Congress Introduces Reworked Phone Unlocking Bill

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U.S. Senators Monday announced new bipartisan legislation geared toward making it easier for consumers to unlock their cell phones [1] and take them with to a new carrier.

Senate Judiciary Committee Chairman Senator Patrick Leahy (D-Vt.), Ranking Member Chuck Grassley (R-Iowa) and their cosponsors last year brought out the Unlocking Consumer Choice and Wireless Competition Act as a response to revisions to the Digital Millennium Copyright Act.

In January 2013, the U.S. Copyright Office of the Library of Congress made unlocking a cell phone illegal in some circumstances [2]. The move was made to help stem large-scale phone trafficking but left a chance that consumers could face penalties for unlocking their devices, ranging from fines of $2,500 to five years in prison.

More than 100,000 people signed a petition imploring the White House to make unlocking legal again, the FCC agreed to investigate the matter [3].

Opponents of the new rules, like Sherwin Siy of consumer advocacy group Public Knowledge, issued scathing indictments.

"It's a little ridiculous to think that copyright laws are intended to prevent people from switching between different phone providers easily," Siy wrote in a blog. "Instead of being used to reward authors and creators (it's not like the phone firmware is a big cash cow for anyone), it's being used to lock customers in to their existing providers, hurting their ability to vote with their feet and switch to a competitor."

Meanwhile CTIA defended the rules, saying that consumers could still unlock their devices and that the measure was aimed at curbing the practice of unlocking and selling devices outside of the U.S.

In light of the varied opinions on the matter, the Senators now have a modified bill that “focuses on the needs of individual consumers” and “strikes a narrow and commonsense compromise that promotes competition and improves consumer choice.”

“Empowering people with the freedom to use the carrier of their choice after complying with their original terms of service is the right thing to do,” Grassley said in a statement. “This bipartisan agreement is an important step forward in ensuring that there is competition in the industry and in safeguarding options for consumers

as they look at new cell phone contracts."

The new legislation will be on this week's agenda for the Judiciary Committee meeting.

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http://www.wirelessweek.com/news/2014/06/congress-introduces-reworked-phone-unlocking-bill

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[1] http://www.leahy.senate.gov/press/senate-judiciary-committee-to-take-up_cellphone-unlocking-bill-this-week
[2] http://www.wirelessweek.com/news/2013/01/unlocking-your-cell-phone-now-crime
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