseded any State law, including the Uniform Commercial Code, as in effect in any State.

(3) Check truncation is no less desirable in 2003 for both financial service customers and the financial services industry, to reduce costs, improve efficiency in check collections, and expedite funds availability for customers than it was over 15 years ago when Congress first directed the Board to consider establishing such a process.

(b) Purposes

The purposes of this chapter are as follows:

(1) To facilitate check truncation by authorizing substitute checks.

(2) To foster innovation in the check collection system without mandating receipt of checks in electronic form.

(3) To improve the overall efficiency of the Nation's payments system.

(Pub. L. 108–100, §2, Oct. 28, 2003, 117 Stat. 1177.)

(Pub. L. 108–100, §2, Oct. 28, 2003, 117 Stat. 1177 .)

REFERENCES IN TEXT

The Expedited Funds Availability Act, referred to in subsec. (a)(1), (2), is title VI of Pub. L. 100–86, Aug. 10, 1987, 101 Stat. 635 , as amended, which is classified principally to chapter 41 (§4001 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4001 of this title and Tables.

This chapter, referred to in subsec. (b), was in the original "this Act", meaning Pub. L. 108–100, Oct. 28, 2003, 117 Stat. 1177 , which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

EFFECTIVE DATE

Pub. L. 108–100, §20, Oct. 28, 2003, 117 Stat. 1194 , provided that: "This Act [enacting this chapter, amending section 412 of this title, and enacting provisions set out as notes under this section] shall take effect at the end of the 12-month period beginning on the date of the enactment of this Act [Oct. 28, 2003], except as otherwise specifically provided in this Act."

SHORT TITLE

Pub. L. 108–100, §1(a), Oct. 28, 2003, 117 Stat. 1177 , provided that: "This Act [enacting this chapter, amending section 412 of this title, and enacting provisions set out as notes under this section] may be cited as the 'Check Clearing for the 21st Century Act' or the 'Check 21 Act'."

Additional Resources

The screenshot displays the GAO (U.S. Government Accountability Office) website interface. At the top, the GAO logo and name are visible. Below the navigation menu, a search bar contains the text "check 21 act". The search results page shows approximately 25,232 results. A sidebar on the left lists various categories like "Reports & Testimonies" and "Legal". The main content area features a "Congressional Research Service" banner and a search bar with the text "check clearing" highlighted by a red arrow. Below this, there are sections for "Search Within Results", "Refine These Results", and "Topics". The "Topics" section lists "Banking & Finance (2)", "Taxes, the Budget, & the Economy (1)", and "Authors" with "Labonte, Marc (1)". The right side of the page shows a list of reports, including "Overview of Correspondent Banking and 'De-Risking' Issues" and "Introduction to Financial Services: The Federal Reserve".

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- Other Legal Function (89)

Other >

- GAO.gov Resource (47)
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- Past Year (530)
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- Agriculture and Food (762)
- Auditing and Financial Management (3,293)

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Check 21 Act: Questions for Consumers about Check 21 Act 9SP, October 2008), an E-supplement to GAO-09-8 <https://www.gao.gov/products/GAO-09-9SP>
GAO-09-9SP: Published: Oct 28, 2008. Publicly Released: Oct 28, 2008.

This product lists the questions asked and a summary of the answers given in an administered in-depth interview study with 108 bank checking account customers. Structured interviews were conducted to assess consumer acceptance of the process resulting from The Check Clearing for the 21st Century Act of 2003 (Check 21) and the objectives of GAO's report on the Act's effectiveness.

E-Supplement

Check 21 Act: Most Consumers Have Accepted and Banks Are Moving Toward Full Adoption of Check Truncation <https://www.gao.gov/products/GAO-09-8>
GAO-09-8: Published: Oct 28, 2008. Publicly Released: Oct 28, 2008.

Although check volume has declined, checks still represent a significant volume of payments that need to be processed, cleared, and settled. The Check Clearing for the 21st Century Act (Check 21) was intended to make check collection more efficient and to facilitate wider use of electronic check processing. It authorized a new legal mechanism for substituting a paper check with a paper substitute check—a paper check that is processed electronically.

GO

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- Taxes, the Budget, & the Economy (1)

Authors

- Labonte, Marc (1)

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Overview of Correspondent Banking and "De-Risking" Issues
IF10873
Rena S. Miller
Apr 20, 2018

Introduction to Financial Services: The Federal Reserve
IF10054
Marc Labonte
Jan 08, 2019

Summary

- Legislative histories can generally be accomplished with freely available resources, especially [Congress.gov](https://www.congress.gov) and [Govinfo.gov](https://www.govinfo.gov).
- A few additional resources also help such as [uscode.house.gov](https://www.uscode.house.gov), [gao.gov](https://www.gao.gov), and [crsreports.gov](https://www.crsreports.gov)
- Hearings and the most challenging part, but now you know how to find them
- Congressional reports usually contain the “gold mine” of legislative background and intent.

Questions?

This presentation is based on Chapters 3 & 4 of my book.

Christopher C. Brown
University of Denver,
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by Christopher C. Brown

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