

110TH CONGRESS
1ST SESSION

S. 2434

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

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2007

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 2007”.

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 “is attempting to
6 respond to communications activity that threatens
7 the integrity or operation of such computer and re-
8 quests assistance to protect the rights and property
9 of the owner or operator, and” after “the owner or
10 operator of the protected computer”; and

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

16 (c) REPORT.—Not later than 60 days after the date
17 of enactment of this Act, and annually thereafter, the At-
18 torney General shall submit a report to the Committee on
19 the Judiciary of the Senate and the Committee on the Ju-
20 diciary the House of Representatives on the use of section
21 2511 of title 18, United States Code, relating to computer
22 trespass provisions, as amended by subsection (b), during
23 the year before the year of that report.

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