

113TH CONGRESS
1ST SESSION

S. 1070

To make it unlawful to alter or remove the unique equipment identification number of a mobile device.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2013

Mr. SCHUMER (for himself, Mr. BROWN, Mr. UDALL of Colorado, and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To make it unlawful to alter or remove the unique equipment identification number of a mobile device.

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 “Mobile Device Theft
5 Deterrence Act of 2013”.

6 **SEC. 2. ALTERING OR REMOVING MOBILE DEVICE UNIQUE**
7 **EQUIPMENT IDENTIFICATION NUMBERS.**

8 (a) IN GENERAL.—Chapter 25 of title 18, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

1 **“§ 515. Altering or removing unique mobile device**
2 **equipment identification numbers**

3 “(a) DEFINITIONS.—In this section—

4 “(1) the term ‘manufacturer’ means a person
5 who has lawfully obtained the right to assign a mo-
6 bile device equipment identification number to a mo-
7 bile device before the initial sale of the mobile device;
8 and

9 “(2) the term ‘unique mobile device equipment
10 identification number’ means—

11 “(A) an international mobile equipment
12 identity number;

13 “(B) electronic serial number; or

14 “(C) any other number or signal—

15 “(i) that identifies a specific mobile
16 wireless communications device; and

17 “(ii) has the same function and pur-
18 poses as a number described in subpara-
19 graph (A) or (B).

20 “(b) PROHIBITION.—Except as provided in sub-
21 section (d), it shall be unlawful to—

22 “(1) knowingly remove, obliterate, tamper with,
23 or alter a mobile device identification number; or

24 “(2) knowingly use, produce, traffic in, have
25 control or custody of, or possess hardware or soft-

1 ware, knowing it has been configured to engage in
2 the conduct described in paragraph (1).

3 “(c) PENALTY.—Any person who violates subsection
4 (b) shall be fined under this title, imprisoned not more
5 than 5 years, or both.

6 “(d) EXCEPTION.—Subsection (b) shall not apply to
7 the manufacturer of a mobile device, a person that engi-
8 neers, tests, repairs, or refurbishes a mobile device, or a
9 person that implements technologies for the purpose of
10 protecting the security and privacy of mobile device end
11 users while allowing the transmission of the mobile device
12 identification number to service providers, unless the man-
13 ufacturer or person knows that the mobile device or part
14 involved is stolen.”.

15 (b) TECHNICAL AND CONFORMING AMENDMENT.—
16 The table of sections for chapter 25 of title 18, United
17 States Code, is amended by inserting after the item relat-
18 ing to section 514 the following:

“515. Altering or removing unique mobile device equipment identification num-
bers.”.

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