

S.L.C.
Maria Cantwell

Cantwell 1

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require updates to inquiries conducted under the Electronic Signatures in Global and National Commerce Act.

IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.

S.4159

To amend the Electronic Signatures in Global and National Commerce Act to accommodate emerging technologies.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. CANTWELL

Viz:

1 Strike section 2 and insert the following:

2 **SEC. 2. STUDIES.**

3 Section 105 of the Electronic Signatures in Global
4 and National Commerce Act (15 U.S.C. 7005) is amended
5 by adding at the end the following:

6 “(c) UPDATED INQUIRIES AND REPORTS ON DELIV-
7 ERY AND ELECTRONIC CONSENT.—

8 “(1) DELIVERY.—Not later than 1 year after
9 the date of enactment of this subsection, the Sec-
10 retary of Commerce shall—

1 “(A) update the inquiry conducted under
2 subsection (a) based on current conditions,
3 which shall include a review and assessment of
4 access to electronic records—

5 “(i) through electronic mail and by
6 other means; and

7 “(ii) by members of various demo-
8 graphic groups, including access to those
9 records by individuals who live—

10 “(I) in rural areas;

11 “(II) in inner city areas;

12 “(III) on Native American res-
13 ervations; and

14 “(IV) in communities with dif-
15 ferent levels of median household in-
16 come; and

17 “(B) submit to Congress a report regard-
18 ing the findings of the Secretary in carrying out
19 subparagraph (A).

20 “(2) STUDY OF ELECTRONIC CONSENT.—

21 “(A) DEFINITION.—In this paragraph, the
22 term ‘impacted provision’ means a Federal law
23 (or a provision of a Federal law), the adminis-
24 tration of which is impacted by this Act.

1 “(B) UPDATE.—Not later than 1 year
2 after the date of enactment of this subsection,
3 the Secretary of Commerce and the Federal
4 Trade Commission shall—

5 “(i) based on current conditions, up-
6 date the report described in subsection (b),
7 which shall include a list of all impacted
8 provisions; and

9 “(ii) submit to Congress the report
10 updated under clause (i).

11 “(C) COORDINATION.—In carrying out
12 subparagraph (B), the Secretary of Commerce
13 and the Federal Trade Commission shall coordi-
14 nate with the heads of executive branch agen-
15 cies that administer impacted provisions.”.