

118TH CONGRESS  
1ST SESSION

# H. R. 2380

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2023

Mr. KUSTOFF (for himself, Mr. DUNCAN, Mr. NORMAN, Mr. TIMMONS, Mr. FRY, Mr. ADERHOLT, Mr. LAMALFA, Mr. C. SCOTT FRANKLIN of Florida, Mr. WESTERMAN, Mr. FLOOD, Mr. AUSTIN SCOTT of Georgia, Mr. FITZGERALD, Mr. BARR, Mr. LAMBORN, Mr. COLE, Mrs. HOUCHIN, Mr. GIMENEZ, Mr. WILSON of South Carolina, Mr. JOHNSON of Louisiana, Mr. ISSA, Mr. KELLY of Mississippi, and Mr. HILL) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## 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”.

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

2 (a) DEFINITIONS.—In this section—

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

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

8 (3) the term “jamming system”—

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

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

17 (i) antennas, cabling, and cable ele-  
18 ments;

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

23 (iii) the radiation pattern of the an-  
24 tennas; and

25 (iv) the location and orientation of the  
26 antennas.

1 (b) RESTRICTION.—

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

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

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

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

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

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

24 (C) the correctional facility that operates  
25 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.

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