

109TH CONGRESS  
1ST SESSION

# S. 936

To ensure privacy for e-mail communications.

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IN THE SENATE OF THE UNITED STATES

APRIL 28, 2005

Mr. LEAHY (for himself and Mr. SUNUNU) introduced the following bill; which  
was read twice and referred to the Committee on the Judiciary

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## A BILL

To ensure privacy for e-mail communications.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “E-Mail Privacy Act  
5 of 2005”.

6 **SEC. 2. CLARIFICATION OF THE DEFINITION OF INTER-**

7 **CEPT.**

8 Section 2510(4) of title 18, United States Code, is  
9 amended by striking “through the use of any electronic,  
10 mechanical, or other device.” and inserting “contempora-  
11 neous with transit, or on an ongoing basis during transit,  
12 through the use of any electronic, mechanical, or other de-

- 1 vice or process, notwithstanding that the communication
- 2 may simultaneously be in electronic storage;”.

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