|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| |  |  | | --- | --- | | **For Immediate Release:** | **Contact:** [Neal A. Patel](mailto:neal_patel@heller.senate.gov) | | May 25, 2016 | 202-224-6244 |   **Heller, Hatch, Coons Introduce Bipartisan International Communications Privacy Act**  **(Washington, DC)** – Today U.S. Senators Dean Heller (R-NV), Orrin Hatch (R-UT), and Chris Coons (D-DE) introduced the International Communications Privacy Act – a bipartisan bill that will clarify U.S. law enforcement’s ability to obtain electronic communications around the world.  “The world is becoming more dependent on broadband internet by the minute,” **Senator Heller said.** “As this technological necessity continues to expand its role in our society, it is imperative the guaranteed rights of law-abiding citizens are balanced against the ability for law enforcement to do its job. I’m proud to join Senators Hatch and Coons to achieve this goal.”  “It is past time for Congress to modernize the outdated Electronic Communications Privacy Act,” **Senator Hatch said.** “As we do so, lawmakers must not ignore the pressing issue of international data privacy and the need for Congress to establish a legal framework for accessing extraterritorial communications. The global reach of government warrant authority has significant implications for multinational businesses and their customers. The International Communications Privacy Act aids law enforcement while safeguarding consumer privacy, striking a much-needed balance in today’s data-driven economy.”  "In an increasingly globalized world, protecting data stored abroad is critical to our country's ability to compete in the global economy," **said Senator Coons.** "Just like law enforcement agencies should be required to get a warrant before accessing the content of Americans’ communications within our borders, processes for accessing content located abroad should also comply with the law.  This common-sense bill will protect our data across borders, and encourage fair treatment by our international partners."  **Background:**  [The International Communications Privacy Act](http://www.hatch.senate.gov/public/_cache/files/507a24ea-3442-4ff4-958b-f72dfc779824/ALB16525.pdf) (ICPA) creates a legal framework that clarifies the ability of law enforcement to obtain electronic communication of U.S. citizens, no matter where the person or the communications are located. It also provides for law enforcement to obtain communications of foreign citizens in limited circumstances, consistent with international law.  **ICPA Overview –**   * Requires law enforcement agencies to obtain a warrant for all content. Under ICPA, law enforcement may only obtain the content of electronic communications stored with electronic communication service providers and remote computing service providers pursuant to a warrant. * Creates a clear legal framework authorizing law enforcement to obtain the electronic communications of U.S. persons, regardless of where those communications are located. It also allows law enforcement to obtain electronic communications relating to foreign nationals in certain circumstances. * Reforms the Mutual Legal Assistance Treaty (MLAT) process by providing greater accessibility, transparency, and accountability. ICPA requires the Attorney General to create an online docketing system for MLAT requests and to publish new statistics on the number of such requests. * Establishes a sense of Congress that data providers should not be subject to data localization requirements. Such requirements are incompatible with the borderless nature of the Internet, an impediment to online innovation, and unnecessary to meet the needs of law enforcement.   ###  [cid:image005.png@01D15EA3.CEBDCB00](http://www.facebook.com/pages/US-Senator-Dean-Heller/325751330177)[cid:image006.png@01D15EA3.CEBDCB00](http://twitter.com/SenDeanHeller)[cid:image007.png@01D15EA3.CEBDCB00](http://www.youtube.com/user/SenDeanHeller) |