

113TH CONGRESS
1ST SESSION

S. 467

To allow consumers to unlock mobile wireless devices for interoperability purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2013

Mr. WYDEN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To allow consumers to unlock mobile wireless devices for interoperability 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 “Wireless Device Inde-
5 pendence Act of 2013”.

6 **SEC. 2. ALLOWING CONSUMERS TO UNLOCK CELL PHONES.**

7 (a) IN GENERAL.—Section 1201(a)(1)(B) of title 17,
8 United States Code, is amended by striking “not apply
9 to persons” and inserting the following: “not apply to—

1 “(i) a user of a computer program, in
 2 the form of firmware or software, that en-
 3 ables a wireless telephone handset, or other
 4 wireless device that can connect to the
 5 Internet, originally acquired from the oper-
 6 ator of a wireless telecommunications net-
 7 work or retailer to connect to a different
 8 wireless telecommunications network if—

9 “(I) the user legally owns a copy
 10 of the computer program;

11 “(II) the use of the computer
 12 program by the user is solely for the
 13 purpose of connecting to such wireless
 14 telecommunications network; and

15 “(III) the access to such wireless
 16 telecommunications network is author-
 17 ized by the operator of the network;
 18 or

19 “(ii) persons”.

20 (b) CONFORMING AMENDMENTS.—Section
 21 1201(a)(1) of title 17, United States Code, is amended—

22 (1) in subparagraph (C), by striking “subpara-
 23 graph (B)” and inserting “subparagraph (B)(ii)”;
 24 and

1 (2) in subparagraph (E), by striking “Neither
2 the exception” and inserting “Neither of the excep-
3 tions”.

4 **SEC. 3. EFFECTIVE DATE.**

5 The amendments made by this Act shall take effect
6 as if enacted on January 26, 2013.

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