

# Calendar No. 269

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1749

To amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 5, 2009

Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Ms. LANDRIEU, Mr. HATCH, Mr. WHITEHOUSE, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

FEBRUARY 2, 2010

Reported by Mr. LEAHY, with amendments

[Omit the part struck through and insert the part printed in italic]

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## A BILL

To amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners.

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 Contraband  
5 Act of ~~2009~~2010”.

1 **SEC. 2. WIRELESS DEVICES IN PRISON.**

2 Section ~~1971~~1791 of title 18, United States Code, is  
3 amended—

4 (1) in subsection (b)—

5 (A) in paragraph (4), by striking “or  
6 (d)(1)(E)” and inserting “, (d)(1)(E), or  
7 (d)(1)(F)”; and

8 (B) in paragraph (5), by striking  
9 “(d)(1)(F)” and inserting “(d)(1)(G)”; and

10 (2) in subsection (d)(1)—

11 (A) in subparagraph (E), by striking  
12 “and” at the end;

13 (B) by redesignating subparagraph (F) as  
14 subparagraph (G); and

15 (C) by inserting after subparagraph (E)  
16 the following:

17 “(F) a phone or other device used by a  
18 user of commercial mobile service (as defined in  
19 section 332(d) of the Communications Act of  
20 1934 (47 U.S.C. 332(d))) in connection with  
21 such service; and”.



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