

House Passes Controversial Legislation Giving the US More Access to Overseas Data | The Verge

By Russell Brandom and Colin Lecher

March 23, 2018

Today, the House of Representatives passed controversial legislation that would clarify and expand how data held overseas can be obtained by law enforcement in the United States. The change is part of the massive omnibus spending bill, and it incorporates measures first submitted earlier this year as [the CLOUD Act](#).

...

The legislation deals with how governments and courts request data kept outside national borders, where no single country's court system would have a clear jurisdiction. It's an increasingly urgent issue as cloud networks spread data across international servers. This [came to a head this year](#) in a Supreme Court case considering a US request for data held on a Microsoft server in Ireland.

Right now, those requests are governed by [international agreements called "mutual legal assistance treaties,"](#) in which one country will agree to abide by another country's court system under certain conditions. But CLOUD Act proponents say that system [has become unsustainable](#), as foreign countries grow frustrated with invoking international diplomacy to prosecute local crimes involving iCloud or Gmail.

<https://www.theverge.com/2018/3/22/17131004/cloud-act-congress-omnibus-passed-milat>