



March 20, 2020

The Honorable Delores G. Kelley, Chair
The Honorable Brian J. Feldman, Vice-Chair
Member of the Senate Committee on Finance
Maryland Senate
Annapolis, MD 21401

Re: Letters of Support for Right to Repair SB 723 from The Repair Association
The Repair Association is pleased to present a collection of letters of support from many of our larger member associations, most of whom do business or have clients in Maryland.

They are presented in the PDF below.

In addition to their individual letters we have also provided a letter of general support as Repair.Org along with a partial list of our membership which has now grown to over 400 non-profits, repair, recycling and reuse businesses and a roughly 50 individuals from all over the USA.

Please feel free to contact me if you have any questions or concerns.

Regards,

Gay Gordon-Byrne

Gay Gordon-Byrne
Executive Director, The Repair Association

ggbyrne@repair.org

201-747-4022 (mobile)

518-251-2837 (office)

Author, "Buying, Selling and Supporting Software and Equipment, an IT Manager's Guide to Controlling the Product Lifecycle." CRC Press 2014

Memorandum of Support for Right to Repair / Fair Repair Legislation

January 4, 2020

The Repair Association represents the combined interests of individuals and businesses making their living repairing, refurbishing, reselling, and recycling electronic equipment. Our over 400 supporting members collectively represent roughly 15 million US consumers. The industry of repair contributes roughly 6% of GDP - and employs roughly 3 million nationally.

Over the past twenty years, manufacturers have made the legal business of repair difficult or impossible through a variety of tactics. We estimate that 90% of products on the market today with a digital electronic component are un-repairable by design or policy.

The impact on consumers, business, agriculture, education, industry, medicine and the environment is profound. Without choice of repair other than from the manufacturer, including the option of self-repair, every individual and every organization are being forced to discard products and buy new on terms and conditions they no longer control. The result is that our homes, schools and businesses are filled with electronics we can't fix—and our repair options are dwindling. Meanwhile, we have a shrinking number of technicians who can keep our electronics going. This bill will help turn this tide.

The downside for opponents is the renewed presence of competition. Competition drives fair pricing, creates incentives for excellence in service and availability, and stimulates innovations throughout the marketplace. There aren't any markets made better by monopolies, including the market for repair.

Our association and our members are excited to help support all legislative efforts.

Sincerely,

Gay Gordon-Byrne

Gay Gordon-Byrne, Executive Director
The Repair Association <https://repair.org>
ggbyrne@repair.org
518-251-2837 (office)
201-747-4022 (mobile)

Charities & Non-Profits

US Public Interest Research Groups *
Consumer Reports / Consumers Union
Electronic Frontier Foundation (EFF) *
Institute for Local Self-Reliance (ILSR)
Fixers Collective
Open Technology Institute (OTI)
Owner's Rights Initiative (ORI)
Public Knowledge (PK)
AFTRR.org
Impact Recyclers
National Cristina Foundation

Business & Trade Associations

Association of Service and Computer Dealers /NATD *
Service Industry Association *
United Network Equipment Dealers Association
Institute of Scrap Recycling Industries (ISRI)
Reverse Logistics Association
Alliance for Quality Medical Device Servicing
International Association of Medical Equipment Repair
Society of Professional Locksmiths
American Watchmaker Clock Maker Institute
American Engine Rebuilders Association
American College of Clinical Engineering
Motor and Equipment Manufacturers Association
Specialty Equipment Manufacturers Association
Automotive Parts Recycling Association

Education & Academic

Association of Research Libraries
Berkman Center for Internet and Society (Harvard)
RIT Golisano Institute for Sustainability
Samuelson Law, Technology & Public Policy Clinic
USC Gould School of Law
Foss Force
Brooklyn Public Library
Secure Repairs *
Woodward Academy
Fieldston School

Sustainability & Environment

Environment America
Sustainability Procurement Leadership Council
Greeneye Partners
e360 Technologies
Knows Green *
Lower East Side Ecology Center
Silicon Valley Toxics Coalition
South Shore Recycling Cooperative
Solid Waste Association of North America - NY
Electronics Take-Back Coalition
Fixers Collective
GE Efund Recycling
Laptop UpCycle
Repair Cafe of Hudson Valley
TechDump
The Restart Project
Post Landfill
Reuse Alliance
The BASEL Action Network
Good Point Recycling

Agriculture

American Farm Bureau Federation
National Farmers Union
Nebraska Farm Bureau
Texas Farm Bureau
Michigan Farm Bureau
Iowa Farm Bureau
National Corn Growers
Kansas Wheat Growers
Idaho Potato Growers
NY Farm Bureau
Massachusetts Farm Bureau
Northeast Dairy Foods Association

Website

uspirg.org
consumersunion.org
eff.org
ilsr.org
fixerscollective.org
newamerica.org/oti
ownersrightsinitiative.org
publicknowledge.org
aftrr.org
impactrecyclers.com
cristina.org

Website

ascdinatd.org
servicenetwork.org
uneda.com
isri.org
rla.org
deviceservicingalliance.com
iamers.org
sopl.org
awci.org
aera.org
ACCE.org
mema.org
sema.com
a-r-a.org

Website

arl.org
cyber.harvard.edu
rit.edu/sustainabilityinstitute
law.berkeley.edu
gould.usc.edu
fossforce.com
bklynlibrary.org
securerepairs.org
woodward.edu
ecfs.org

Website

environmentamerica.org
splc.org
greenevepartners.com
e360tech.com
greenevepartners.com
lesecologycenter.org
svtc.org
ssrcoop.info
swanansys.org
electronicstakeback.com
fixerscollective.org/about
computerrehab.org
laptopupcycle.org
repaircafevh.org
techdump.org
therestartproject.org
postlandfill.org
reusealliance.org
ban.org
retetworks.net

Website

fb.org
nfb.org
nefb.org
texasfarmbureau.org
michfb.com
iowafarmbureau.com
ncqa.com
kswheat.com
unitedpotato.com
nyfb.org
mafb.org
nedairyfoods.org

Specialty

Advocacy for the Public Interest
Consumer Focused Research & Advocacy
Digital rights legal foundation
Re-use and recycling advocates for charities
Community based repair events
Advocacy for open technology
Protecting owners rights in Congress and Agencies
Digital Rights Advocacy
Non-profit refurbishers for charities
Network of recyclers employing hard to employ adults
Network of educational based technology charities

Specialty

450 member trade association for computer resale
220 Multinationals representing 300,000 employees
Networking equipment trade association
Trade association for scrap recycling & electronics warehouse, distribution, logistics of parts distribution
Hospital Facilities Managers for over 1500 facilities
120 used medical equipment trading companies
training and support for independent locksmiths
4,000 member independent watch repair
Trade Association favoring right to repair
Policy favoring Right to Repair
independent equipment repair
custom auto industry
over 9,000 recycling locations

Specialty

Academic Research Libraries
legal research
remanufacturing for sustainable use
Legal clinic
Legal clinic
Advocacy for open technology aka Richard Stallman
Access to service documentation for lending
cyber security researchers
K-12 private school
K-12 private school

Specialty

29 State Chapters
Corporate sustainability managers
Recycling audits and compliance
Recommerce and e-waste
Engineering consultancy on eco-design
Manages e-waste for NYC
Environmental advocacy
Municipal Recyclers in MA
Solid Waste Handling Trade Association
35 Environmental Coalition Members
fixer events throughout NY City
repair and refurbishment of computers for education
refurbished used computers for education
community based repair clinics
Electronics recycler employing hard-to-employ adults
UK based social fixer events
80 chapters of student recyclers at major universities
110 Reuse Organizations
Developer of E-Stewards standards
Fair Trade Recycling

Specialty

National Policy Supporting Right to Repair
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* Indicates Current Board Member



January 4, 2020

To Whom it may concern:

Subject: Memorandum of Support for Right to Repair / Fair Repair Legislation

The Reverse Logistics Association (RLA) represents the interests of organizations engaged in the to the reverse flow of products and materials for the purpose of returns, repair, remanufacture, and/or recycling. Our members support retailers and wholesalers of all forms of products from consumer goods to industrial supplies. Any consumer that has returned a product under warranty or for a refund has been supported by our members.

As internet shopping increases – the volume of returns has increased as well. Retailers rely upon the return logistics industry to recover value from returns. While new clothing may be returned to stock without delay – electronics require far more review once removed from their packaging.

Returned electronics require costly extra handling, testing and repair before being resold. Limitations on repair instantly devalue returned equipment - often to the point where brand new equipment is sent to recyclers. Recyclers could recover value for resale as spare parts from new, but non-functional products, but require more information to make parts harvesting practical. “Right to Repair” legislation will help the return logistics process be more successful. Costs of handling will be offset by parts values and prices to consumers will drop.

We urge immediate passage of Right to Repair / Fair Repair legislation.

Best regards,

Tony

Tony Sciarrotta

Executive Director

The Reverse Logistics Association

2300 Lakeview Parkway, Suite 700,

Alpharetta, GA. 30009 USA

tony@rla.org • www.rla.org

Newall Watch Materials

104 Wabash Street Pittsburgh, PA 15220-5400 (412) 539-0400 Phone
(412) 539-0404 Fax info@newallwatch.com email

January 4, 2020

Re: Memorandum of Support for Right to Repair / Fair Repair Legislation

My name is Tom McRoy and I've been working in the watch repair industry for over 45 years. My employer has been in business for over 100 years. Over the last 20 years, significant new challenges have appeared that have never been experienced previously and have all but devastated the business of watch repair in the US.

Most market-leading watch companies, nearly all based in Switzerland, have restricted or eliminated the supply of parts to the independent watch repair trade for the purpose of funneling all consumer repairs to themselves. Watch owners in any location are now forced to use only the services offered by the OEM without any competitive local options. Lack of competition is costly for consumers and crushing to local (US) businesses. Options to become "Authorized" are punishingly costly without any guarantees of long-term access to parts and tools at any price.

The key problem is access to parts and repair information, which Right to Repair would address. While independent technicians can find original (genuine OEM) or suitable after-market parts without factory cooperation, the time spent searching for parts is uncompensated. This often results in less time at the workbench which is how people make a living in the watch repair industry.

These limited repair options impact traditional retail jewelry stores as well. There is little profit in selling watches due to the factories insistence that all repairs must go through them. Retailers are hesitant to sell an item that would require a factory return for repair, rather than faster/more economical service for which they built their reputations for service and support. The option of local repair is hurting retailers as well as highly skilled repair businesses. Under current conditions, the future of an independent repair person appears to be bleak.

I urge you to pass legislation that removes the stranglehold that OEMS currently enjoy on all parts, digital as well as mechanical.

Sincerely,
Tom McRoy



January 4, 2020

Letter of Support for Right to Repair / Fair Repair Legislation

The Service Industry Association is the leading trade association representing businesses engaged in the support, maintenance and repair of high-technology equipment for business, industry and government. Our over 400 members collectively employ roughly 300,000 service professionals in North America, Europe and Asia/Pacific.

Nearly every data center or cloud hosting facility in the western world makes use of independent repair services provided by our members either directly or as agents of other repair providers including OEMs. The same OEMs that hire our members to do their skilled work then actively promote that hiring independents will create danger and risk -- when in fact they could not support their own repair contracts without us. We are their arms and legs but are blocked from competition.

Right to Repair or Fair Repair legislation will restore the option of competition to equipment owners of all kinds - from the individual consumer to the largest cloud hosts. Our members will have to provide excellent service in order to compete in a free market and we welcome the opportunity. We believe that competition makes all businesses sharper, more attentive to their customers, and drives innovation at every level. We urge you to pass this essential legislation on behalf of equipment owners everywhere.

Sincerely,

Claudia

A handwritten signature in black ink, reading "Claudia J. Betzner". The signature is written in a cursive style.

Executive Director
2164 Historic Decatur Road, Villa Nineteen
San Diego, CA 92106 USA



December 11, 2019

Memorandum of Support for Right to Repair / Fair Repair Legislation

My name is Kristina and I am the Helpdesk Technical Support Specialist at Woodward Academy in Atlanta, GA. As the largest independent school in the continental United States, our IT department is responsible for the maintenance of over 4,000 computers, as well as hundreds of peripheral devices such as projectors, SMARTboards, cell phones, and more. As the Student Technical Support Specialist I am personally responsible for assisting students in grades 7-12 with their devices; about 600 iPads for the 7th & 8th grade, issued by Woodward Academy, and 1,100 laptops owned by the students in 9th -12th. In order to keep our devices in working order, we need to be able to access manuals and parts which are increasingly difficult to find.

For example, our most recent order of laptops have a number of defects such as loose display cables & disconnected batteries. It should be relatively easy to fix these issues, but the manufacturer (Lenovo) won't release a manual for physical repairs. Instead, they insist we mail the laptop to them and so far, the quickest turn-around time is 5-weeks. That's the fastest we've had a laptop returned, and most take longer than that. If we were able to repair the devices ourselves, we could have it completed in 1-2 hours. Instead, our teachers are without their laptop for several weeks at a time.

Right to Repair (or Fair Repair) legislation would make our work easier, faster, and more efficient, which would improve our ability to support our teachers and provide students with better learning resources.

We urge you to pass enabling legislation as soon as possible in 2020.

Thank you for your time,

Kristina Swim
Helpdesk Technical Support Specialist
Woodward Academy
IT Department

kristina.swim@woodward.edu
404-765-4127



January 7, 2020

Memorandum of Support for Right to Repair / Fair Repair Legislation:

My name is Scott C. Swain and I am the Executive Director for Trident Computer Resources, Inc. Our company provides maintenance services for enterprise level computers and storage devices worldwide with headquarters in Eatontown, New Jersey and twelve offices throughout the USA. In order to perform our work, we need to be able to OEM certified spare parts and repair manuals which are increasingly difficult to access and restricted by the OEM.

Right to Repair legislation would make our work more accessible, and user friendly thereby improving our ability to support our customers. Our clients, who own their hardware, should have the ability to select whomever they choose to maintain the systems to best support their needs.

We urge you to pass enabling legislation as soon as possible in 2020.

Sincerely,

TRIDENT COMPUTER RESOURCES, INC.

A handwritten signature in black ink, appearing to read "Scott C. Swain", with a horizontal line underneath.

Scott C. Swain
Executive Director

Support for Right to Repair from ProWelderGuide.com

Repairs By Welding: Can You Legally Fix That?

Examples of welding are everywhere. From vehicles large and small, to bridges, walls, pipelines, and turbines, a welder is often tasked with fusing two or more pieces of metal together. Skilled welders may even begin to repair metal structures, fortify weakened structural elements, work with robotics and automated systems as their experience increases.

The Current Situation

No doubt, welders around America are experiencing a conundrum: computer-based technology is making it difficult to do the repairs that need to be done. The reason is flustering and frustrating. Presently, electronic equipment—that means everything from an iPhone to a car's on board computer system—is protected by a copyrighted product's End-User License Agreement ([EULA](#)).

In other words, if a welder needs to repair the metal frame of a backhoe tractor but runs into sensor circuitry, that technician may not be able to continue on. Should they remove that sensor or disconnect it and something happens, the welder cannot acquire the diagnostic software required to fix the problem. And good luck trying to get the manufacturer to sell the software!

Or what happens when the MIG welder is on the fritz and the amplitude is reading correctly or the electrode blew? Those components, too, could be protected by the EULA set forth by the digital copyright.

It is no longer just about simple tool-in-hand repairs. Everything—from computers to tractors—has a technological roadmap that must be navigated. The heightened difficulty in repairs, even ones for welding, is leading to only one other alternative: replacement.

A Freedom to Repair

For welders, repairing electronic and mechanical equipment is part of the job. Despite the maintenance of machines and gadgets being critical to some of the most essential occupations in the economy, technology companies are selfishly clutching their copyrights and EULAs to their chests.

In terms of ownership rights, the owner of a device should be able to choose how and where they receive repairs for their equipment. Having the right to repair your own machinery and technology would be a huge victory. Imagine all of the broken down

machinery that can finally be given a new life? Furthermore, imagine all the jobs that can be saved or created?

Allowing people to once again have freedom to repair is pivotal to the success of business. For instance, the amount of money you would save. Being able to simply purchase the correct tools and products, as well as having factory-drawn diagnostic manuals, would save more money than trying to get aid from the manufacturer.

When something breaks, we should be able to fix it. That is why ProWelderGuide.com stands with Repair.org in their driven pursuit for the Right to Repair. Maintenance and repair on the equipment purchased by hardworking welders and other technicians should not be limited due to the presence of a computer chip.



Brian Green - [ProWelderGuide](http://ProWelderGuide.com)



January 4, 2020

Letter of Support for Right to Repair / Fair Repair Legislation

XS International, Inc. has been in business for (30) years servicing the Lifecycle of IT Requirements for over (40) Federal Agencies, (12) of the Top (15) Federal Prime Contractors and over (100) of Fortune 500 Companies. We support some of the most mission critical equipment used in the US Missile Defense Program, the US MAD (Mutually Assured Destruction) Program as well as the computers used to fly Global Hawk Drones. Much of this equipment is no longer in production and the OEM no longer provides any support options.

Right-to-Repair / Fair Repair is critical to XSi to service legacy systems including those necessary to defend the United States of America. We are continually thwarted by OEMs that refuse to provide schematics, repair diagnostics, tools or access to firmware even when they have discontinued equipment. Right to Repair is essential to our ability to offer repair and maintenance services for post-warranty equipment at US facilities around the globe.

Please feel free to contact me at 678-537-4108 or tbone@xsnet.com.

Sincerely,

Todd



Todd Bone

President & Founder

+1-678-537-4108

tbone@xsnet.com

tbone@xsnet.com

<https://www.linkedin.com/in/toddbone>

Xsnet.com



1005 Alderman Drive, Suite 212, Alpharetta, GA 30005 USA

GSA Schedule #GS-35F-0751M || Contract Dates 03 Sept. 2017 to 02 Sept. 2022

Cage Code: 0T5L0 || DUNS # 62-220-6068



January 4, 2020

Memorandum of Support for Right to Repair / Fair Repair Legislation

AscdiNatd has been the leading trade association for buyers, sellers of IT and Telecom equipment in the business to business market since 1970. Our members support the multi-billion-dollar worldwide marketplace for servers, storage, peripherals, printers and communications technology. Nearly all cloud hosts and corporate data centers have bought or sold equipment through our members.

Independent repair is essential to supporting values of used products. When repair is readily available, technology equipment carries long-term value and can remain in use for decades, long beyond the last date of support from any manufacturer. Without independent repair, costly investments in technology lose all value the moment the manufacturer stops providing support. Very solid and useful equipment is then recycled or ends up in landfills rather than remaining in productive use.

Over the past decade, many of the largest brands in the world have become worthless in the secondary market due entirely to limitations on repair and firmware access by some manufacturers. As a result of these anti-competitive policies, AscdiNatd became one of the founding members of the Digital Right to Repair Coalition in 2013.

We urge you to pass Right to Repair legislation at the earliest opportunity,

Joseph Marion
President

jmarion@ascdi.com

Telephone 1.561.266.9016

8 January 2020

Memorandum of Support for “Right to Repair” and “Fair Repair Legislation”

The Institute for Local Self Reliance (ILSR) was founded in 1974 as a champion of self-reliance; a strategy that underscores the need for humanly scaled economies and the widest possible distribution of ownership. ILSR works around the nation to help companies, cities and counties provide access to repairable products recovered from the waste stream.

Our work focuses in particular on recovering value from the industrial, commercial and household solid waste. The most valuable part of these waste streams is reusable and repairable items in terms of creating and sustaining small businesses; good jobs reduce pollution, energy and use of raw materials. We project there cannot be a sustainable local economy without the support and expansion of the repair and reuse of discards. This sector already supports one million workers with further growth readily available.

For these reasons, ILSR supports the “Right to Repair and “Fair Repair” legislation which initiatives allow consumers and businesses to repair the things they purchase as an essential ingredient for a sustainable economy. Without the option of repair, businesses, industry and individuals are being forced to discard their investments in equipment and purchase replacements at increasingly frequent intervals, thereby increasing waste at every level of production and distribution.

We urge passage of enabling competition for repair at the earliest opportunity.

Sincerely,

Neil Seldman, PhD
Director
Waste to Wealth Initiative

Washington D.C. Office
1710 Connecticut Avenue, NW 4th Floor
Washington, D.C. 20009
Tel: 202-898-1610
www.ilsr.org



Letter of Support

January 4, 2020

Memorandum of Support for Right to Repair / Fair Repair Legislation

My name is Rohi Sukhia and I founded Tradeloop in 1997 to make it practical for wholesale buyers and sellers of used technology equipment to safely buy, sell, repair and recycle high-technology equipment.

We support roughly 40,000 businesses ranging in scale from GoodWill Industries to individual dealers in all 50 states and abroad. Thousand of tons of electronics are bought and sold on our platform each year.

Our business would not exist if there were not demand for high quality fully functional used equipment. High-tech equipment can be kept in use for decades with sufficient access to repair and many of our members specialize in support of very old, but not obsolete devices. Many thousands of data centers are running key applications on equipment for which there is no modern alternative.

The ability of our members to correctly and efficiently repair equipment prior to resale and reuse has been in steady decline for the past decade. Broken equipment is very difficult to resell and carries only a fraction of the value of a fully functional machine. We believe that Right to Repair legislation will directly impact all of our trading partners and favorably increase the volume of used equipment that remains in use and reduce the volume of discards that must be recycled.

We urge immediate passage of Right to Repair at the earliest opportunity.

Best Regards,

A handwritten signature in black ink, appearing to read "Rohi Sukhia". The signature is fluid and cursive, with a large initial "R" and "S".

Rohi Sukhia

January 20, 2019

Subject: Right to Repair / Fair Repair Legislation

To whom it may concern:

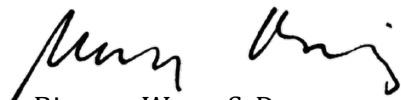
Sodexo, through its Clinical Technology Management (“CTM”) division, manages and provides maintenance services for medical equipment to hundreds of hospitals and clinics around the nation. This equipment is used for the diagnosis, therapy and rehabilitation of thousands of patients every day. As a service provider independent of equipment manufacturers, we are able to provide objective and efficient services that ensure patient safety and equipment reliability, while saving significant amounts of time and money for healthcare providers.

We have a strict set of controls that help our client hospitals meet all applicable laws, regulations, codes and accreditation standards issued by federal and state agencies, such as the Centers for Medicare & Medicaid Services (CMS), the Food and Drug Administration (FDA) and state health departments. In fact, FDA recently reported to Congress that it concluded after reviewing all available evidence “... the objective evidence indicates that many OEMs and third party entities provide high quality, safe, and effective servicing of medical devices” and “[t]he continued availability of third party entities to service and repair medical devices is critical to the functioning of the U.S. healthcare system.”¹

For us to continue providing our valuable services to healthcare providers, it is essential that we have access to the necessary information and materials (i.e., manuals, diagnostic software, tools and parts), which some manufacturers decline to provide. In order to ensure safe and cost-effective care for patients, we urge you to support and pass the Right to Repair legislation inclusive of medical equipment in your state.

Thank you for your attention to this matter. I remain at your disposal in case you have any questions or concerns.

Very truly yours,



Binseng Wang, ScD
Vice President, Program Management
Sodexo CTM
Telephone: 615-844-8848

¹ FDA Report on the Quality, Safety, and Effectiveness of Servicing of Medical Device, May 2018. Available at <https://www.fda.gov/RegulatoryInformation/LawsEnforcedbyFDA/SignificantAmendments-to-the-FDCA/Act/FDARA/ucm598050.htm>.