

S 512

Law Enforcement Access to Data Stored Abroad Act

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Feb 12, 2015

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

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Feb 12, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/512>

Sponsor

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

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

Cosponsors (13 total)

| Cosponsor                         | Party / State | Role | Date Joined  |
|-----------------------------------|---------------|------|--------------|
| Sen. Coons, Christopher A. [D-DE] | D · DE        |      | Feb 12, 2015 |
| Sen. Heller, Dean [R-NV]          | R · NV        |      | Feb 12, 2015 |
| Sen. Heinrich, Martin [D-NM]      | D · NM        |      | Feb 24, 2015 |
| Sen. Daines, Steve [R-MT]         | R · MT        |      | Apr 28, 2015 |
| Sen. Udall, Tom [D-NM]            | D · NM        |      | Apr 30, 2015 |
| Sen. Roberts, Pat [R-KS]          | R · KS        |      | Jun 10, 2015 |
| Sen. Murphy, Christopher [D-CT]   | D · CT        |      | Jun 11, 2015 |
| Sen. Heitkamp, Heidi [D-ND]       | D · ND        |      | Jun 17, 2015 |
| Sen. Gardner, Cory [R-CO]         | R · CO        |      | Jun 24, 2015 |
| Sen. Hoeven, John [R-ND]          | R · ND        |      | Jul 23, 2015 |
| Sen. Murray, Patty [D-WA]         | D · WA        |      | Jul 27, 2015 |
| Sen. Vitter, David [R-LA]         | R · LA        |      | Jul 27, 2015 |
| Sen. Cantwell, Maria [D-WA]       | D · WA        |      | Oct 8, 2015  |

Committee Activity

| Committee           | Chamber | Activity    | Date         |
|---------------------|---------|-------------|--------------|
| Judiciary Committee | Senate  | Referred To | Feb 12, 2015 |

Subjects & Policy Tags

**Policy Area:**

Crime and Law Enforcement

## Related Bills

| Bill        | Relationship   | Last Action   |
|-------------|----------------|---|
| 114 HR 1174 | Identical bill | <b>Mar 31, 2015:</b> Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. |

## Summary (as of Feb 12, 2015)

### 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.

## Actions Timeline

*No actions are recorded for this bill.*