

This comment addresses categories 4 (exemption request proposed by the [Software Freedom Law Center](#) to allow jailbreaking of "personal computing devices." ) and 5 (smartphones). It explains why the exemption is needed and how it applies to smartphones.

I am a deaf man with a very mobile lifestyle – I have a family, two jobs and two college classes, so I'm out and about often. I use my Samsung Epic 4G mobile phone for communication, record-keeping and time management.

The Epic is a relatively powerful phone that makes substantial demands on the battery, and thus battery power is a limited resource. My phone came with software installed by my carrier (Sprint) that consumes memory and battery power. Much of this software is designed to engage the user in additional revenue-producing services offered by Sprint.

I don't have any use for most of it.

What I do need is maximum connectivity. I communicate often using what's called a video relay service (VRS). It allows me to use my Epic as a video phone to connect to a service with a sign language interpreter, who in turn calls the hearing person I need to talk to. I can also use it to call deaf friends directly. It's a fantastic tool, and it helps make it possible for me and many of my deaf peers to work on a level playing field with hearing peers and have productive and meaningful careers.

Running VRS software on a phone demands a lot of battery power – during calls the screen remains lit for long periods and the radio connection is very active.

I need a phone that can run VRS software through the day without having to recharge every other hour. The stock phone I received can't do that. I had to upgrade to a more powerful battery and replace the stock enclosure with one that can accommodate the larger battery. Then I installed an alternative version of the Android operating system called CleanGB that removes most of the carrier-installed software. This freed up memory and battery resources I need to stay connected.

We need the ability to modify our devices because manufacturers and carriers can't possibly anticipate all the needs of their customers. We need flexibility to make the most of the terrific tools they build for us. I love the power and connectivity my phone gives me. I love that I can customize it to meet my unique needs.

Industry representatives tell us they want to secure their networks and create a consistent customer experience by locking down the devices they sell. But we also know that steering people toward their own service offerings is a big factor here too.

Do open devices create some instabilities? Sure. But we need the best of both worlds – the creativity of the markets, and the creativity of the customers. It's not unusual to see carriers adopt innovations that first appeared in software developed by customers. Keep that dialogue alive and we all benefit – customers have products they enjoy, business has products that sell well. Renewing and expanding the DCMA exemption will help make that happen.

Locking down devices locks out creativity and innovation – and we're all poorer for it.

– Kevin McLeod

