



Bloomberg BNA Publishes Akin Gump Article on the SEC and the Electronic Communications Privacy Act

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This article examines the Securities and Exchange Commission's current ability to obtain e-mails from Internet service providers/e-mail users under the Electronic Communications Privacy Act (ECPA) and looks at how recent proposed amendments to the ECPA would affect this ability. It also discusses how such amendments have fared in Congress, including one proposal that "shows continued bipartisan support of ECPA reform, [though] it remains to be seen whether the Trump Administration will push this as a high priority agenda item for the new Congress."

The authors proceed to discuss why Congress has failed to address the topic through legislation, noting that the SEC has repeatedly expressed opposition "to any addition of a warrant requirement to ECPA." Adding one, the article quotes the former Director of the Division Enforcement as saying, would "frustrate the legitimate ends of civil law enforcement."

To read the full article, please click [here](#).

Categories

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Compliance

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