

Watch What You Ask For

The higher education community has long been a vocal proponent of bringing advanced networking to every home and office as well as to all locations on campus. We have painted bright pictures of the good things we could do with affordable multimedia communications through the Internet: improve access to quality education; build richer collaborations for scholarship; break the knowledge barriers of space and time. We have consistently mounted leading-edge demonstrations to illustrate the possibilities. And although we remain far from achieving universal access to advanced networking, there are signs that the goal is at least visible on the horizon.

A combination of old and new technologies promises to extend the reach and the speed of the Internet. The slow but steady spread of "entry-level" Internet services over DSL telephone and cable TV lines is now reaching a significant fraction of households in the United States, with more to come. Various competing wired and wireless services are available in major population centers. In rural areas, new forms of wireless communications and even networking over power lines may help to break last-mile barriers. New types of "intelligent radios" may find wireless capacity where there was none before. Campus and town coalitions are operating new fiber systems as a common good for the community, greatly extending network capabilities as well as access. New regional and national coalitions are forming to support ultra-fast networks for research.

Just as important, a wide and growing variety of commercial, government, and educational services is now available through the Internet, providing the eco-

nomical and social foundation for continued expansion. Although a great deal remains to be accomplished, the long-awaited transformation to a networked society is under way and gaining momentum.

Recent discussions in the federal arena show that policymakers now believe that this transformation is indeed coming soon. On the one hand, these discussions are a very good sign that a new, critical mass of policymakers supports our basic vision for the networked society. On the other hand, the same discussions raise numerous complex and thorny issues. These will require thoughtful analysis, strenuous debate, and careful compromise, because we are discussing nothing less than a complete transformation of the telecommunications industry, a change that will require a corresponding transformation of policy and regulation. Two cases currently before the Federal Communications Commission (FCC) illustrate this point: (1) proposed extensions of the Communications Assistance for Law Enforcement Act (CALEA) and (2) the treatment of IP-enabled services.

Recognizing that voice communications are beginning to migrate from the legacy telephone system to the Internet (using a technology called Voice-over Internet Protocol, or VoIP), the U.S. Department of Justice, the FBI, and the Drug Enforcement Administration have requested that the FCC make a ruling to simplify wiretapping communications on the Internet and to bring all broadband Internet access within the scope of CALEA, passed in 1994. Although higher education must always fully cooperate with law enforcement with respect to campus communications systems, some of the requirements of the proposals to extend CALEA appear to inhibit innova-

tion, to compromise privacy, and to pose undue financial burdens. Comments to the FCC filed by EDUCAUSE and twelve partner associations may be viewed at <http://www.educause.edu/ir/library/pdf/NET0404.pdf>.

In another important example, the FCC has requested comments on a long list of questions regarding the treatment of an array of IP-enabled services. Included are questions about how to tax and/or regulate services that are presently taxed in the telephone system and about how to define and pay for universal service, 9-1-1, and other social benefits in the Internet model. These discussions often pit proponents of "no new taxes or regulations on the Internet" against state and local governments that have depended on such arrangements in the telephone system for revenue. Comments to the FCC filed by EDUCAUSE and partner associations are available at <http://www.educause.edu/ir/library/pdf/NET0408.pdf>.

Debate on these issues and others will only heat up in the days ahead. Congress has already held hearings revisiting the Telecommunications Act of 1996, the law that has defined the basic environment for the development of the telecommunications industry for nearly ten years. The ongoing shift of legacy services to the Internet, the wide range of new services that have become available since 1996, and the recent breakthroughs in underlying technology all mean that a business and policy overhaul will be needed. The outcome of this debate will have serious ramifications in higher education for many years to come.

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