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.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Wireless Device Inde-
pendence Act of 2013”.

SEC. 2. ALLOWING CONSUMERS TO UNLOCK CELL PHONES.

(a) IN GENERAL.—Section 1201(a)(1)(B) of title 17,
United States Code, is amended by striking “not apply to persons” and inserting the following: “not apply to—
“(i) a user of a computer program, in the form of firmware or software, that enables a wireless telephone handset, or other wireless device that can connect to the Internet, originally acquired from the operator of a wireless telecommunications network or retailer to connect to a different wireless telecommunications network if—

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

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

“(III) the access to such wireless telecommunications network is authorized by the operator of the network; or

“(ii) persons”.

(b) Conforming Amendments.—Section 1201(a)(1) of title 17, United States Code, is amended—

(1) in subparagraph (C), by striking “subparagraph (B)” and inserting “subparagraph (B)(ii)”;

and
(2) in subparagraph (E), by striking “Neither the exception” and inserting “Neither of the exceptions”.

SEC. 3. EFFECTIVE DATE.

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