

109TH CONGRESS
1ST SESSION

S. 2130

To clarify the legal standard needed to use cellular telephones as tracking devices.

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2005

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To clarify the legal standard needed to use cellular telephones as tracking devices.

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. CONTENTS OF WIRE OR ELECTRONIC COMMU-**
4 **NICATION.**

5 Section 2510(8) of title 18, United States Code, is
6 amended by inserting before the semicolon the following:
7 “and contemporaneous, real-time, or prospective informa-
8 tion regarding the physical location of a cellular tele-
9 phone”.

1 **SEC. 2. TRACKING DEVICES.**

2 Section 3117(b) of title 18, United States Code, is
3 amended by inserting before the period the following: “,
4 including a cellular telephone for which the government
5 seeks contemporaneous, real-time, or prospective informa-
6 tion regarding the physical location of such phone”.

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