

MP04-303

241 Nevada Street  
San Francisco, CA 94110

September 29, 2004

Michael K. Powell  
Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

RECEIVED

MAR 18 2005

Federal Communications Commission  
Office of the Secretary

04-295

DOCKET FILE ONLY ORIGINAL

Dear Mr. Powell,

As an American citizen and Internet professional, I am very concerned about the U.S. Department of Justice's proposal that all new Internet communication services be required to include wiretapping access.

I work as a system administrator for Craigslist, one of the world's busiest websites. Part of my job is to protect the privacy and security of our organization and users. I monitor online discussions on internet security (e.g. BugTraq) as well as direct threats to our networks and online services. It is also part of my job to assist in tracking down crime, fraud, and abuse when our service is involved in any way. I've handled subpoenas and search warrants for the police, FBI, and Secret Service. I have spoken with people in law enforcement and various internet services about online abuse and crime. Thus, my profession affords an unique perspective on criminal activity and law enforcement as related to the Internet.

I believe that the Justice Department's proposal is unnecessary. We already have effective wiretapping laws which give law enforcement agencies the access needed to monitor criminal activity. We have adequate technology in place to collect the data as required. When law enforcement agencies fail to gather the information they need, the problem is not the legal or technological framework but rather a lack of resources and expertise within the agencies.

I believe that the proposal represents an erosion of congressionally mandated limits on how law enforcement can collect information. We need to maintain a system of strong checks and balances to protect citizens from abuses of power by law enforcement agencies. We do not need to lower the bar for spying on citizens and businesses.

Finally, I believe that the plan would weaken security on the Internet, facilitating malicious activity. Consider CALEA, the telephone wiretapping system mandated in the mid-90's. CALEA has a history of security failures which have allowed spies and gangsters to activate their own wiretaps. CALEA also has history of abuse by law enforcement agencies such as the Los Angeles Police Department, which led illegal convictions and other alarming consequences. (For background, please see the online article "Shooting Ourselves in the Foot," 10/10/2003, by Robert X. Cringley.) I see no reason that this new proposal would avoid the same pitfalls.

In short, I strongly oppose the Department of Justice's proposal that new Internet communication technologies should have built-in wiretapping because it is unnecessary, inappropriate, and is potentially damaging to Internet security.

Thank you,

Jeffrey B. Green