

S 395

GPS Act

Congress: 115 (2017–2019, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Feb 15, 2017

Current Status: Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure:

Latest Action: Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S1219-1220) (Feb 15, 2017)

Official Text: <https://www.congress.gov/bill/115th-congress/senate-bill/395>

Sponsor

Name: Sen. Wyden, Ron [D-OR]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Feb 15, 2017

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
115 S 3708	Identical bill	Dec 5, 2018: Read twice and referred to the Committee on Rules and Administration.
115 HR 3470	Related bill	Sep 6, 2017: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
115 HR 1062	Related bill	Mar 6, 2017: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

Geolocation Privacy and Surveillance Act or the GPS Act

This bill makes it unlawful to intentionally intercept the geolocation information of another person; intentionally disclose or use geolocation information knowing or having reason to know that it was obtained in violation of this bill; or intentionally disclose geolocation information knowing or having reason to know it was obtained as part of a criminal investigation with the intent to improperly obstruct with a duly authorized criminal investigation.

There are several exceptions to this prohibition against intercepting geolocation information: (1) information obtained in the normal course of business, (2) information obtained while conducting foreign intelligence surveillance, (3) consent, (4) information readily available to the public, (5) theft or fraud involving the device, (6) issuance of a warrant, and (7) emergency circumstances.

Geolocation information shall not be used as evidence in a legal proceeding when disclosure of such information would be in violation of this bill.

The bill creates a civil cause of action for any person whose geolocation information is intercepted, disclosed, or intentionally used in violation of this bill.

The bill makes it a criminal offense to knowingly and intentionally obtain, or attempt to obtain, global positioning system (GPS) records from a geolocation information service through fraud or by other means. It also makes it unlawful to intentionally and knowingly sell or transfer GPS records without the consent of the customer.

Actions Timeline

- **Feb 15, 2017:** Introduced in Senate
- **Feb 15, 2017:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S1219-1220)