

the normal course of the activities of the United States, a State, or a political subdivision thereof,

to send through the mail, send or carry in interstate or foreign commerce, or manufacture, assemble, possess, or sell any electronic, mechanical, or other device knowing or having reason to know that the design of such device renders it primarily useful for the purpose of the surreptitious interception of wire, oral, or electronic communications.

(3) It shall not be unlawful under this section to advertise for sale a device described in subsection (1) of this section if the advertisement is mailed, sent, or carried in interstate or foreign commerce solely to a domestic provider of wire or electronic communication service or to an agency of the United States, a State, or a political subdivision thereof which is duly authorized to use such device.

(Added Pub. L. 90-351, title III, §802, June 19, 1968, 82 Stat. 214; amended Pub. L. 99-508, title I, §101(c)(1)(A), (7), (f)(2), Oct. 21, 1986, 100 Stat. 1851, 1853; Pub. L. 103-322, title XXXIII, §§330016(1)(L), 330022, Sept. 13, 1994, 108 Stat. 2147, 2150; Pub. L. 104-294, title VI, §604(b)(45), Oct. 11, 1996, 110 Stat. 3509; Pub. L. 105-112, §2, Nov. 21, 1997, 111 Stat. 2273; Pub. L. 107-296, title XXII, §2207(f), formerly title II, §225(f), Nov. 25, 2002, 116 Stat. 2158, renumbered §2207(f), Pub. L. 115-278, §2(g)(2)(I), Nov. 16, 2018, 132 Stat. 4178.)

### Editorial Notes

#### AMENDMENTS

2002—Par. (1)(c). Pub. L. 107-296, in introductory provisions, inserted “or disseminates by electronic means” after “or other publication” and, in concluding provisions, inserted “knowing the content of the advertisement and” before “knowing or having reason to know”.

1997—Par. (3). Pub. L. 105-112 added par. (3).

1996—Par. (2). Pub. L. 104-294 amended directory language of Pub. L. 103-322, §330022. See 1994 Amendment note below.

1994—Par. (1). Pub. L. 103-322, §330016(1)(L), substituted “fined under this title” for “fined not more than \$10,000” in concluding provisions.

Par. (2). Pub. L. 103-322, §330022, as amended by Pub. L. 104-294, realigned margins of concluding provisions.

1986—Pub. L. 99-508, §101(c)(1)(A), substituted “wire, oral, or electronic” for “wire or oral” in section catchline.

Par. (1). Pub. L. 99-508, §101(c)(1)(A), (f)(2), substituted “intentionally” for “willfully” in introductory provision and “wire, oral, or electronic” for “wire or oral” in subpars. (a), (b), and (c)(i), (ii).

Par. (2)(a). Pub. L. 99-508, §101(c)(7), substituted “a provider of wire or electronic communication service or” for “a communications common carrier or”, “such a provider, in” for “a communications common carrier, in”, and “business of providing that wire or electronic communication service” for “communications common carrier’s business”.

Par. (2)(b). Pub. L. 99-508, §101(c)(1)(A), substituted “wire, oral, or electronic” for “wire or oral”.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of this title.

#### EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-508 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 111 of Pub. L. 99-508, set out as a note under section 2510 of this title.

### § 2513. Confiscation of wire, oral, or electronic communication intercepting devices

Any electronic, mechanical, or other device used, sent, carried, manufactured, assembled, possessed, sold, or advertised in violation of section 2511 or section 2512 of this chapter may be seized and forfeited to the United States. All provisions of law relating to (1) the seizure, summary and judicial forfeiture, and condemnation of vessels, vehicles, merchandise, and baggage for violations of the customs laws contained in title 19 of the United States Code, (2) the disposition of such vessels, vehicles, merchandise, and baggage or the proceeds from the sale thereof, (3) the remission or mitigation of such forfeiture, (4) the compromise of claims, and (5) the award of compensation to informers in respect of such forfeitures, shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this section, insofar as applicable and not inconsistent with the provisions of this section; except that such duties as are imposed upon the collector of customs or any other person with respect to the seizure and forfeiture of vessels, vehicles, merchandise, and baggage under the provisions of the customs laws contained in title 19 of the United States Code shall be performed with respect to seizure and forfeiture of electronic, mechanical, or other intercepting devices under this section by such officers, agents, or other persons as may be authorized or designated for that purpose by the Attorney General.

(Added Pub. L. 90-351, title III, §802, June 19, 1968, 82 Stat. 215; amended Pub. L. 99-508, title I, §101(c)(1)(A), Oct. 21, 1986, 100 Stat. 1851.)

### Editorial Notes

#### AMENDMENTS

1986—Pub. L. 99-508 substituted “wire, oral, or electronic” for “wire or oral” in section catchline.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-508 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 111 of Pub. L. 99-508, set out as a note under section 2510 of this title.

### [§ 2514. Repealed. Pub. L. 91-452, title II, § 227(a), Oct. 15, 1970, 84 Stat. 930]

Section, Pub. L. 90-351, title II, §802, June 19, 1968, 82 Stat. 216, provided for immunity of witnesses giving