

S 1011

Electronic Communications Privacy Act Amendments Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: May 17, 2011

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3055-

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3055-3057) (May 17, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/1011>

Sponsor

Name: Sen. Leahy, Patrick J. [D-VT]

Party: Democratic • **State:** VT • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	May 17, 2011

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
112 HR 2471	Related bill	Dec 20, 2012: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-258. Additional views filed.

Electronic Communications Privacy Act Amendments Act of 2011 - Amends numerous provisions of the Electronic Communications Privacy Act of 1986 (specifically, a chapter within such Act commonly referred to as the Stored Communications Act) to: (1) add geolocation information services to the category of electronic and remote computing service providers required, under specified circumstances, to disclose customer or subscriber information to a governmental entity (an agency of the United States or any state or political subdivision thereof); (2) apply equally to such providers revised standards for disclosing, either voluntarily or pursuant to a warrant, subpoena, or other requirement, the contents of wire or electronic communications (eliminates existing standards based on whether such communications are stored electronically for more than 180 days) and records and specified identification information other than the contents of such communications; and (3) enumerate circumstances under which a governmental entity may use an electronic communications device to acquire geolocation information, including during designated emergencies or in response to a call for emergency services, or require a provider to disclose such contemporaneous, prospective, or historical information.

Defines "geolocation information" as information concerning the location of an electronic communications device generated by or derived from the operation or use of such a device, excluding certain customer identification information and the contents of communications.

Requires customer notice of certain disclosures. Allows a governmental entity to request delayed notice in permitted instances.

Sets forth provisions: (1) concerning suppression of certain geolocation evidence at various proceedings, (2) barring legal actions against providers and related persons assisting in providing authorized geolocation information, and (3) revising certain voluntary disclosures based on cybersecurity rights.

Authorizes the Director of the Federal Bureau of Investigation (FBI) to request the toll billing records and electronic communication identifiable information of a person or entity if the Director certifies in writing that such information is relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities.

Actions Timeline

- **May 17, 2011:** Introduced in Senate
- **May 17, 2011:** Sponsor introductory remarks on measure. (CR S3054-3055)
- **May 17, 2011:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3055-3057)