Voice over Internet Protocol (VoIP)

Background
Voice over Internet Protocol (VoIP) is a digitized, packetized method of carrying voice conversations over TCP-IP based networks. Implementations of VoIP may be either “closed,” meaning the entire conversation is over Internet links, or “open,” meaning the conversation occurs partly on an Internet link and partly on conventional public switched network facilities.

VoIP was first considered at the Federal Communications Commission more than ten years ago, and the FCC elected not to regulate it. However, by 2004 VoIP had hit the mainstream and was being welcomed by consumers and the telecommunications industry alike. Seen by many as the harbinger of a much larger movement, the convergence of all communications to IP networks, the FCC is being forced to take a new look. Because the telephone industry is heavily taxed and regulated to provide important revenue and services, a shift by the public to IP voice services must be followed by a shift in taxation and regulation if these services are to be maintained. An early proposal was to simply transfer those taxes and regulations to VoIP. Proponents of this plan argued that VoIP was delivering a substitute service that was indistinguishable to the user, and therefore should be treated the same as traditional phone service. Currently, there is a growing demand for new laws customized to fit an IP-Enabled world of services. Proponents feel that existing law was written in a different time, for a different technology, in a very different economic environment, and simply “doesn’t fit” VoIP.

Significance for EDUCAUSE members
Many institutions of higher education are implementing some level of VoIP as a way to provide more service for less cost. They face numerous challenges as early adopters of the technology, including the economic uncertainty of how VoIP will be regulated. They share four main areas of concern with the general public: the future of the Universal Service Fund (USF), the effective deployment of Emergency 911 (E911), the cost of compliance with the Communications and Law Enforcement Act (CALEA), and how to meet requirements under the Americans with Disabilities Act (ADA). Access to these funding sources and public services could be seriously challenged if VoIP were to replace traditional phone service in a significant way without new guidelines.

Current EDUCAUSE position
VoIP is not just an inexpensive phone call; it is a move to enhanced communication services. Higher education has benefited overwhelmingly from the innovation and growth of the Internet that resulted from Congress taking a “hands-off” approach. VoIP is no exception. As a new and important Internet application, VoIP should be treated as yet
another way to use this great communications medium and welcomed as an economic driver for improved broadband access.

However, VoIP raises some serious policy issues. Rather than impose antiquated laws on VoIP, or any IP-enabled service, EDUCAUSE supports the current move in both Congress and the FCC to rewrite the Telecommunications Act of 1996 to accommodate this major shift in how communications are accomplished. A good start was the FCC declaring federal jurisdiction over rules governing VoIP. Whether it is done issue by issue, or through an all-encompassing change in the law, EDUCAUSE supports minimal regulation that is carefully targeted to protect the public interest while allowing for continued innovation.

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