

## HR 2168

GPS Act

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Jun 14, 2011

**Current Status:** Subcommittee Hearings Held.

**Latest Action:** Subcommittee Hearings Held. (May 17, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/2168>

### Sponsor

---

**Name:** Rep. Chaffetz, Jason [R-UT-3]

**Party:** Republican • **State:** UT • **Chamber:** House

## Cosponsors (27 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Jun 14, 2011
Rep. Welch, Peter [D-VT-At Large]	D · VT		Jun 16, 2011
Rep. Coble, Howard [R-NC-6]	R · NC		Jul 21, 2011
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Sep 9, 2011
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Sep 20, 2011
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Sep 20, 2011
Rep. Farr, Sam [D-CA-17]	D · CA		Oct 25, 2011
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Oct 26, 2011
Rep. Hirono, Mazie K. [D-HI-2]	D · HI		Jan 17, 2012
Rep. Filner, Bob [D-CA-51]	D · CA		Jan 27, 2012
Rep. Lee, Barbara [D-CA-9]	D · CA		Feb 1, 2012
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Feb 2, 2012
Rep. Rohrabacher, Dana [R-CA-46]	R · CA		Feb 8, 2012
Rep. Pingree, Chellie [D-ME-1]	D · ME		Feb 15, 2012
Rep. Clarke, Hansen [D-MI-13]	D · MI		Feb 27, 2012
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Mar 7, 2012
Rep. Latham, Tom [R-IA-4]	R · IA		Mar 29, 2012
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		May 8, 2012
Rep. Chu, Judy [D-CA-32]	D · CA		May 18, 2012
Rep. Polis, Jared [D-CO-2]	D · CO		May 18, 2012
Rep. Tsongas, Niki [D-MA-5]	D · MA		Jun 8, 2012
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		Jul 9, 2012
Rep. Johnson, Timothy V. [R-IL-15]	R · IL		Jul 25, 2012
Rep. Markey, Edward J. [D-MA-7]	D · MA		Aug 1, 2012
Rep. Chabot, Steve [R-OH-1]	R · OH		Aug 7, 2012
Rep. Bishop, Rob [R-UT-1]	R · UT		Oct 16, 2012
Rep. Poe, Ted [R-TX-2]	R · TX		Nov 28, 2012

## Committee Activity

Committee	Chamber	Activity	Date
Intelligence (Permanent Select) Committee	House	Referred To	Jun 14, 2011
Judiciary Committee	House	Hearings By (subcommittee)	May 17, 2012

## Subjects & Policy Tags

### Policy Area:

Crime and Law Enforcement

## Related Bills

Bill	Relationship	Last Action
112 HR 6529	Related bill	Oct 3, 2012: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
112 S 1212	Related bill	Jun 15, 2011: Read twice and referred to the Committee on the Judiciary.

Geolocation Privacy and Surveillance Act or the GPS Act - Amends the federal criminal code to prohibit intentionally: (1) intercepting geolocation information pertaining to another person; (2) disclosing to any other person such information pertaining to another, knowing that the information was obtained in violation of this Act; (3) using geolocation information, knowing that the information was obtained in violation of this Act; or (4) disclosing to any other person the geolocation information pertaining to another person intercepted by means authorized under this Act, knowing that the information was obtained in connection with a criminal investigation, having obtained or received information in connection with a criminal investigation, with intent to improperly obstruct, impede, or interfere with a duly authorized criminal investigation. Sets penalties for violations.

Makes specified exceptions for interceptions involving: (1) information acquired by a provider of covered services (electronic communication service, remote computing service, or geolocation information service) in the normal course of business; (2) federal officers, employees, or agents conducting foreign intelligence surveillance; (3) persons having given prior consent; (4) public information; (5) emergency information; (6) theft; and (7) a warrant.

Prohibits: (1) a person providing covered services from intentionally divulging geolocation information pertaining to another person, with exceptions; and (2) the use of such information, and evidence derived from it, as evidence. Authorizes: (1) the use of geolocation information by investigative or law enforcement officers, or by a state's principal prosecuting attorney, to intercept such information under specified emergency circumstances; and (2) the recovery of civil damages by any person whose geolocation information is intercepted, disclosed, or intentionally used in violation of this Act.

Modifies the Federal Rules of Criminal Procedure to require a search warrant to acquire geolocation information.

Amends the federal criminal code to include any geolocation information service within the definition of a "covered entity" for purposes of provisions prohibiting obtaining confidential phone records information from such an entity by fraud or related activity.

Directs the United States Sentencing Commission to review the federal sentencing guidelines and policy statements applicable to persons convicted of fraud and related activity in connection with obtaining certain confidential phone records information.

Prohibits acquiring geolocation information of a person for protective activities or law enforcement or intelligence purposes except pursuant to a warrant issued under the Federal Rules of Criminal Procedure or the Foreign Intelligence Surveillance Act.

## **Actions Timeline**

---

- **May 17, 2012:** Subcommittee Hearings Held.
- **Jul 11, 2011:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Jun 14, 2011:** Introduced in House
- **Jun 14, 2011:** Referred to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.