

113TH CONGRESS
1ST SESSION

S. 517

To promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 11, 2013

Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. HATCH, Mr. LEE, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, 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 “Unlocking Consumer
5 Choice and Wireless Competition Act”.

6 **SEC. 2. REPEAL OF EXISTING RULE AND ADDITIONAL**
7 **RULEMAKING BY LIBRARIAN OF CONGRESS.**

8 (a) REPEAL AND REPLACE.—Paragraph (3) of sec-
9 tion 201.40(b) of title 37, Code of Federal Regulations,

1 as amended and revised by the Librarian of Congress on
2 October 28, 2012, pursuant to his authority under section
3 1201(a) of title 17, United States Code, shall have no
4 force and effect, and such paragraph shall read, and shall
5 be in effect, as such paragraph was in effect on July 27,
6 2010.

7 (b) RULEMAKING.—Not later than 1 year after the
8 date of enactment of this Act, the Librarian of Congress,
9 upon the recommendation of the Register of Copyrights,
10 who shall consult with the Assistant Secretary for Commu-
11 nications and Information of the Department of Com-
12 merce and report and comment on his or her views in mak-
13 ing such recommendation, shall determine, consistent with
14 the requirements set forth under section 1201(a)(1) of
15 title 17, United States Code, whether to extend the exemp-
16 tion for the class of works described in section
17 201.40(b)(3) of title 37, Code of Federal Regulations, as
18 amended by subsection (a), to include any other category
19 of wireless devices in addition to wireless telephone
20 handsets.

21 (c) RULE OF CONSTRUCTION.—Nothing in this Act
22 alters, or shall be construed to alter, the authority of the
23 Librarian of Congress under section 1201(a)(1) of title
24 17, United States Code.

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