

DCS 1000 program (or any subsequent version of such program), which report shall include information concerning—

“(1) the period of interceptions authorized by the order, and the number and duration of any extensions of the order;

“(2) the offense specified in the order or application, or extension of an order;

“(3) the number of investigations involved;

“(4) the number and nature of the facilities affected;

“(5) the identity of the applying investigative or law enforcement agency making the application for an order; and

“(6) the specific persons authorizing the use of the DCS 1000 program (or any subsequent version of such program) in the implementation of such order.”

§ 3127. Definitions for chapter

As used in this chapter—

(1) the terms “wire communication”, “electronic communication”, “electronic communication service”, and “contents” have the meanings set forth for such terms in section 2510 of this title;

(2) the term “court of competent jurisdiction” means—

(A) any district court of the United States (including a magistrate judge of such a court) or any United States court of appeals that—

(i) has jurisdiction over the offense being investigated;

(ii) is in or for a district in which the provider of a wire or electronic communication service is located;

(iii) is in or for a district in which a landlord, custodian, or other person subject to subsections (a) or (b) of section 3124 of this title is located; or

(iv) is acting on a request for foreign assistance pursuant to section 3512 of this title; or

(B) a court of general criminal jurisdiction of a State authorized by the law of that State to enter orders authorizing the use of a pen register or a trap and trace device;

(3) the term “pen register” means a device or process which records or decodes dialing, routing, addressing, or signaling information transmitted by an instrument or facility from which a wire or electronic communication is transmitted, provided, however, that such information shall not include the contents of any communication, but such term does not include any device or process used by a provider or customer of a wire or electronic communication service for billing, or recording as an incident to billing, for communications services provided by such provider or any device or process used by a provider or customer of a wire communication service for cost accounting or other like purposes in the ordinary course of its business;

(4) the term “trap and trace device” means a device or process which captures the incoming electronic or other impulses which identify the originating number or other dialing, routing, addressing, and signaling information reasonably likely to identify the source of a wire or electronic communication, provided, however, that such information shall not include the contents of any communication;

(5) the term “attorney for the Government” has the meaning given such term for the purposes of the Federal Rules of Criminal Procedure; and

(6) the term “State” means a State, the District of Columbia, Puerto Rico, and any other possession or territory of the United States.

(Added Pub. L. 99-508, title III, §301(a), Oct. 21, 1986, 100 Stat. 1871, §3126; renumbered §3127, Pub. L. 100-690, title VII, §7092(a)(1), Nov. 18, 1988, 102 Stat. 4410; amended Pub. L. 107-56, title II, §216(c)(1)-(4), Oct. 26, 2001, 115 Stat. 290; Pub. L. 111-79, §2(3), Oct. 19, 2009, 123 Stat. 2087.)

Editorial Notes

REFERENCES IN TEXT

The Federal Rules of Criminal Procedure, referred to in par. (5), are set out in the Appendix to this title.

AMENDMENTS

2009—Par. (2)(A). Pub. L. 111-79 substituted “that—” and cls. (i) to (iv) for “having jurisdiction over the offense being investigated; or”.

2001—Par. (1). Pub. L. 107-56, §216(c)(4), struck out “and” after “‘electronic communication,’” and inserted “, and ‘contents’” after “‘electronic communication service’”.

Par. (2)(A). Pub. L. 107-56, §216(c)(1), added subpar. (A) and struck out former subpar. (A) which read as follows: “a district court of the United States (including a magistrate judge of such a court) or a United States Court of Appeals; or”.

Par. (3). Pub. L. 107-56, §216(c)(2), substituted “dialing, routing, addressing, or signaling information transmitted by an instrument or facility from which a wire or electronic communication is transmitted, provided, however, that such information shall not include the contents of any communication” for “‘electronic or other impulses which identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached” and inserted “or process” after “device” wherever appearing.

Par. (4). Pub. L. 107-56, §216(c)(3), inserted “or process” after “means a device” and substituted “or other dialing, routing, addressing, and signaling information reasonably likely to identify the source of a wire or electronic communication, provided, however, that such information shall not include the contents of any communication;” for “of an instrument or device from which a wire or electronic communication was transmitted;”.

1988—Pub. L. 100-690 renumbered section 3126 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective 90 days after Oct. 21, 1986, and, in case of conduct pursuant to court order or extension, applicable only with respect to court orders and extensions made after such date, with special rule for State authorizations of interceptions, see section 302 of Pub. L. 99-508, set out as a note under section 3121 of this title.

CHAPTER 207—RELEASE AND DETENTION PENDING JUDICIAL PROCEEDINGS

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| Sec. | |
| 3141. | Release and detention authority generally. |
| 3142. | Release or detention of a defendant pending trial. |
| 3143. | Release or detention of a defendant pending sentence or appeal. |
| 3144. | Release or detention of a material witness. |
| 3145. | Review and appeal of a release or detention order. |