

106TH CONGRESS  
1ST SESSION

# S. 781

To amend section 2511 of title 18, United States Code, to revise the consent exception to the prohibition on the interception of oral, wire, or electronic communications that is applicable to telephone communications.

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## IN THE SENATE OF THE UNITED STATES

APRIL 13, 1999

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

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## A BILL

To amend section 2511 of title 18, United States Code, to revise the consent exception to the prohibition on the interception of oral, wire, or electronic communications that is applicable to telephone communications.

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 Act  
5       of 1999”.

1 **SEC. 2. REVISION OF CONSENT EXCEPTION TO PROHIBI-**  
2 **TION ON INTERCEPTION OF ORAL, WIRE, OR**  
3 **ELECTRONIC COMMUNICATIONS APPLICA-**  
4 **BLE TO TELEPHONE COMMUNICATIONS.**

5 Paragraph (d) of section 2511(2) of title 18, United  
6 States Code, is amended by striking “unless such commu-  
7 nication” and all that follows and inserting “unless—

8 “(i) such communication is intercepted for the  
9 purpose of committing any criminal or tortious act  
10 in violation of the Constitution or laws of the United  
11 States or of any State; or

12 “(ii) in the case of a telephone communication,  
13 any other party to such communication has not  
14 given prior consent to such interception.”.

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