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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To provide that the Federal Communications Commission may not prevent a State or Federal correctional facility from utilizing jamming equipment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. KUSTOFF introduced the following bill; which was referred to the Committee on _____

A BILL

To provide that the Federal Communications Commission may not prevent a State or Federal correctional facility from utilizing jamming equipment, 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 “Cellphone Jamming
5 Reform Act of 2023”.

6 **SEC. 2. LIMITATION ON FCC AUTHORITY.**

7 (a) **DEFINITIONS.**—In this section—

1 (1) the term “Commission” means the Federal
2 Communications Commission;

3 (2) the term “correctional facility” means a jail,
4 prison, penitentiary, or other correctional facility;
5 and

6 (3) the term “jamming system”—

7 (A) means a system of radio signal gener-
8 ating and processing equipment and antennas
9 designed to disrupt, prevent, interfere with, or
10 jam a wireless communication into, from, or
11 within a correctional facility; and

12 (B) includes the components and
13 functionality of a system described in subpara-
14 graph (A), such as—

15 (i) antennas, cabling, and cable ele-
16 ments;

17 (ii) the installation, interconnection,
18 and operation of system elements, power
19 levels, and radio frequencies carried on the
20 cables or fed into antennas;

21 (iii) the radiation pattern of the an-
22 tennas; and

23 (iv) the location and orientation of the
24 antennas.

25 (b) RESTRICTION.—

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of law or regulation, and subject to para-
3 graph (2), the Commission may not prevent a State
4 or Federal correctional facility from operating a
5 jamming system within the correctional facility to
6 prevent, jam, or otherwise interfere with a wireless
7 communication that is sent—

8 (A) to or from a contraband device in the
9 facility; or

10 (B) by or to an individual held in the facil-
11 ity.

12 (2) REQUIREMENTS.—With respect to a jam-
13 ming system described in paragraph (1)—

14 (A) the operation of the system shall be
15 limited to the housing facilities of the correc-
16 tional facility in which the system is located;

17 (B) if the correctional facility that operates
18 the system is a State correctional facility, the
19 State that operates the correctional facility
20 shall be responsible for funding the entire cost
21 of the system, including the operation of the
22 system; and

23 (C) the correctional facility that operates
24 the system shall—

- 1 (i) before implementing the system,
2 consult with local law enforcement agencies
3 and other public safety officials in the area
4 in which the facility is located; and
- 5 (ii) submit to the Director of the Bu-
6 reau of Prisons a notification regarding
7 that operation.