

## S 2871

### Law Enforcement Access to Data Stored Abroad Act

**Congress:** 113 (2013–2015, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Sep 18, 2014

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Sep 18, 2014)

**Official Text:** <https://www.congress.gov/bill/113th-congress/senate-bill/2871>

### Sponsor

**Name:** Sen. Hatch, Orrin G. [R-UT]

**Party:** Republican • **State:** UT • **Chamber:** Senate

### Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Coons, Christopher A. [D-DE]	D · DE		Sep 18, 2014
Sen. Heller, Dean [R-NV]	R · NV		Sep 18, 2014

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Sep 18, 2014

### Subjects & Policy Tags

#### Policy Area:

Crime and Law Enforcement

### Related Bills

*No related bills are listed.*

Law Enforcement Access to Data Stored Abroad Act - Amends the federal criminal code to authorize a governmental entity to require the disclosure by a provider of electronic communication service or remote computing service of the contents of a wire or electronic communication that is in electronic storage with or otherwise stored, held, or maintained by the provider only pursuant to a warrant issued by a court of competent jurisdiction.

Authorizes such a warrant to require such disclosure regardless of where such contents may be in electronic storage or otherwise stored, held, or maintained by the provider if the holder of the account the contents of which are sought by the warrant is a U.S. person. Requires a court, on a service provider's motion, to modify or vacate such a warrant upon finding that it would require the provider to violate the laws of a foreign country.

Sets forth requirements for government notification of provider customers or subscribers regarding the receipt of communication contents pursuant to such a warrant.

Directs the Attorney General to: (1) establish a form for use by a foreign government filing a mutual legal assistance treaty (MLAT) request; (2) establish an online docketing system for all MLAT requests; and (3) publish statistics annually on MLAT requests made by the Department of Justice (DOJ) to foreign governments, and by foreign governments to DOJ, to obtain the contents of communications or other information or records from a provider of electronic communications or remote computing services.

Expresses the sense of Congress that: (1) data localization requirements imposed by foreign governments on data providers are incompatible with the borderless nature of the Internet, an impediment to online innovation, and unnecessary to meet the needs of law enforcement; and (2) DOJ, the Department of State, and the U.S. Trade Representative should pursue open data flow policies with foreign nations.

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### **Actions Timeline**

- **Sep 18, 2014:** Introduced in Senate
- **Sep 18, 2014:** Read twice and referred to the Committee on the Judiciary.