

114TH CONGRESS
1ST SESSION

H. R. 791

To prohibit the unauthorized remote shut down of a cellular phone.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2015

Mr. GRIFFITH introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To prohibit the unauthorized remote shut down of a cellular
phone.

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 “Cell Phone Freedom
5 Act of 2015”.

6 **SEC. 2. UNAUTHORIZED REMOTE SHUTDOWN OF A MOBILE**
7 **DEVICE.**

8 (a) IN GENERAL.—Chapter 13 of title 18, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

1 **“§ 250. Unauthorized remote shutdown of a mobile**
2 **device**

3 “(a) IN GENERAL.—Whoever, being an officer or em-
4 ployee of the United States, any State, Territory, Com-
5 monwealth, Possession, or District, or of any department
6 or agency thereof, knowingly causes a mobile device phone
7 to be shut down without the consent of the owner or ac-
8 count holder of that mobile device phone or without the
9 order of a court authorizing such shut down shall be im-
10 prisoned not more than 5 years or fined under this title,
11 or both, and shall be removed from such office or employ-
12 ment.

13 “(b) DEFINITIONS.—In this section—

14 “(1) the term ‘account holder’, with respect to
15 a mobile device—

16 “(A) means the person who holds the ac-
17 count through which commercial mobile service
18 or commercial mobile data service is provided
19 on the device; and

20 “(B) includes a person authorized by the
21 person described in subparagraph (A) to take
22 actions with respect to the device;

23 “(2) the term ‘commercial mobile data service’
24 means any mobile service (as defined in Section 3 of
25 the Communications Act of 1934) that is—

26 “(A) a data service;

1 “(B) provided for profit; and

2 “(C) available to the public or such classes
3 of eligible users as to be effectively available to
4 a substantial portion of the public, as specified
5 by regulation by the Commission;

6 “(3) the term ‘commercial mobile service’ has
7 the meaning given the term in section 332 of Com-
8 munications Act of 1934;

9 “(4) the term ‘mobile device’ means a personal
10 electronic device on which commercial mobile service
11 or commercial mobile data service is provided; and

12 “(5) the term ‘shut down’ means to make use
13 of a hardware or software function to remotely—

14 “(A) delete or render inaccessible from the
15 device all information relating to the account
16 holder that has been placed on the device;

17 “(B) render the device inoperable on the
18 network of any provider of commercial mobile
19 service or commercial mobile data service glob-
20 ally, even if the device is turned off or has the
21 data storage medium removed;

22 “(C) prevent the device from being reac-
23 tivated or reprogrammed without a passcode or
24 similar authorization after the device has
25 been—

1 “(i) rendered inoperable as described
2 in subparagraph (B); or

3 “(ii) subject to an unauthorized fac-
4 tory reset; and

5 “(D) reverse any action described in sub-
6 paragraph (A), (B), or (C) if the device is re-
7 covered by the account holder.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 for such chapter is amended by adding at the end the fol-
10 lowing:

“250. Unauthorized remote shutdown of a mobile device.”.

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