

Section 216 -- Modification of Authorities Relating to Use of Pen Registers and Trap and Trace Devices (amends 18 USC 3121(c))

**Murkowski-Wyden (S 1552)
Protecting the Rights of Individuals
Act**

The USA PATRIOT Act updated certain law enforcement authorities. One authority to track calls made to and from a particular phone ("trap and trace" and "pen register," respectively) was updated by applying it to electronic communications (including e-mail and Internet usage).

Section 6 of this bill imposes a specific limitation on what aspects of electronic communications could be captured with a "pen/trap" order. It ensures that with a pen/trap order, the FBI could capture only the information on a web address up to the first backslash, ie: www.senate.gov/. Capturing any information after the initial backslash would not be permitted.

Additionally, capture of any information in the "Subject" line of an electronic communication (e.g., e-mail) would not be permitted with a pen/trap order.