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Device Classes 4 and 5

I am a privacy advocate, computer hobbyist, writer, and mother of three teenage daughters. On my smartphones, tablets, and laptop computers, I install software that keeps my identity and my location (IP address) private, encrypts my communications, and encrypts the data on my devices. I think that these measures are fundamental to defending my dignity and autonomy. I install the same software on my daughters' devices. I teach my daughters that many profit-seeking people and a few unscrupulous people might otherwise use information about them in ways that could harm them or make them unhappy. The solution is not to throw up our hands and declare that "Privacy is dead!" Instead, we take responsibility to make the devices that we own protect us.

I want to take these measures legally. I am a writer, past contributor to The Economist magazine, and author of Kidding Ourselves (Basic Books, New York, 1995). I have benefitted from the copyright law's protection of my writing. Of course, the de facto protections that copyright can offer to writers are shrinking. Nonetheless, I do not abuse my practical ability to copy other people's writing, artwork, or music. I don't copy those works unless I have the permission of the writer or artist. I teach my daughters to exercise the same respect. They don't make infringing copies, either.

Hypocrisy is painful. I prefer to avoid it. I want very much to be able to install privacy, security, and communication software on my devices--and my daughers' devices--without violating legally protected rights of the manufacturers and programmers of the devices. My interest in privacy and security and their interest in protecting their work really do not seem to be in conflict. To me, this customizing is like putting stronger bumpers on my car. I am the owner, making what I bought work better for me.

Examples of the software that I install:
Cydia, a store containing third-party software for Apple devices: http://cydia.saurik.com
Tor (the Onion Router): http://torproject.org
OpenSSH: http://thebigboss.org/guides-iphone-ipod-ipad/install-and-use-ssh
Orbot, Tor for Android phones: http://guardianproject.info/apps/orbot/
full-device encryption, such as Luks: http://code.google.com/p/cryptsetup/
Firefox modified to use "Https Everywhere," "No Script," and "Disconnect": http://donttrack.us/
CyanogenMod: a higher performance operating system for Android phones: http://www.cyanogenmod.com/

The U.S. Copyright Office has already made an exemption to the Digital Millenium Copyright Act to allow the jailbreaking ("rooting") of iPhones. I had to jailbreak my iPhone 3G in order to install Tor. I also had to jailbreak my iPhone 3G in order to install OpenSSH, available on Cydia. This program gives me a terminal window with a command line and an encrypted channel to other computers. It lets me use my iPhone to communicate with a computer in Tokyo that I administer as a relay on the Tor network. I now have a little computer in my pocket from which--wherever I am--I can do lots of administration work on remote computers, such as my account on a Stanford University server and my account on a Hurricane Electric server in Fremont, California, which hosts one of my Web sites. It also lets me see the entire file system of the iPhone itself and correct corrupted files.

I would like to run all these programs on our iPad and my Samsung Android smartphone. I am considering buying an Amazon Kindle or Barnes and Noble Nook Color. I will also want to run my privacy, security, and communication software on those devices. I will have to jailbreak them. Please create an exemption in the DMCA, so that I may do so legally.

Sincerely,

Rhona Mahony