Mrs. BOXER. Thank you so much.

The PRESIDING OFFICER. The Senator from Utah.

JUDICIAL REDRESS ACT

Mr. HATCH. Madam President, I rise today to emphasize the importance of the Judicial Redress Act. This is a bill that the Senate Judiciary Committee favorably reported last week by an overwhelmingly bipartisan vote of 19 to 1.

As I speak, the Senate majority and minority leaders are in the process of clearing this legislation by unanimous consent. I am optimistic the Senate will pass the Judicial Redress Act in the coming days and that ultimately we will send this legislation to the President’s desk.

I thank Senator Chris Murphy for introducing this important bill with me and for the broad support we have built among both Republicans and Democrats.

I also wish to acknowledge the good work of Representatives Jim Sensenbrenner and John Conyers for their efforts in the House. They have been stalwarts in advancing this important legislation in the House of Representatives. It has been a true bipartisan, bicameral event.

Simply stated, the Judicial Redress Act would extend certain data protections and remedies available to U.S. citizens under the Privacy Act to European citizens by allowing them to correct flawed information in their records and, in rare instances, the option to pursue legal remedies if Federal agencies improperly disclose their data.

Our legislation fights an inequality—a reciprocal benefit that has been withheld from our European allies with little justification. Cross-border data flows between the United States and Europe are the highest in the world. Today most countries in the European Union affirmatively provide data protection rights to Americans on European soil. Our European allies and their citizens should likewise have access to the core benefits of the Privacy Act when in the United States. It is the right and fair thing to do. Passing the Judicial Redress Act is critical to ratification of the Data Privacy and Protection Agreement, commonly called the "umbrella agreement." This agreement allows for data transfers between European and American law enforcement officials for the purpose of fighting and investigating crime, including terrorism.

European officials have said they will not ratify the umbrella agreement until Congress provides EU citizens with limited judicial redress. Our bill is key to providing reciprocity to our European allies and will serve as the catalyst to finalizing the long-awaited data protection deal.

The U.S. Department of Justice, which supports this legislation, states that failure to finalize the umbrella agreement "would dramatically reduce cooperation and significantly hinder counterterrorism efforts." Given the global state of affairs, we simply cannot risk losing the critical benefits of the umbrella agreement.

As chairman of the Senate Republican High-Tech Task Force, I am always seeking ways to keep our American technology industry at the forefront of the global economy. I am convinced that passing the Judicial Redress Act will build much needed good will with our European allies. We are currently negotiating a new safe harbor agreement—an international agreement that allows U.S. technology companies to move digital information between the European Union and the United States.

For years, safe harbor rules have benefited U.S. technology companies that provide cloud services to their European customers. Without a safe harbor agreement, however, U.S. cloud-based companies seeking to do business in Europe would be required to negotiate with 28 individual countries in the European Union over how their citizens’ data is collected and stored. Such a requirement would disrupt and chill transatlantic business operations, jeopardize countless American jobs, and stifle American domestic innovation.

Indeed, businesses of all sizes and in all sectors would face profound consequences if we do not conclude a new safe harbor agreement.

The economic damage would be significant and relatively immediate, and the consequences could be catastrophic, especially for small enterprises. Failure to reach an agreement would impact the economies of both the United States and our friends in the European Union.

If we are unable to reach a final safe harbor agreement soon, Congress must be prepared to take appropriate action to ensure that these negative consequences do not come to fruition.

In the meantime, it is critically important that Congress pass the Judicial Redress Act. I am pleased that the Senate is swiftly moving toward this end, and I am optimistic that we will have a successful resolution in the coming days.

I thank my colleagues on both sides of the floor for their support in this effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent that I be allowed to speak for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.