

# IRS claims it can read your e-mail without a warrant

The ACLU has obtained internal IRS documents that say Americans enjoy "generally no privacy" in their e-mail messages, Facebook chats, and other electronic communications.

by [Declan McCullagh](#) | April 10, 2013 8:18 AM PDT



The IRS continued to insist on warrantless e-mail access, internal documents obtained by the ACLU show, even after a federal appeals court said the Fourth Amendment applied.

(Credit: Getty Images)

The Internal Revenue Service doesn't believe it needs a search warrant to read your e-mail.

Newly disclosed documents prepared by IRS lawyers say that Americans enjoy

"generally no privacy" in their e-mail, Facebook chats, Twitter direct messages, and similar online communications -- meaning that they can be perused without obtaining a search warrant signed by a judge.

That places the IRS at odds with a **growing sentiment**

**[http://www.cnet.com/8301-13578\\_3-57550072-38/petraeus-e-mail-affair-highlights-u.s-privacy-law-loopholes/](http://www.cnet.com/8301-13578_3-57550072-38/petraeus-e-mail-affair-highlights-u.s-privacy-law-loopholes/)** among many judges and legislators who believe that Americans' e-mail messages should be protected from warrantless search and seizure. They say e-mail should be protected by the same Fourth Amendment privacy standards that require search warrants for hard drives in someone's home, or a physical letter in a filing cabinet.

An IRS 2009 Search Warrant Handbook obtained by the American Civil Liberties Union argues that "emails and other transmissions generally lose their reasonable expectation of privacy and thus their Fourth Amendment protection once they have been sent from an individual's computer." The handbook was prepared by the Office of Chief Counsel for the Criminal Tax Division and obtained through the Freedom of Information Act.

Nathan Wessler, a staff attorney at the ACLU's Speech, Privacy & Technology Project, **said in a blog post** **<http://www.aclu.org/blog/technology-and-liberty-national-security/new-documents-suggest-irs-reads-emails-without-warrant>** that the IRS's view of privacy rights violates the Fourth Amendment:

**Let's hope you never end up on the wrong end of an IRS criminal tax investigation. But if you do, you should be able to trust that the IRS will obey the Fourth Amendment when it seeks the contents of your private emails. Until now, that hasn't been the case. The IRS should let the American public know whether it obtains warrants across the board when accessing people's email. And even more important, the IRS should formally amend its policies to require its agents to obtain warrants when seeking the contents of emails, without regard to their age.**

The IRS continued to take the same position, the documents indicate, even after a federal appeals court ruled in the 2010 case **U.S. v. Warshak** **[http://www.cnet.com/8301-31921\\_3-20025650-281.html](http://www.cnet.com/8301-31921_3-20025650-281.html)** that Americans have a reasonable expectation of privacy in their e-mail. A few e-mail providers, including Google, Microsoft, Yahoo, and Facebook, but not all, have **taken the position** **<http://thehill.com/blogs/hillicon-valley/technology/279441-facebook-email-providers-require-warrant-for-private-data>** that Warshak mandates warrants for e-mail.

The IRS did not immediately respond to a request from CNET asking whether it is the agency's position that a search warrant is required for e-mail and similar communications.

Before the Warshak decision, the general rule since 1986 had been that police could

obtain Americans' e-mail messages that were more than 180 days old with an administrative subpoena or what's known as a 2703(d) order, both of which lack a warrant's probable cause requirement.

The rule was adopted in the era of telephone modems, BBSs, and UUCP links, long before gigabytes of e-mail stored in the cloud was ever envisioned. Since then, the 6th Circuit Court of Appeals ruled in Warshak, technology had changed dramatically: "Since the advent of e-mail, the telephone call and the letter have waned in importance, and an explosion of Internet-based communication has taken place. People are now able to send sensitive and intimate information, instantaneously, to friends, family, and colleagues half a world away... By obtaining access to someone's e-mail, government agents gain the ability to peer deeply into his activities."

A March 2011 update to the IRS manual, published four months after the Warshak decision, says that nothing has changed and that "investigators can obtain everything in an account except for unopened e-mail or voice mail stored with a provider for 180 days or less" without a warrant. An October 2011 memorandum ([PDF](#) [\[http://www.irs.gov/pub/irs-wd/1141017.pdf\]](http://www.irs.gov/pub/irs-wd/1141017.pdf)) from IRS senior counsel William Spatz took a similar position.

A phalanx of companies, including Amazon, Apple, AT&T, eBay, Google, Intel, Microsoft, and Twitter, as well as liberal, conservative, and libertarian advocacy groups, have asked Congress to update the 1986 Electronic Communications Privacy Act to make it clear that law enforcement needs warrants to access private communications and the locations of mobile devices.

In November, a Senate panel **approved** [\[http://www.cnet.com/8301-13578\\_3-57556201-38/senate-panel-to-cops-you-need-search-warrants-for-e-mail/\]](http://www.cnet.com/8301-13578_3-57556201-38/senate-panel-to-cops-you-need-search-warrants-for-e-mail/) the e-mail warrant requirement, and last month Rep. Zoe Lofgren, a Democrat whose district includes the heart of Silicon Valley, **introduced similar legislation** [\[http://www.cnet.com/8301-13578\\_3-57572957-38/police-would-need-warrants-for-e-mail-phone-tracking-bill-says/\]](http://www.cnet.com/8301-13578_3-57572957-38/police-would-need-warrants-for-e-mail-phone-tracking-bill-says/) in the House of Representatives. The Justice Department **indicated** [\[http://www.cnet.com/8301-13578\\_3-57575020-38/justice-department-bends-on-some-e-mail-privacy-fixes/\]](http://www.cnet.com/8301-13578_3-57575020-38/justice-department-bends-on-some-e-mail-privacy-fixes/) last month it will drop its opposition to an e-mail warrant requirement.

[\[http://www.cnet.com/profile/declanoo/\]](http://www.cnet.com/profile/declanoo/)

**About Declan McCullagh** [\[http://www.cnet.com/profile/declan00/\]](http://www.cnet.com/profile/declan00/)

**Declan McCullagh** [\[http://www.mccullagh.org/\]](http://www.mccullagh.org/) is the chief political correspondent for CNET. Declan previously was a reporter for Time and the Washington bureau chief for Wired and wrote the Taking Liberties section and Other People's Money column for CBS News' Web site.



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Apr 11, 2013

I don't really care what the IRS thinks it can do without warrant - just because somebody thinks they can access my email without warrant doesn't mean they are allowed to.

So I'd be interested in how this is handled at the email provider's. Will Google put up a fight to not disclose my email without warrant? Or will they bend over and hand the IRS data at will, and per request?

That's what really matters. Unfortunately, it's not mentioned in the article.

Meanwhile I am using lavabit as email provider. Good luck getting my emails from the swedish courts. Hahaha.

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Apr 13, 2013

**[@NikHH](http://www.cnet.com/profile/NikHH)** [<http://www.cnet.com/profile/NikHH>]

I was just getting ready to say, if they want to go through that hassle, and stuff, I would just find a provider that was out of the US. The only problem is, between your provider, and your host provider is still open to United States gathering, and reading. Only way to close that loop is to call an out-of-country provider and have them find someone to hook your ISP up under their provider and system, so that away you aren't open to the US government.

Myself, whenever I log off my computer, I usually do a hard disk washer, so nothing stays on my drive, and I do it past the DoD required swipes. Not because I have the local police and US Marshall service wanting to access my computer, at any time they want, but because I do a lot of online searches for memorabilia, and sometimes buying it, so I don't want any remnants of my card number left on my drive, so others can pull it up.

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**[gr689](http://www.cnet.com/profile/gr689)** [<http://www.cnet.com/profile/gr689>]

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Not only do they not follow the law, as a typical citizen has to, but they throw it in our face and say look what we can do, What the hell are you going to do about it??

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**[AXG](http://www.cnet.com/profile/AXG)** [<http://www.cnet.com/profile/AXG>]

Apr 11, 2013

This is a never ending battle between government agencies and people who defend the constitution. My thought is that eventually the government is going to win and we are going

to lose whatever little we have left. Then we will become one of the countries that we so passionately criticize for violating people's privacy. The only difference is that they do it as a matter of routine, we will do it legally. The net effect on people will be the same. Make no mistakes about it.

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Apr 11, 2013

It's a shame that those entrusted to execute our government aren't familiar with or won't respect the 4th amendment.

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Apr 11, 2013

**[Actionable Mango](http://www.cnet.com/profile/Actionable_Mango)** [[http://www.cnet.com/profile/Actionable Mango](http://www.cnet.com/profile/Actionable_Mango)] .....What?!!! You trying to make us all laugh, here? Remember, they are above the law, and they don't have to disclose any information to us, no matter how many times we request it. By law, if you go and ask any Department of the government for any unclassified information, they are supposed to show it to you. This can be as simple as the birth certificate of the president, to as complicated as showing us the gold that is supposed to support our American dollar. You will get neither of these.....Why,? You Might Ask? Because according to the government, they do not have to inform the American people, or justify anything they do, or say.

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Apr 11, 2013



Naturally I assume, under the same line of reasoning, all IRS employees will now make all of their own email public?

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**[umagummma](http://www.cnet.com/profile/umagummma)** [\[http://www.cnet.com/profile/umagummma\]](http://www.cnet.com/profile/umagummma)

Apr 11, 2013

I have a question; is it allowed by law in any country to open and read somebody's else mail ? electronic mail is the new for of what post mail use to be, it even shares the mail definition , its simply electronic instead of postal . By which right any agency claim they can read your mails either e-mail or postal or under any form . Its a situation like in 4th world countries... bottom line if governments wont take any actions to protect privacy of the public . we will all start finding ways to protect our privacy on our own . this is total government fail to disrigard the constitutions. all over the world

Article 12.

- No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

- <http://www.un.org/en/documents/udhr/index.shtml>

[\[http://www.un.org/en/documents/udhr/index.shtml\]](http://www.un.org/en/documents/udhr/index.shtml) Or this means nothing anymore . if the IRS is really doing that they should go to jail simply. or anybody else for that matter.

cheers good luck ... i really do not know what future our children will have no more .. if even the USA symbol of every thing that is free and democratic in the world, doing this for its own population.... i loose words to express myself anymore .

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Apr 11, 2013



**@umagummma [http://www.cnet.com/profile/umagummma]**, according to the US Supreme Court, email does not officially fall under any type of privacy act, because once something is electronically sent to whom, or where ever, it is sent via public domain (by wire, or by use of a private company satellite). So, once you hit send, it is out there for ALL to see, hackers, government, your brother/sister, husband/wife, mom/dad, or even your next door neighbor.

I just hate that here as of the last 3 appointees to the Supreme Court, all of the standard American citizen rights have become null and void. It seems like the appointees promise that if they are approved to the seats, they will vote to the governments way, and not look out for the everyday citizen, anymore.

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Apr 11, 2013

**@D Neihardt [http://www.cnet.com/profile/D\_Neihardt] @umagummma [http://www.cnet.com/profile/umagummma]** so its a pity when a supreme court can override human rights, does not matter which country ... and if that law was passed this way .. it means its public info..ie the act of hacking some body's mail became legal ... this is all very shady ... laws playing on words... as the french say,

(a woman can not be half pregnant; its either she is or not.)

same about privacy or all officially is public or all is private .. what is the difference between post office carrying your mail by hand or a provider carrying your mail electronically .. the third party carrier exist either way ... when a conflict is arising between laws and constitution .. then they all better refer to global human rights .. anyway its seems a lost cause .. but democracy became equivalent to Hippocratic unfortunately

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**D\_Neihardt [http://www.cnet.com/profile/D\_Neihardt]**

Apr 11, 2013

This just goes to show you, that even at a low governmental agency level they can watch every move you make, imagine what the higher offices are capable of doing.

You don't even have to have a computer on, in order for them to access it, and view what all you have looked at, and even reverse cam, to where they are seeing everything that is in view of the cam, and can listen to your conversations, as well.

We, the AMERICAN people need to say that we have had enough, and step up to the government, and boot these predators out of office. They are as corrupt and unlawful as any criminal that is serving time. Problem is, they have passed several bills making them UNTOUCHABLE. Now, a senator, or congressman/woman cannot even be prosecuted for sexual misconduct, of any form, from the time he enters office, until the time he/she passes away. And remember, they get their salary and benefits for the rest of their lives, even if they only served one term - you talk about hand-outs, and the greedy. What happened to 'Work for the money you receive' ?

To me, all this criminal behavior has to stop somewhere, and the first place to start at, is in your research about the candidates, and the polls. Quit asking for hand-outs, and let's get this nation back on track, before we become the USA (United Soviet America) - and no longer have our freedom, because we through it all away, and are now owned by China, and we have surrendered to the government, and become a Marixist Union.

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Apr 11, 2013

**[@D Neihardt \[http://www.cnet.com/profile/D\\_Neihardt\]](http://www.cnet.com/profile/D_Neihardt)** It would be quite difficult for any one to reverse cam me because I don't use a cam. Any one who does and leaves it connected when not in direct use is just plain silly if they think that someone is not going to see them. Too many goofballs and stalkers and govt. snoopers out there.

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**[Douglas Kelban \[http://www.cnet.com/profile/Douglas+Kelban\]](http://www.cnet.com/profile/Douglas+Kelban)**

Apr 11, 2013

Yet another step in ruining our democracy. Disgusting.

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**NSHowell14** [<http://www.cnet.com/profile/NSHowell14>]

Apr 11, 2013

People are surprised by this?

I mean really, when has ANY world government been 100% trusting and transparent? Ever?

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**jimhass** [<http://www.cnet.com/profile/jimhass>]

Apr 11, 2013

It's analogous to a door when a policeman approaches. If you close they door, they knock. If you leave the door open, they can peek in. If nobody answers, and the door's wide open, then the gray area begins. Are you dead or unconscious? Well, detective A might go in, call loudly, and rifle through your mail. It's right there. Another goes around to see if you're in the back.

E-mail is completely insecure. That means it's a postcard. The "door" is wide open to abuse, if it is such, because you haven't shown your intention to have privacy. Have the industry adopt an encrypted mail standard, and use it. Then it becomes something they need a warrant for. Until then, oh, you can make some stupid comment about Hitler and do nothing.

/ **3like** **[ ]reply** **[ ]**

**AStepInTime** [<http://www.cnet.com/profile/AStepInTime>]

Apr 11, 2013

I, as an American citizen, would like to think that my emails are similar to any other communications - regular mail, etc. If I send personal messages to my wife, or others, it should be just that ... not for some perverts lurking in the shadows who have the ability to do

as they please. Now you know why banning AR-15's is something that we should all be against.

So, IRS - read this ... it's out in the open - public domain - you and all of the other Oligarchs who are rubbing people in the wrong ways.

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**EarendilStar** [<http://www.cnet.com/profile/EarendilStar>]

Apr 11, 2013

**@AStepInTime** [<http://www.cnet.com/profile/AStepInTime>] Yes, you as "an American citizen" have certain rights, and the application of those rights is the law. As society and technology change, the rights stay the same, but the law has to adapt. The IRS does not make the law. Those that do make the law, according to the article, are changing the law. And even if they don't, take the IRS to court since there is "**a growing sentiment** [[http://news.cnet.com/8301-13578\\_3-57550072-38/petraeus-e-mail-affair-highlights-u.s-privacy-law-loopholes/](http://news.cnet.com/8301-13578_3-57550072-38/petraeus-e-mail-affair-highlights-u.s-privacy-law-loopholes/)] among many judges and legislators who believe that Americans' e-mail messages should be protected from warrantless search".

There might be a use for AR-15, but it is not to change US law. As an American citizen you should know that we haven't changed laws by the use of guns in hundreds of years, since we have a stable democratic based government. If you'd like to use your AR-15 to change law, I suggest you pick a different country.

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Apr 11, 2013

**@EarendilStar** [<http://www.cnet.com/profile/EarendilStar>] **@AStepInTime** [<http://www.cnet.com/profile/AStepInTime>] Today I learned the Civil War was "hundreds" of years ago.

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**[EarendilStar](http://www.cnet.com/profile/EarendilStar) [<http://www.cnet.com/profile/EarendilStar>]**

Apr 11, 2013

**[@Actionable Mango](http://www.cnet.com/profile/Actionable_Mango) [[http://www.cnet.com/profile/Actionable Mango](http://www.cnet.com/profile/Actionable_Mango)]** The civil war took place an amount of time greater than a single set of 100 years ago, that would be my interpretation of "hundreds". Perhaps it is not correct, but in the context of the US having existed for less than 300 years, it works. I also didn't say that guns hadn't been used because of a disagreement over law, only that no one set out to change a law by use of guns and *succeeded*. The civil war is a lot more complex than a single law, as was US independence This discussion started out as the sort of disagreement a courtroom and judge have the power and authority to settle, and at that scale I say guns have no part.

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Apr 11, 2013

**[@EarendilStar](http://www.cnet.com/profile/EarendilStar) [<http://www.cnet.com/profile/EarendilStar>]** I agree with your overall point, just poking fun at your exaggeration.

One of the greatest things about the USA is our ability overthrow the government every 2-8 years by voting.

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**[Dee Wan](http://www.cnet.com/profile/Dee_Wan) [[http://www.cnet.com/profile/Dee Wan](http://www.cnet.com/profile/Dee_Wan)]**

Apr 11, 2013

**[@AStepInTime](http://www.cnet.com/profile/AStepInTime) [<http://www.cnet.com/profile/AStepInTime>]**

Keeping an AR-15 for the purpose you so thinly veil is a suggestion that violent overthrow of the government is a means of correcting a problem. Guess what - advocating the violent overthrow of the government has been illegal for quite some time.

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**[The new DDR](http://www.cnet.com/profile/The_new_DDR)** [[http://www.cnet.com/profile/The new DDR](http://www.cnet.com/profile/The_new_DDR)]

Apr 11, 2013

*Sieg Heil mein Führer!*

Welcome to the new DDR.

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**[umagummma](http://www.cnet.com/profile/umagummma)** [<http://www.cnet.com/profile/umagummma>]

Apr 11, 2013

[@The new DDR](http://www.cnet.com/profile/The_new_DDR) [[http://www.cnet.com/profile/The new DDR](http://www.cnet.com/profile/The_new_DDR)] lololololol right on :)

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**[gemcgar](http://www.cnet.com/profile/gemcgar)** [<http://www.cnet.com/profile/gemcgar>]

Apr 11, 2013

How can you protest this disregard of our 4th amendment rights? Join the ACLU! The group that helps maintain our liberty and privacy.

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**[cdhowie](http://www.cnet.com/profile/cdhowie)** [<http://www.cnet.com/profile/cdhowie>]

Apr 11, 2013

This is one of the many reasons I am happy that I run my own mail servers. Good luck getting me to hand over my own messages without a warrant.

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**[ModuleV](http://www.cnet.com/profile/ModuleV) [<http://www.cnet.com/profile/ModuleV>]**

Apr 11, 2013

At this point, Anonymous seems more ethical than these corrupt organizations, businessmen & politicians. Just look at all the corruption being uncovered in New York these last couple months (where I live). These people snoop on us when in reality we should be snooping on them, keeping them in check. They obviously can't be trusted to govern themselves anymore. Is there anything we can do to fight back?

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**[jimhass](http://www.cnet.com/profile/jimhass) [<http://www.cnet.com/profile/jimhass>]**

Apr 11, 2013

[@ModuleV](http://www.cnet.com/profile/ModuleV) [<http://www.cnet.com/profile/ModuleV>] Really? Hacking websites? Disclosing personal information? Beware the vigilantes. They turn into worse criminals than the ones in power.

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**[AndreRichards](http://www.cnet.com/profile/AndreRichards) [<http://www.cnet.com/profile/AndreRichards>]**

Apr 11, 2013

My test with this kind of thing is to reverse roles and see if it's still okay. As long as the IRS is okay with their email being snooped through and made public, then I guess it's okay for everyone else.

But, I'm guessing that idea won't go over well.



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**[najames1987](http://www.cnet.com/profile/najames1987) [<http://www.cnet.com/profile/najames1987>]**

Apr 11, 2013

I'm a firm believer that when it comes to my mail, my phone conversations, anything I do on the Internet, my taxes, and whenever I drive my car (cameras at traffic lights, etc. and helicopters in the sky that supposedly only look for speeding cars and criminals on the run), I have ZERO privacy. Barely such a thing exists and only the naive still believe it does. The questions we should be asking of everyone, including our government, is why is this considered ok and when will someone put a stop to it?

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**[eswinson](http://www.cnet.com/profile/eswinson) [<http://www.cnet.com/profile/eswinson>]**

Apr 11, 2013

@najames1987 The reality is I expect to have no real privacy. What I do expect to have is legal privacy meaning certain things are off limits to be used against me in a court of law or for civil recourse unless obtained legally with a fully documented chain of custody in tact and a valid reason for doing so. An email snatched from someone's inbox should be no more valid as evidence than anonymous graffiti on a back alley wall.

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**[AndreRichards](http://www.cnet.com/profile/AndreRichards) [<http://www.cnet.com/profile/AndreRichards>]**

Apr 11, 2013

@najames1987 You are an embarrassment and you don't deserve the rights you've had handed to you. Prior to the softening of the American public's attitude about privacy over the last decade or so, your attitude would have been laughed at. Sadly, nowadays, you'll have no shortage of cowards willing to line up behind you and shrug off their right to privacy because it's just less hassle not to fight it. Yes, there *\*is\** a constitutionally protected right to privacy and I'm not joining you in ignoring that because it might put a crimp in my plans or require some of my time writing my representatives or letting someone hear my voice.

People from so many previous generations fought hard and gave their lives in the defense of your rights, including the right to live your life free of an intrusive government, and you're willing to set those sacrifices aside because, what, you don't want to worry about tweeting what you're having for lunch? Give me a break. Those sacrifices were real--whether you acknowledge and respect that or not--and your only repayment, your only responsibility, is to do your part and stand up for those hard-won rights when someone wants to trample them for their own convenience. Get a spine, pal. Stand up for yourself. Be a real human being for once.

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**[c|net Reader \[http://www.cnet.com/profile/c|net+Reader\]](http://www.cnet.com/profile/c|net+Reader)**

Apr 11, 2013

**[@AndreRichards \[http://www.cnet.com/profile/AndreRichards\]](http://www.cnet.com/profile/AndreRichards)**

I think you misinterpreted najames1987. As read I the post, najames1987 assumes no privacy in reality, but doesn't think it is right, wonders why others do, and wishes "someone" would put a stop to it.

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**[AndreRichards \[http://www.cnet.com/profile/AndreRichards\]](http://www.cnet.com/profile/AndreRichards)**

Apr 11, 2013

@c|net Reader @AndreRichards Ah. I didn't read it that way. Just sounded like more of the 20-something crowd and their oblivious who-cares attitude. I see just too much of that nowadays and I worry about where that's taking us. It seems there's no fight in the younger generation. They're just happy to get free services on the Internet and don't care who's spying on their activities.

For the record, if najames1987 didn't mean it that way, he has my unreserved apology for the response.

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**[krioni--2008](http://www.cnet.com/profile/krioni--2008)** [<http://www.cnet.com/profile/krioni--2008>]

Apr 11, 2013

[@AndreRichards](http://www.cnet.com/profile/AndreRichards) [<http://www.cnet.com/profile/AndreRichards>] A LOT of twenty-somethings DO care about their rights. Occupy Wall Street was an example of this. Notice that the people attacking the rights are mostly over 50? Don't blame the younger generations for the depredations of the Baby Boomers on our freedoms and for selling out the people to the uber-rich plutocracy.

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**[HayesMyers](http://www.cnet.com/profile/HayesMyers)** [<http://www.cnet.com/profile/HayesMyers>]

Apr 11, 2013

[@AndreRichards](http://www.cnet.com/profile/AndreRichards) [<http://www.cnet.com/profile/AndreRichards>] so you flamed someone without reading their post. do we have a right not to read your posts? yes...yes we do.

/ [like](#) [\[\]reply \[\]](#)

**[najames1987](http://www.cnet.com/profile/najames1987)** [<http://www.cnet.com/profile/najames1987>]

Apr 11, 2013

@HayesMyers that's what I was thinking. Clearly he didn't read the whole thing.

/ [like](#) [\[\]reply \[\]](#)

**[najames1987](http://www.cnet.com/profile/najames1987)** [<http://www.cnet.com/profile/najames1987>]

Apr 11, 2013

@AndreRichards And just when I was about to make a nasty comment to you for you clearly not fully reading my post, you go and apologize. Darn. Anyway, I'm a she and I accept your

apology. Thank you.

/ **1 like** [**reply**]

**AndreRichards** [<http://www.cnet.com/profile/AndreRichards>]

Apr 11, 2013

@HayesMyers @AndreRichards A strong response is not the same as flaming someone. I'm just more than a little fed up with people saying "oh well" when it comes to privacy because they get freebies on the Internet. That's lazy and inexcusable.

And FWIW, I read the whole thing but misinterpreted the intent. I didn't read the last sentence as an expression of what she thinks people ought to be doing, but rather as sarcasm, as in "Gee, if you're all so darned worried, why aren't you asking...?" As if she didn't give a rip about privacy rights and was mocking people who did. Subtle misreading, but very different.

/ **like** [**reply**]

**Flyguy29** [<http://www.cnet.com/profile/Flyguy29>]

Apr 11, 2013

It is illegal. Pure and simple

/ **3 like** [**reply**]

**ModuleV** [<http://www.cnet.com/profile/ModuleV>]

Apr 11, 2013

@Flyguy29 [<http://www.cnet.com/profile/Flyguy29>] So is most of the stuff governments do. They are above the law and we're starting to see how badly it affects us.

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**[ghosthunter007](http://www.cnet.com/profile/ghosthunter007)** [\[http://www.cnet.com/profile/ghosthunter007\]](http://www.cnet.com/profile/ghosthunter007)

Apr 10, 2013

Also like to point out that if the IRS reads your email they have violated federal and state laws in computer hacking.

accessing a system with out permission is hacking access accounts with out a warrant is hacking.

You can sue google yahoo ect if they give them access with out a warrant.

/ [like](#) [\[\]reply](#) [\[\]](#)

**[ghosthunter007](http://www.cnet.com/profile/ghosthunter007)** [\[http://www.cnet.com/profile/ghosthunter007\]](http://www.cnet.com/profile/ghosthunter007)

Apr 10, 2013

Simple easy solution encrypt your emails and or run your own email server and still encrypt it.

/ [like](#) [\[\]reply](#) [\[\]](#)

**[Ursus Grandus](http://www.cnet.com/profile/Ursus_Grandus)** [\[http://www.cnet.com/profile/Ursus\\_Grandus\]](http://www.cnet.com/profile/Ursus_Grandus)

Apr 11, 2013

[@ghosthunter007](http://www.cnet.com/profile/ghosthunter007) [\[http://www.cnet.com/profile/ghosthunter007\]](http://www.cnet.com/profile/ghosthunter007) Or set up phony accounts full of disinformation. Do it in the name of some dopey Utopian big government supporter. Get THEM audited.

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**[tychicum](http://www.cnet.com/profile/tychicum)** [\[http://www.cnet.com/profile/tychicum\]](http://www.cnet.com/profile/tychicum)

Apr 10, 2013

The only way the Feds can catch terrorists is to sniff everything as it comes and goes. Do some research on "Lantern" sometimes called "Magic Lantern". They even listen to telephone calls and look for word patterns to determine if they should dig deeper into what is happening.

Nothing you do should be considered "private" ... because it isn't.

/ **1 like** [**reply**]

**mikeyh00** [**http://www.cnet.com/profile/mikeyh00**]

Apr 10, 2013

Cell phones are not covered by the fourth amendment. And probably never will be. Access is so easy, it's laughable.

/ **like** [**reply**]

**ghosthunter007** [**http://www.cnet.com/profile/ghosthunter007**]

Apr 10, 2013

**@mikeyh00** [**http://www.cnet.com/profile/mikeyh00**] no but they are covered in state and federal wiretap laws which still requires them to get a warrant.

/ **2 like** [**reply**]

**jpolk84** [**http://www.cnet.com/profile/jpolk84**]

Apr 10, 2013

Until people start embracing something like the Fair Tax...nevermind. They just want American Idol and handsome people on TV, including government. We have a system like this because stupid people can vote.

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**[the brigadier](http://www.cnet.com/profile/the_brigadier)** [[http://www.cnet.com/profile/the\\_brigadier](http://www.cnet.com/profile/the_brigadier)]

Apr 10, 2013

Well bring suit against and also demand the FBI arrest any of the IRS directors who advocate they have the right to snoop without a warrant. They do operate in the public and the private commerce side, but they still have to follow the laws of the land. If they get a warrant then they can read whatever they want of mine. Until then keep your prying eyes off. Seems fair and American to me.

/ [1like](#) [[\]](#)[reply](#) [[\]](#)

**[chu54](http://www.cnet.com/profile/chu54)** [<http://www.cnet.com/profile/chu54>]

Apr 10, 2013

How many people actually encrypt their personal email? I see posts here by some that use encryption, but I believe the percentage of the GP that use encryption is minuscule. And I'm not just referring to using Gmail over SSL. For the technically challenged, encryption is just not practical. Even if one does figure out how to install the software and create the keys, they also have to get those they share with to do the same. That's the rub. Most, if not all, of those you want to share encrypted content with will likely say it is too much of an inconvenience. In '09 I launched a web app that provides simple, free, end-to-end encrypted threaded messaging. The app is still in use, but will never gain traction for this very simple reason. Most people just do not perceive a threat and don't believe their electronic communications can cause them harm if compromised. If you fall into the "concerned" camp, search "private secure encrypted". You will find several encryption choices. My app is the first organic result. Bottom line is, mass adoption of encryption is not in our future (IMHO).

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**[Upaj0s](http://www.cnet.com/profile/Upaj0s)** [<http://www.cnet.com/profile/Upaj0s>]

Apr 10, 2013



I'd like to know what their legal theory is behind such unwarranted breach of the Fourth Amendment. This is a rogue agency that needs to be SHUT DOWN.

I think we can safely assume that the IRS will continue to blatantly ignore the law and root through our messages without justification or permission from a court. It behooves every American to get an email client that supports PGP encryption and learn how to use it.

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