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S. 1949

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

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2015

Mr. SCHUMER (for himself, Ms. KLOBUCHAR, Mr. BLUMENTHAL, and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mobile Device Theft Deterrence Act of 2015".

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

(a) IN GENERAL.—Chapter 25 of title 18, United States Code, is amended by adding at the end the following:

"§ 515. Altering or removing unique mobile device equipment identification numbers

"(a) DEFINITIONS.—In this section—

"(1) the term 'manufacturer' means a person who has lawfully obtained the right to assign a mobile device equipment identification number to a mobile device before the initial sale of the mobile device; and

"(2) the term 'unique mobile device equipment identification number' means—

"(A) an international mobile equipment identity number;

"(B) electronic serial number; or

"(C) any other number or signal—

"(i) that identifies a specific mobile wireless communications device; and

"(ii) has the same function and purposes as a number described in subparagraph (A) or (B).

"(b) PROHIBITION.—Except as provided in subsection (d), it shall be unlawful to—

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

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

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

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

"(d) EXCEPTION.—Subsection (b) shall not apply to the manufacturer of a mobile device, a person that engineers, tests, repairs, or refurbishes a mobile device, or a person that implements technologies for the purpose of protecting the security and privacy of mobile device end users while allowing the transmission of the mobile device identification number to service providers, unless the manufacturer or person knows that the mobile device or part involved is stolen.".

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

"515. Altering or removing unique mobile device equipment identification numbers.".

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