

To Whom It May Concern:

A failure to continue allowing smart phone and tablet users to "root" and "jailbreak" their personal devices would be a tremendous slap in the face of consumers. Surely you are familiar with the frustration of buying a device whose performance does not even begin to approach what the advertised specs suggest it is capable of, only to be further disappointed by the bloat-ware installed by the manufacturer and wireless carrier. We must be allowed to make *responsible* changes to the devices we use every day for the following reasons:

- **Functionality:** My personal example involves my recent purchase of a T-Mobile G2X Android Smartphone. When I bought the phone, it would freeze up, shut off, and reboot randomly. No carrier update was available to fix this issue for several months, and T-Mobile refused to even admit that there was a problem. Imagine how shocked I was when T-Mobile released an update several months later that (in it's release notes) claimed to fix the freezing/shutting off/rebooting issue that, according to them, didn't exist. Here's the kicker: The update did not fix the problem on my phone, and since the problem "did not exist" (even though they issued an update to address it) I was not able to get a new phone under warrantee. In the end, "rooting" my phone and installing a custom version of Android was the only thing that made my phone consistently usable. **IF CONSUMERS ARE NO LONGER ALLOWED TO ROOT AND JAILBREAK THEIR DEVICES, I WOULD BE STUCK WITH A BROKEN DEVICE AND I WOULD BE POWERLES TO DO ANYTHING ABOUT IT.** I'm not doing anything evil here, I just want my phone to work!
- **Privacy:** If the Carrier IQ debacle has taught us anything, it is that businesses are economically motivated to look out for themselves, not consumers. There are literally millions of phones out there that still have this software on them. The carriers have allegedly turned the servers off, but how do I, as a consumer, get to independently verify that? The carriers are rolling out updates to remove the software from phones, but how long is an end-user required to wait before this vulnerability is fixed? It even looks like this software breaks federal wire tapping laws! My point is this: Carrier IQ can be removed with root access. If root access is outlawed again, users will again be at the mercy of carriers and manufacturers (the same ones that possibly broke the law to install it in the first place) to remove the software when they get around to it.
- **The main arguments against it are wrong, at best:** The main argument against allowing root access is the networks these devices run on might be compromised. We have legally allowed root access and jailbreaking for quite some time now, and my networks (wireless and otherwise) have never run better. Lets use an analogy here: I am allowed to make modifications to my car, since I own it. Some modifications could be very dangerous to me or other drivers, so they are banned. However, the general practice of modifying a car is still allowed. If carriers and manufactures are worried about their networks, let them ban the specific modifications that cause harm. Allowing them to have you ban modifications outright is like letting them use a nuclear weapon to demolish an old shed. The shed will be demolished, but so will the surrounding neighborhood, city, county, etc...
- **Innovation:** In the case where these vendors fail to innovate and capture the true capabilities of today's technology, please allow us to step in and take care of it ourselves. We have, as consumers, proven that we can do this, and the advances made on the consumer side often end up in the manufacturer versions down the road. **INNOVATION AND CREATION ARE NOT THE EXCLUSIVE PERVIEW OF THE BUSINESS WORLD.**

You owe it to your constituency to take an honest look at this potential rule change. Please continue to empower us to protect ourselves when our interests to run parallel to the businesses we depend on for our phones, tablets, and other personal devices. These are computers, and should be treated as such. Where these companies drag their feet and fail to innovate, we should be able to step in and help ourselves.

Sincerely,

Matt Stuart