

News Release

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

For Immediate Release
September 26, 2002

Contact:
David Wargin (202) 466-3800

ALEC Supports Verizon's Right to Protect Consumer Privacy

Washington, D.C., September 26, 2002 -- The American Legislative Exchange Council (ALEC) urges a federal court in Washington, D.C. to prevent the Recording Industry Association of America (RIAA) from forcing Verizon to release the identity of one of its customers.

The controversy stems from the RIAA using the Digital Millennium Copyright Act (DMCA) to ask a federal court to enforce a subpoena requiring Verizon to release the identity of one of its customers. The law, enacted by Congress in 1998, is an update to the U.S. copyright laws for the digital age. But the RIAA is not using the law as it was originally intended.

"DMCA does not create a class of property that is superior to tangible property," said Morgan Hayley Long, Director of ALEC's Telecommunications and Information Technology Task Force. "The property interests of RIAA are of no less significant constitutionally and statutorily than that of Verizon's own property rights and the property rights of its customers."

"The ramifications are immense – affecting the privacy rights of millions of everyday Internet users," added Long. "If RIAA is granted their request, the court will be making a sweeping legal precedent that would not only establish a hierarchy for property rights, but also endanger consumers' privacy rights."

The American Legislative Exchange Council is the nation's largest, bipartisan membership organization of state legislators. The Telecommunications and Information Technology Task Force seeks to improve America's competitiveness through innovative free market policies.