

Google to Congress: Time to change email laws

March 21 2013, by Benjamin Pimentel

Google Inc. is calling on the U.S. Congress to update laws related to email and other forms of electronic communications, calling the current rules outdated and inconsistent.

In testimony before a House judiciary subcommittee on Tuesday, Richard Salgado, a [Google](#) director for [law enforcement](#) and [information security](#), said the 1986 Electronic Communications Privacy Act, "though ahead of its time in many ways, needs to be brought in line with how people use the Internet today."

Salgado argued, for example, that the country currently has inconsistent policies related to law enforcement requests for email.

He cited the 2010 federal court ruling that found that the 1986 law "violates the Fourth Amendment to the extent that it does not require law enforcement to obtain a warrant for email content."

"Google believes the Sixth Circuit's interpretation ... is correct, and we require a search warrant when law enforcement requests the contents of Gmail accounts and other services," he continued.

Salgado said the "inconsistent, confusing, and uncertain standards that currently exist ... illustrate how the law fails to preserve the reasonable privacy expectations of Americans today."

Salgado noted that in 1986, when the current law was passed, "there was

no generally available way to browse the World Wide Web, and commercial email had yet to be offered to the general public."

The technology landscape has changed drastically since then, he argued, but the laws have not been updated to adapt to current realities.

"Users expect, as they should, that the documents they store online have the same Fourth Amendment protections as they do when the government wants to enter the home to seize documents stored in a desk drawer," he said.

Google is part of the Digital Due Process Coalition, which is pushing for an updated [electronic communications privacy law](#). The coalition includes such groups as the [American Civil Liberties Union](#) and the Electronic Frontier Foundation.

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