

AMENDMENT NO. _____ Calendar No. _____

Purpose: To improve the rule of construction.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 607

To improve the provisions relating to the privacy of electronic communications.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LEAHY

Viz:

1 On page 11, strike lines 11 through 20 and insert
2 the following:

3 **SEC. 5. RULE OF CONSTRUCTION.**

4 Nothing in this Act or an amendment made by this
5 Act shall be construed to preclude the acquisition by the
6 United States Government of—

7 (1) the contents of a wire or electronic commu-
8 nication pursuant to other lawful authorities, includ-
9 ing the authorities under chapter 119 of title 18
10 (commonly known as the “Wiretap Act”), the For-
11 eign Intelligence Surveillance Act of 1978 (50
12 U.S.C. 1801 et seq.), or any other provision of Fed-
13 eral law not specifically amended by this Act; or

1 (2) records or other information relating to a
2 subscriber or customer of any electronic communica-
3 tions service or remote computing service (not in-
4 cluding the content of such communications) pursu-
5 ant to the Foreign Intelligence Surveillance Act of
6 1978 (50 U.S.C. 1801 et seq.), chapter 119 of title
7 18 (commonly known as the “Wiretap Act”), or any
8 other provision of Federal law not specifically
9 amended by this Act.