Senate Committee Takes Historic Step for Privacy

November 29, 2012

This vote today sets the stage for updating the law to reflect the reality of how people use technology in their daily lives.

Greg Nojeim - Senior Counsel and Director of CDT's Project on Freedom, Security and Technology

WASHINGTON - The Senate Judiciary Committee today took an historic step, approving with bipartisan support a bill that would require government agents to get a warrant from a judge before gaining access to email or other private documents individuals store in the cloud. The vote today would amend ECPA, the 1986 law that currently allows investigators to read email and other private documents with a mere subpoena, issued by a prosecutor without judicial approval.

The following statement can be attributed to Gregory T. Nojeim, Director of CDT's Project on Freedom, Security and Technology:

"Our privacy laws are woefully outdated given the rapid advance of technology. This vote today sets the stage for updating the law to reflect the reality of how people use technology in their daily lives. It keeps the government from turning cloud providers into a one-stop convenience store for government investigators and requires government investigators to do for online communications what they already do in the offline world: Get a warrant before reading postal letters or searching our homes. This bill would support the development of cloud computing services and other innovative technologies."

Nojeim praised the work of the Judiciary Committee Chairman, Sen. Patrick J. Leahy, who sponsored today's bill and who was the author of the original 1986 law now being updated.

Major technology companies and public policy advocates across the political spectrum have long called for updating the privacy laws to account for innovative new technology: <u>Digital Due Process</u> [1], <u>VanishingRights.com</u> [2]

The young like of the substantive changes and clearly give us credit. Details.

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Links:

[1] http://www.digitaldueprocess.org/index.cfm?objectid=37940370-2551-11DF-8E02000C296BA163

[2] http://www.vanishingrights.com