

HR 1272

Cold Case Record Collections Act of 2017

Congress: 115 (2017–2019, Ended)

Chamber: House

Policy Area: Civil Rights and Liberties, Minority Issues

Introduced: Mar 1, 2017

Current Status: Ordered to be Reported in the Nature of a Substitute (Amended) by Unanimous Consent.

Latest Action: Ordered to be Reported in the Nature of a Substitute (Amended) by Unanimous Consent. (Sep 27, 2018)

Official Text: <https://www.congress.gov/bill/115th-congress/house-bill/1272>

Sponsor

Name: Rep. Rush, Bobby L. [D-IL-1]

Party: Democratic • **State:** IL • **Chamber:** House

Cosponsors (24 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Watson Coleman, Bonnie [D-NJ-12]	D · NJ		Mar 22, 2017
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Mar 29, 2017
Rep. Jayapal, Pramila [D-WA-7]	D · WA		Apr 6, 2017
Rep. Serrano, Jose E. [D-NY-15]	D · NY		Apr 6, 2017
Rep. MacArthur, Thomas [R-NJ-3]	R · NJ		Apr 26, 2017
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Apr 26, 2017
Rep. Pallone, Frank, Jr. [D-NJ-6]	D · NJ		May 2, 2017
Rep. Richmond, Cedric L. [D-LA-2]	D · LA		May 16, 2017
Rep. Moore, Gwen [D-WI-4]	D · WI		Jun 12, 2017
Rep. Clay, Wm. Lacy [D-MO-1]	D · MO		Dec 13, 2017
Rep. Khanna, Ro [D-CA-17]	D · CA		Apr 24, 2018
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Apr 24, 2018
Rep. Carson, Andre [D-IN-7]	D · IN		May 21, 2018
Rep. Sewell, Terri A. [D-AL-7]	D · AL		May 21, 2018
Rep. Lance, Leonard [R-NJ-7]	R · NJ		Jun 6, 2018
Rep. Krishnamoorthi, Raja [D-IL-8]	D · IL		Jun 14, 2018
Rep. Hastings, Alcee L. [D-FL-20]	D · FL		Jul 23, 2018
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Jul 23, 2018
Rep. Payne, Donald M., Jr. [D-NJ-10]	D · NJ		Jul 23, 2018
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Jul 23, 2018
Rep. Espaillat, Adriano [D-NY-13]	D · NY		Jul 24, 2018
Rep. Cohen, Steve [D-TN-9]	D · TN		Jul 25, 2018
Rep. Raskin, Jamie [D-MD-8]	D · MD		Jul 25, 2018
Rep. Clarke, Yvette D. [D-NY-9]	D · NY		Aug 24, 2018

Committee Activity

Committee	Chamber	Activity	Date
Oversight and Government Reform Committee	House	Markup By	Sep 27, 2018

Subjects & Policy Tags

Policy Area:

Civil Rights and Liberties, Minority Issues

Related Bills

Bill	Relationship	Last Action
115 S 3191	Related bill	Jan 8, 2019: Became Public Law No: 115-426.

Summary (as of Mar 1, 2017)

Cold Case Record Collections Act of 2017

This bill requires the National Archives and Records Administration (NARA) to establish a collection of cold case records about unsolved criminal civil rights cases that government offices must: (1) publicly disclose in the collection without redaction or withholding, or (2) submit to a protected collection of records for which public disclosure may be postponed.

The Cold Case Records Review Board is established as an independent agency of impartial private citizens to: (1) facilitate the review, transmission to NARA, and public disclosure of government records related to such cases; (2) hold hearings and render decisions on determinations by government offices to seek to postpone the disclosure of such records; (3) direct government offices to make information available to the board; (4) subpoena private persons to compel testimony and records; and (5) receive information from the public.

Postponement is permitted based on clear and convincing evidence that public disclosure would: (1) impair national security or reveal intelligence sources or methods; (2) reveal the name of, and pose substantial harm to, a living person who provided confidential information; (3) constitute an unwarranted invasion of personal privacy that outweighs the public interest; (4) compromise an understanding of confidentiality currently requiring protection between a government agent and a cooperating individual or group; or (5) reveal a security or protective procedure of the Secret Service or another executive agency responsible for protecting government officials.

NARA and the originating agency must review postponed or redacted records every 180 days. The reasons for any continuation of postponement must be published in the Federal Register.

Each cold case record shall be publicly disclosed and shall be available in NARA's collection not later than 25 years after enactment of this bill, unless: (1) continued postponement is made necessary by an identifiable harm to military defense, intelligence operations, or the conduct of foreign relations; and (2) the gravity of the identifiable harm outweighs the public interest in disclosure.

The President has sole and nondelegable authority to require disclosure or postponement of an executive branch cold case record under the grounds set forth in this bill after the board has made a formal determination concerning a record obtained or developed solely within the executive branch.

The board may request the Department of Justice to petition courts to release information related to cold cases under seal or held under the injunction of secrecy of a grand jury.

Actions Timeline

- **Sep 27, 2018:** Committee Consideration and Mark-up Session Held.
- **Sep 27, 2018:** Ordered to be Reported in the Nature of a Substitute (Amended) by Unanimous Consent.
- **Mar 1, 2017:** Introduced in House
- **Mar 1, 2017:** Referred to the House Committee on Oversight and Government Reform.