

For Immediate Release
April 13, 2004

Contact: Jim Kohlenberger
(703) 237-2357

VOIP INDUSTRY COALITION ASKS FCC TO DISMISS WIRETAP PETITION
Group Warns That Extending Wiretaps Laws Beyond Congressional Intent Could Stall
Technology Benefits

Washington, D.C. – Today the Voice on the Net (VON) Coalition asked the FCC to dismiss a petition that would expand wiretap laws to Internet communications beyond Congressional intent. Dave Svanda, a VON Coalition spokesperson said, “The VON Coalition is fully committed to ensuring law enforcement can carry out their duties, but if the FCC agrees to this government request to unnecessarily expand the wiretap law, the result will be stifled innovation without a commensurate increase in security.”

The Coalition is urging the FCC to dismiss the petition because a move to expand wiretap laws to Internet communications is unnecessary, would stifle innovation, and delay consumer benefits without a commensurate increase in security. The VON Coalition agrees that law enforcement must be able to investigate and prevent crime by using electronic surveillance, it said in its filing with the FCC

However, the coalition believes that the actions requested by law enforcement would expand the wiretap law to include broad categories of existing and future technologies that Congress never intended. The VON coalition filed its comments in response to a joint petition from the Department of Justice, the Federal Bureau of Investigation, and the Drug Enforcement Administration asking the FCC to declare that VoIP services are covered by the Communications Assistance for Law Enforcement Act (“CALEA”).

“When Congress enacted CALEA, lawmakers specifically did not want the law applied to Internet communications nor used in ways that would stifle innovation or delay deployment of new technologies like VoIP,” Svanda said.

Given law enforcement’s existing capabilities to access VoIP traffic and the commitment to voluntary cooperation that VoIP providers offer law enforcement officials to address access problems that do arise, extending wiretap laws to Internet technologies like VoIP are unnecessary.

“Given these facts, we ask the FCC to dismiss the law enforcement petition, or at the very least to refrain from making any decisions on expanding the wiretap law before it considers the complex legal and policy issues in a broader rulemaking procedure,” Svanda said.

Law enforcement asked the FCC to substantially expand the scope of CALEA to apply to existing VoIP services. Law enforcement officials envision a new regulatory compliance and enforcement scheme that imposes deadlines by which VoIP providers must implement CALEA intercept capabilities for their existing service. Even more troubling,

law enforcement agencies want control over future technologies by demanding the ability to review and approve any new VoIP services developed in the future.

About the VON Coalition:

The VON Coalition consists of leading VoIP companies, on the cutting edge of developing and delivering voice innovations over Internet and Internet Protocol networks. Largely through the efforts of VON Coalition members, including AT&T, BMX, Callipso, Convedia, Covad, IceNet, iBasis, Intel, Intrado, ITXC, MCI, PointOne, Texas Instruments, VocalData, and Voiceglo.com, packet-switched voice services are emerging as an exciting new technology benefiting consumers throughout the world. Since its inception, the VON Coalition has consistently advocated that federal and state regulators maintain current policies of refraining from extending legacy regulations to Internet services, including VoIP. More information about the VON Coalition can be obtained at the following website: <http://www.von.org>.