

18 USCS § 2511

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United States Code Service > TITLE 18. CRIMES AND CRIMINAL PROCEDURE (§§ 1 — 6005) > Part I. Crimes (Chs. 1 — 123) > CHAPTER 119. Wire and electronic communications interception and interception of oral communications (§§ 2510 — 2523)

§ 2511. Interception and disclosure of wire, oral, or electronic communications prohibited [Caution: See prospective amendment note below.]

(1) Except as otherwise specifically provided in this chapter [[18 USCS §§ 2510](#) et seq.] any person who—

(a) intentionally intercepts, endeavors to intercept, or procures any other person to intercept or endeavor to intercept, any wire, oral, or electronic communication;

(b) intentionally uses, endeavors to use, or procures any other person to use or endeavor to use any electronic, mechanical, or other device to intercept any oral communication [...]

shall be punished as provided in subsection (4) [...].

(2)

(a)

(i) It shall not be unlawful under this chapter [[18 USCS §§ 2510](#) et seq.] for an operator of a switchboard, or an officer, employee, or agent of a provider of wire or electronic communication service, whose facilities are used in the transmission of a wire or electronic communication, to intercept, disclose, or use that communication in the normal course of his employment while engaged in any activity which is a necessary incident to the rendition of his service or to the protection of the rights or property of the provider of that service, except that a provider of wire communication service to the public shall not utilize service observing or random monitoring except for mechanical or service quality control checks.

[...]

(d) It shall not be unlawful under this chapter [[18 USCS §§ 2510](#) et seq.] for a person not acting under color of law to intercept a wire, oral, or electronic communication where such person is a party to the communication or where one of the parties to the communication has given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act in violation of the Constitution or laws of the United States or of any State.

[...]

(g) It shall not be unlawful under this chapter [[18 USCS §§ 2510](#) et seq.] or chapter 121 of this title [[18 USCS §§ 2701](#) et seq.] for any person—

(i) to intercept or access an electronic communication made through an electronic communication system that is configured so that such electronic communication is readily accessible to the general public;

[...]

(4)

(a) Except as provided in paragraph (b) of this subsection or in subsection (5), whoever violates subsection (1) of this section shall be fined under this title or imprisoned not more than five years, or both.

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[...]