

113TH CONGRESS
1ST SESSION

S. _____

To allow consumers to unlock cell phones for interoperability purposes.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To allow consumers to unlock cell phones 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—
10 “(i) a user of a computer program, in
11 the form of firmware or software, that en-

1 ables a wireless telephone handset, or other
2 wireless device that can connect to the
3 Internet, originally acquired from the oper-
4 ator of a wireless telecommunications net-
5 work or retailer to connect to a different
6 wireless telecommunications network if—

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

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

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

17 “(ii) persons”.

18 (b) CONFORMING AMENDMENTS.—Section
19 1201(a)(1) of title 17, United States Code, is amended—

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

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

1 SEC. 3. EFFECTIVE DATE.

2 The amendments made by this Act shall take effect

3 as if enacted on January 26, 2013.