

114TH CONGRESS
2D SESSION

H. R. 5154

To require that State and local law enforcement agencies conform to Federal guidelines in using cell simulator devices, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2016

Mr. JEFFRIES (for himself, Mr. POE of Texas, Mr. NADLER, Mr. FARENTHOLD, and Ms. LOFGREN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require that State and local law enforcement agencies conform to Federal guidelines in using cell simulator devices, and for other purposes.

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 “Fourth Amendment
5 Integrity Restoration in Surveillance Act of 2016” or as
6 the “F.A.I.R. Surveillance Act of 2016”.

1 **SEC. 2. USE OF CELL SIMULATOR DEVICES BY STATE AND**
2 **LOCAL LAW ENFORCEMENT.**

3 In the case of any coordination or agreement between
4 a Federal agency and a State or local law enforcement
5 agency pertaining to the acquisition or use by that State
6 or local law enforcement Agency of any cell simulator de-
7 vice, such coordination or agreement shall require that
8 such use, at minimum, conform to the guidance and poli-
9 cies that apply to the Federal agency on the use of such
10 a device.

11 **SEC. 3. APPLICABILITY.**

12 Any agreement as referenced in section 2 that is in
13 effect at the date of enactment of this Act shall be renewed
14 within a year of the date of enactment.

15 **SEC. 4. DEFINITIONS.**

16 In this Act, the term “cell simulator device” means
17 any device that simulates cellular facilities for the provi-
18 sion of electronic communication service (as such term is
19 defined in section 2510 of title 18, United States Code)
20 or any device that locates cellular devices or their unique
21 identifiers by functioning as a cell tower.

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