

Passed voice vote

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 1123
OFFERED BY MR. CHAFFETZ OF UTAH AND MS.
LOFGREN OF CALIFORNIA**

Page 1, strike lines 6 and 7 and insert the following:

1 (a) REPEAL AND REPLACE.—Paragraph (3) of sec-
2 tion

Page 1, strike line 16 and all that follows through
page 2, line 21.

Page 3, insert the following after line 10 and redese-
ignate the succeeding subsection accordingly:

3 (c) UNLOCKING AT DIRECTION OF PURCHASER OR
4 FAMILY MEMBER.—With respect to paragraph (3) of sec-
5 tion 201.40(b) of title 37, Code of Federal Regulations,
6 as made effective by subsection (a) of this subsection, and
7 with respect to any other category of wireless devices, in
8 addition to wireless telephone handsets, with respect to
9 which, as determined by the Librarian of Congress in a
10 rulemaking conducted under subsection (b) or otherwise
11 under section 1201(a)(1)(C) of title 17, United States
12 Code, circumvention of a computer program by the owner
13 of a copy of the program is permitted solely in order to

1 connect to a wireless communications network when such
2 connection is authorized by the operator of such network,
3 in the case of a purchaser of such handset or device for
4 personal use, such circumvention may be initiated by the
5 purchaser, by a family member of such purchaser, or by
6 another person at the direction of such purchaser or fam-
7 ily member, for the sole use or benefit of such purchaser
8 or family member.

Page 1, line 15, strike “paragraph (2) and sub-
section (c)” and insert “subsections (c) and (d)”.

Strike section 3 (page 3, line 20 through page 4,
line 18).

