

114TH CONGRESS
1ST SESSION

H. R. 3864

To prevent certain monitoring and interception by Federal authorities of Federal prisoner communications that are subject to attorney-client privilege.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 29, 2015

Mr. JEFFRIES (for himself and Mr. COLLINS of Georgia) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prevent certain monitoring and interception by Federal authorities of Federal prisoner communications that are subject to attorney-client privilege.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Effective Assistance
5 of Counsel in the Digital Era Act”.

6 **SEC. 2. PRISONER COMMUNICATIONS THAT ARE SUBJECT**
7 **TO ATTORNEY-CLIENT PRIVILEGE.**

8 (a) IN GENERAL.—Except as provided in subsection

9 (b) it shall be unlawful for any person acting under the
10 authority of the United States to monitor any electronic

1 communication (as defined in section 2510 of title 18,
2 United States Code) to which a prisoner in a Bureau of
3 Prisons correctional facility is a party, if that communica-
4 tion is subject to attorney-client privilege.

5 (b) EXCEPTION.—Subsection (a) does not apply to a
6 communication the Attorney General has reason to believe
7 poses a threat to national security.

8 (c) RULES BY ATTORNEY GENERAL.—The Attorney
9 General shall prescribe rules to carry out this section.

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