

Congress of the United States
Washington, DC 20515

May 18, 2005

VIA FACSIMILE

Chairman Kevin J. Martin
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: IP-Enabled Services Rulemaking; WC Docket No. 04-36

Dear Chairman Martin:

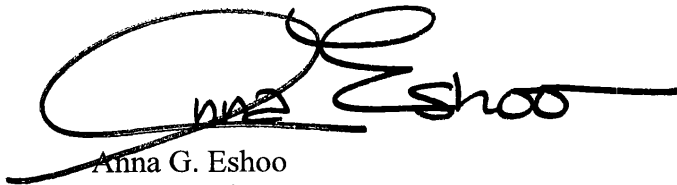
We're writing about the Commission's examination of issues related to 911 emergency services over Voice over Internet Protocol (VoIP) telecommunications services. As Co-Chairs of the Congressional E-911 Caucus, we're very pleased that the Commission has made this issue a priority, taking steps to ensure the safety and security of all Americans as they take advantage of innovative services and technologies. Access to 911 services for VoIP customers is a critical matter and deserves the attention of the Commission and Congress.

As consumers adopt VoIP and other new IP-based services that have voice components, it's important for the Commission and Congress to examine the technical and practical challenges to providing critical services like 911 and fulfilling consumer expectations regarding voice communications services. We also believe it's important to consider the nature of different technologies and services, and to tailor regulatory requirements to meet consumer demands and expectations rather than sweeping mandates that could be unnecessary in many cases. For instance, many IP-based services that originate on a personal computer can incorporate a voice component but will not be relied on by users for access to 911 services.

The establishment of a 911 requirement on VoIP services is very important. In doing so, however, the Commission should strike the appropriate balance between what is both technologically and economically feasible with the contribution to public safety. An overly expansive VoIP 911 requirement could impose unnecessary burdens on certain types of IP-based services that do not provide any added public safety benefit for consumers. Users of popular IP-based services such as instant messaging, online conferencing, or Internet gaming may take advantage of voice features in these services, but would not expect to utilize them to access 911 services. Importantly, the burden on these emerging IP-based, computer-to-computer services would not only harm consumers but could also impede efforts to deploy broadband in the U.S. We believe it's important for the Commission to recognize these concerns at the outset rather than issue requirements that prove unworkable and require waivers or additional rulemaking.

We've been pleased to work with the Commission to develop workable 911 solutions for all telecommunications services, and we look forward to continuing these efforts as we consider new services such as VoIP. We urge the Commission to give full consideration to the imposition of broad 911 requirements for IP-based services, giving appropriate recognition to the technical and practical differences among different VoIP and other IP-based offerings. We look forward to continuing to work with the Commission on this important matter, ensuring that all Americans have ready access to emergency services when they need it.

Sincerely,

A handwritten signature in black ink, appearing to read "Anna Eshoo". The signature is fluid and cursive, with a large loop at the beginning and a long horizontal stroke at the end.

Anna G. Eshoo
Member of Congress

A handwritten signature in black ink, appearing to read "John Shimkus". The signature is cursive and stylized, with a large initial "J" and "S".

John Shimkus
Member of Congress

cc: Commissioner Kathleen Q. Abernathy
Commissioner Jonathan S. Adelstein
Commissioner Michael J. Copps