

THE CONSTITUTION PROJECT



Safeguarding Liberty, Justice & the Rule of Law

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Broad Coalition Calls for Swift Action on Consensus Email Privacy Legislation

WASHINGTON, D.C. -- The Constitution Project joined a broad coalition of over 60 technology companies, trade associations and privacy groups urging quick consideration and passage of The Email Privacy Act, warrant-for-content legislation that would provide basic privacy protections for electronic communications. [In a letter](#) delivered to leaders of the House Judiciary Committee on January 30, the groups wrote that the bill "represents true bipartisan, commonsense reform on privacy and was endorsed unanimously by the House of Representatives in the 114th Congress."

"It's hard to fathom a policy that has received as much support as the Email Privacy Act yet remains unaddressed," said Jake Laperruque, Senior Counsel for The Constitution Project. "You'd be hard pressed to find a single member of Congress who disagrees that emails are private communications entitled to warrant protection, yet our email privacy law remains a loophole riddled artifact that is literally older than I am. It's time for commonsense reform through passage of the Email Privacy

Act," Laperruque added.

The Email Privacy Act would update the Electronic Communications Privacy Act, enacted in 1986, which allows law enforcement agencies to access without a warrant emails and other private records that have been stored for more than 180 days "in the cloud." As a result, emails and online documents don't receive the same protections as effectively identical physical letters sent through the Post Office and stored in filing cabinets.

Last year the Email Privacy Act received strong support, and was approved by the House of Representatives by a unanimous 419-0 vote, but was not put up for a vote in the Senate. Advocates from across the political spectrum are confident that Congress will build on progress made, and enact the Email Privacy Act into law.

The letter is available at http://www.constitutionproject.org/wp-content/uploads/2017/01/ECPA_letter_115th-congress.pdf

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[About The Constitution Project ®](#)

Created out of the belief that we must cast aside the labels that divide us in order to keep our democracy strong, The Constitution Project brings together policy experts and legal practitioners from across the political spectrum to foster consensus-based solutions to the most difficult constitutional challenges of our time through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.