

108TH CONGRESS
2D SESSION

S. 2783

To clarify conditions for the interceptions of computer trespass communications under the USA-PATRIOT Act.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 9, 2004

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

A BILL

To clarify conditions for the interceptions of computer trespass communications under the USA-PATRIOT Act.

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 “Computer Trespass
5 Clarification Act of 2004”.

6 **SEC. 2. AMENDMENTS TO TITLE 18.**

7 (a) DEFINITIONS.—Section 2510(21)(B) of title 18,
8 United States Code, is amended by—

9 (1) inserting “or other” after “contractual”;

10 and

1 (2) striking “for access” and inserting “permit-
2 ting access”.

3 (b) INTERCEPTION AND DISCLOSURE.—Section
4 2511(2)(i) of title 18, United States Code, is amended—

5 (1) in clause (I), by inserting after “the owner
6 or operator of the protected computer” the following:
7 “is attempting to respond to communications activ-
8 ity that threatens the integrity or operation of such
9 computer and requests assistance to protect rights
10 and property of the owner or operator, and”; and

11 (2) in clause (IV), by inserting after “intercep-
12 tion” the following: “ceases as soon as the commu-
13 nications sought are obtained or after 96 hours,
14 whichever is earlier, unless an interception order is
15 obtained under this chapter, and”.

16 (c) REPORT.—The Attorney General shall annually
17 report to the Committees on the Judiciary of the Senate
18 and the House of Representatives on the use of section
19 2511 of title 18, United States Code, relating to computer
20 trespass provisions as amended by subsection (b).

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