



**Officers**  
**Chair**  
Judith L. Lichtman  
National Partnership for  
Women & Families  
**Vice Chairs**  
Jacqueline Pata  
National Congress of American Indians  
Thomas A. Saenz  
Mexican American Legal  
Defense and Educational Fund  
Hilary Shelton  
NAACP  
**Secretary**  
Barry Rand  
AARP  
**Treasurer**  
Lee A. Saunders  
American Federation of State,  
County & Municipal Employees

**Executive Committee**  
Barbara Arwine  
Lawyers' Committee for  
Civil Rights Under Law  
Arlene Holt Baker  
AFL-CIO  
Warren David  
American-Arab  
Anti-Discrimination Committee  
Marcia D. Greenberger  
National Women's Law Center  
Chad Griffin  
Human Rights Campaign  
Linda D. Hallman  
American Association of  
University Women  
Mary Kay Henry  
Service Employees International Union  
Sherrilyn Ifill  
NAACP Legal Defense and  
Educational Fund, Inc.  
Benjamin Jealous  
NAACP  
Michael B. Keegan  
People for the American Way  
Bob King  
International Union, UAW  
Elisabeth MacNamara  
League of Women Voters of the  
United States  
Marc Morial  
National Urban League  
Mee Moua  
Asian Americans Advancing Justice |  
AAJC  
Janet Murguía  
National Council of La Raza  
Debra Ness  
National Partnership for  
Women & Families  
Terry O'Neill  
National Organization for Women  
Priscilla Ouchida  
Japanese American Citizens League  
Mark Perriello  
American Association of  
People with Disabilities  
Anthony Romero  
American Civil Liberties Union  
David Saperstein  
Religious Action Center  
of Reform Judaism  
Shanna Smith  
National Fair Housing Alliance  
Dennis Van Roekel  
National Education Association  
Randi Weingarten  
American Federation of Teachers

**Compliance/Enforcement  
Committee Chair**  
Michael Lieberman  
Anti-Defamation League  
**President & CEO**  
Wade J. Henderson  
**Executive Vice President & COO**  
Karen McGill Lawson

July 31, 2013

## Support S. 607, the Electronic Communications Privacy Act Amendments Act of 2013

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 210 national advocacy organizations, we write to express our support for Chairman Leahy's and Senator Lee's Electronic Communications Privacy Act Amendments Act of 2013 (S. 607). This bipartisan legislation would help ensure that information like email has the same legal protection as letters or information held by individuals in their homes.

Privacy laws have not kept up as technology has changed the way Americans hold their personal information. The Electronic Communications Privacy Act (ECPA) not been extended to protect Americans using social networking sites from government observation, and also fails to protect online records and communications in areas as varied as email, cloud computing, and smart phones. In many circumstances, this weak statutory scheme has a disproportionate impact on racial minorities. For example, a 2010 Freedom of Information Act (FOIA) request from the Electronic Frontier Foundation revealed that the Department of Homeland Security and U.S. Citizenship and Immigration Services monitored social networking sites that cater to specific racial and ethnic demographics.<sup>i</sup>

Outdated laws allow law enforcement to circumvent the right to privacy, probe personal communications, and track an individual's whereabouts without any evidence of wrongdoing. In August 2011, an Associated Press report revealed a massive surveillance department established within the New York Police Department (NYPD) after 9/11 to monitor Muslim neighborhoods and infiltrate their community organizations.<sup>ii</sup> According to officials involved, undercover officers were sent out to investigate all parts of daily life in these communities including bookstores, bars, Internet cafes and clubs looking for "hot spots" of "radicalization."

Updating privacy laws to require a warrant for access to sensitive personal information will ensure that police are following proper investigative guidelines and will help guard against profiling. S. 607 updates ECPA to provide protection to communications such as email, private social network posts, and other information stored in "the cloud."

For all of these reasons we urge you to support S.607, the ECPA Amendments Act of 2013, which will update ECPA to meet 21<sup>st</sup> century needs. If you have any questions,



please contact Nancy Zirkin (202) 263-2880, or Corrine Yu, Leadership Conference Managing Policy Director, at (202) 466-5670.

Sincerely,



Wade Henderson  
President & CEO



Nancy Zirkin  
Executive Vice President

---

<sup>i</sup> Jennifer Lynch. "New FOIA Documents Reveal DHS Social Media Monitoring During Obama Inauguration." *Electronic Frontier Foundation*. October 13, 2010. Available at <https://www.eff.org/deeplinks/2012/08/tpp-creates-liabilities-isps-and-put-your-rights-risk>

<sup>ii</sup> Highlights of AP's Pulitzer Prize-winning probe into NYPD intelligence operations. *The Associated Press*. Available at <http://ap.org/media-center/nypd/investigation>