

108TH CONGRESS
2D SESSION

H. R. 4956

To amend title 18, United States Code, to provide penalties for accessing certain electronic communications in a manner that violates consumer privacy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2004

Mr. INSLEE (for himself, Mr. BARTLETT of Maryland, Mr. FLAKE, and Mr. DELAHUNT) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide penalties for accessing certain electronic communications in a manner that violates consumer privacy, and for other purposes.

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 2004”.

6 **SEC. 2. INTERCEPTIONS.**

7 Section 2510(4) of title 18, United States Code, is
8 amended—

1 (1) by striking the period at the end; and

2 (2) by inserting “, and, with respect to an elec-
3 tronic communication, includes the acquisition of the
4 contents of the communication through the use of
5 any electronic, mechanical, or other device, at any
6 point between the point of origin and the point when
7 it is made available to the recipient ” after “device”.

8 **SEC. 3. LIMITATION OF SERVICE PROVIDER EXCEPTION.**

9 Section 2701(c)(1) of title 18, United States Code,
10 is amended by inserting “to the extent the access is a nec-
11 essary incident to the rendition of the service, the protec-
12 tion of the rights or property of the provider of that serv-
13 ice, or compliance with section 2702” after “service”.

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