

**STATEMENT OF  
CHAIRMAN KEVIN J. MARTIN**

*Re: Communications Assistance for Law Enforcement Act and Broadband Access and Services First Report and Order and Further Notice of Proposed Rulemaking (ET Docket No. 04-295, RM-10865)*

Responding to the needs of law enforcement is of paramount importance. New technologies present challenges to executing authorized electronic surveillance. The Order adopted today affirms that interconnected VoIP and facilities-based Internet access providers are subject to CALEA. These services have proliferated in recent years, and they continue to grow at exponential rates. Given this, it is critical to our nation's security that VoIP and broadband Internet access providers have CALEA obligations.

Although I believe that new technologies and services should operate free of economic regulation, I also believe that law enforcement agencies must have the ability to conduct lawful electronic surveillance over these new technologies. We must strike a balance between fostering competitive broadband deployment with meeting the needs of the law enforcement community.

The Order that we adopt today is an important first step, but there is still more work ahead of us. In the next few months, we intend to issue a subsequent order that will address other important issues under CALEA such as cost recovery, standards, and enforcement. Nevertheless, we firmly expect that interconnected VoIP and facilities-based broadband Internet providers use the regulatory clarity provided by this Order to begin tackling the technical issues necessary for full compliance. I am committed to ensuring that these providers take all necessary actions to incorporate surveillance capabilities into their networks in a timely fashion. To this end, the Commission intends to continue working closely with industry representatives, equipment manufacturers, and law enforcement officials to address and overcome any challenges that stand in the way of effective lawful electronic surveillance.