

House Unanimously Passes Email Privacy Act

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On April 27, the House of Representative unanimously [passed](#) the Email Privacy Act. [As previously reported](#), the proposed changes would strengthen the privacy protections for email and other cloud-storage services by closing a loophole that allowed law enforcement to access older data without obtaining a warrant.

However, while there is widespread support to require warrants for older emails, there remain some substantial disagreements about other proposed reforms to the 30-year-old law. For example, the House Judiciary committee [rejected](#) proposed provisions that would have (1) required government agencies to notify targets of a warrant after their information was provided to the government; and (2) applied the warrant requirement to a customer's geolocation information ; and (3) created a carve-out for regulators like the FTC and the SEC, who asked for a way to obtain customer emails without a criminal warrant, which may be unavailable in civil cases.

Now that the Act has passed the House, there is renewed pressure on the Senate to take up its version, the [Electronic Communications Privacy Act Amendments Act of 2015](#), which is currently in front of the Judiciary Committee. Senator Chuck Grassley, the Chairman of the Senate Judiciary Committee, [promised](#) that he "plan[s] on taking a close look at the bill that passed the House, and talking with interested stakeholders and members of this committee to try to find a path forward for ECPA reform here in the Senate." However, he noted that "members of this committee on both sides of the aisle have expressed concerns about the details of this reform and whether it's balanced to reflect issues raised by law enforcement." Senator Patrick Leahy and Senator Mike Lee, two of the co-sponsors to the Senate bill, [urged](#) the Senate to "take up and pass this bipartisan, common-sense legislation without delay."

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