

## Leahy Reaffirms Strong Support of Warrants for Content

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Senator Leahy, chairman of the Senate Judiciary Committee, has released a [manager's amendment](#) [2] that reaffirms the underlying premise of the legislation that the Judiciary Committee will mark up on Thursday: Law enforcement officials need a warrant in order to access the contents of electronic communications. (A section-by-section summary of the manager's amendment is [here](#) [3].) If the manager's amendment is adopted the [Leahy bill](#) [4] will establish a clear, consistent, easy to apply warrant rule. It will protect consumer privacy, remove the uncertainty law enforcement currently faces, and foster the growth of U.S. cloud computing companies, which will be able to promise their clients that the information they store in cloud will be as secure against government access as information stored locally.

The manager's amendment drops exceptions to the warrant requirement that appeared in an early draft and which were the subject of earlier press coverage. In particular, the new version of the manager's amendment does not create a broad exception to the warrant requirement for federal civil investigations. Under the revised amendment, when regulatory agencies seek information for a civil investigation, they will continue to be able to subpoena records directly from their targets, as they always have.

The Center for Democracy & Technology supports both the manager's amendment and the underlying legislation. We urge members of the Judiciary Committee to support them as well, and to oppose amendments that would weaken the bill or create new exceptions to the warrant requirement.

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### Links:

[1] <https://cdt.org/personnel/greg-nojeim>

[2] <http://www.leahy.senate.gov/imo/media/doc/Nov29Managers%20AmendmentHR2471Substitute.HEN12809.pdf>

[3] <http://www.leahy.senate.gov/imo/media/doc/Nov%2029%20Summary%20of%20Leahy%20Managers%20Amendment%20HR2471.lkg.pdf>

[4] <http://www.judiciary.senate.gov/legislation/upload/Leahy-Substitute-HR-2471.pdf>