

103^D CONGRESS
1ST SESSION

S. 311

To amend section 2511 of title 18, United States Code, to make lawful the interception of an oral, wire, or electronic communication that is made with the consent of all parties to the communication.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4 (legislative day, JANUARY 5), 1993

Mr. BUMPERS introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend section 2511 of title 18, United States Code, to make lawful the interception of an oral, wire, or electronic communication that is made with the consent of all parties to the communication.

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 Telephone Privacy
5 Act of 1993”.

1 **SEC. 2. CONSENT TO INTERCEPTION OF AN ORAL, WIRE OR**
2 **ELECTRONIC COMMUNICATION.**

3 Subsection 2(d) of section 2511 of title 18 United
4 States Code is amended to read as follows: “2(d) It shall
5 not be unlawful under this chapter for a person not acting
6 under color of law to intercept a wire or oral communica-
7 tion where—

8 “(i) all parties to the communication have given
9 prior consent to such interception, unless such com-
10 munication is intercepted for the purpose of commit-
11 ting any criminal or tortious act in violation of the
12 Constitution or laws of the United States; or

13 “(ii) such person is an employer, or the officer
14 or agent of an employer, engaged in lawful electronic
15 monitoring of its employees’ communications made
16 in the course of the employees’ duties.”.

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