

1999-2000 Federal E-Commerce Legislation



FEDERAL ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT (E-SIGN) [S. 761 & H.R. 1714]

Chronological Listing of Relevant Materials

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NEW: September 25, 2000

- [OMB MEMORANDUM FOR THE HEADS OF DEPARTMENTS AND AGENCIES](#)
- [OMB GUIDANCE ON IMPLEMENTING THE ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT \(E-SIGN\)](#)

NEW: September 22, 2000

[National Governor's Association: What Governors Need to Know About E-SIGN: The Federal Law Authorizing Electronic Signatures and Records](#)

Final Legislative Conference Committee Report Language for Vote in the House and the Senate

- [In PDF Format: S. 761](#)
 - [In HTML Format S. 761](#) (converted directly using Adobe Access tool - format poor, but adequate for American with Disabilities Act text reader)
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5/16/00 Conference Committee draft of H.R. 1714 and S. 761.

- [Massachusetts comments on 5/16/00 draft.](#)

[Joint State Position on Proposed Federal Legislation to Support Electronic Commerce \(H.R. 1714 and S. 761\)](#) (provided by the Information Technology Division for the Commonwealth of Massachusetts)

S 761 As Adopted By the U.S. Senate

- After adoption by the Senate, differences will be worked out between the House and Senate versions in a conference committee.

S 761 New Language Proposed on the Senate Floor, October 26, 1999. UC was not achieved.

- [Proposed S. 761](#), by Senators Abraham. Not adopted. (see below for old version)
- [October 26, 1999, Floor Statements Related to S. 761 by Senator Abraham \(in favor\) and by Senator Leahy \(against\)](#)

Statement of Administration Policy Against H.R. 1714

- Onsite: <http://www.civics.com/content/SAP-no.htm>
- <http://www.whitehouse.gov/OMB/legislative/sap/HR1714-h.html>

NOTE: Excellent Letters Related to These Bills By Dept. of Commerce:

- The Department of Commerce Office of the Assistant General Counsel has recently made relevant DOC letters available at: <http://www.ogc.doc.gov/ogc/legreg/letters.htm> Among other materials, there are several outstanding letters that explain precisely the problems and prospects for both HR. 1714 and S. 761.

New Jersey Law Revision Commission

- [Opposition to federal "e-commerce" preemption bills H.R. 1714 and S. 761](#)

HR 1714 As Reported Out of House Judiciary Committee Markup October 13, 1999:

- [October version of H.R. 1714](#), with Lofgren amendment language (preventing override of certain consumer protection and records requirements), House Judiciary Committee

HR 1714 As Reported Out of House Commerce Committee Markup July 5, 1999:

- [July Version of H.R. 1714](#), by Congressman Bliley, Chair of the House Commerce Committee
 - [Letter of Opposition to H.R. 1714](#) by Department of Commerce Stating, on behalf of The Administration.

S 761 As Reported Out of Senate Commerce Committee Markup June 23, 1999:

- [New Version of S. 761](#), by Senators Abraham, Lott, McCain and Wyden (see below for old version)

HR 1714 As Introduced May 6, 1999 in the House:

- [H.R. 1714](#) "The Electronic Signatures in Global and National Commerce Act (E-SIGN) by Congressman Bliley
 - [Testimony by Daniel Greenwood](#) on this Bill
- [H.R. 1685](#) "Internet Growth and Development Act" by Congressman Boucher

S. 761 As Introduced March 25, 1999 in the House and Senate:

- [S. 761](#), by Senators Abraham, Lott, McCain and Wyden (now, also at: www.senate.gov/~abraham) (See above for current version as markedup in Senate Commerce Committee in June)
 - [Analysis of S. 761 Legislation](#)
 - [Testimony on S.761, as filed, by Ray Campbell](#), General Counsel of ITD, Comm. of Mass.
 - Industry and State Government Support:

Excerpt from the [floor speech given by Senator Abraham](#) upon filing this legislation:

"Mr. President, as with any legislation seeking to affect both federal and state law, drafting this bill has been a challenging balancing act. During the drafting process, my office has received invaluable support from the Technology Division of the State of Massachusetts. Governor Cellucci's staff have provided invaluable counsel on existing state law governing the use of electronic signatures and the manner in which federal law can bolster or hamstring state contract law. Of course, the business and technology sector has also been crucial in advancing this bill. The Information Technology Association of America, the U.S. Chamber of Commerce, Hewlett-Packard and the National Association of Manufacturers."

- [H.R., 1320, by Congresswoman Eshoo](#)

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