

*Communications Assistance for
Law Enforcement Act - CALEA*

*Flexible Deployment
Assistance Guide*

Second Edition

Packet-Mode Communications

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*Department of Justice
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CALEA Implementation Section*

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INTRODUCTION

The purpose of this *Second Edition* of the “Communications Assistance for Law Enforcement Act (CALEA) Flexible Deployment Assistance Guide” (Guide) is to further assist telecommunications carriers in meeting certain requirements of CALEA.¹ This Guide continues the implementation efforts of the CALEA Implementation Section (CIS) of the Federal Bureau of Investigation (FBI) with respect to packet-mode communications for certain telecommunications carriers. This Guide requests telecommunications carriers voluntarily submit certain information to the FBI, and explains under what circumstances, based on a review of that information, the FBI might support a telecommunications carrier’s request of the Federal Communications Commission (FCC) to extend the September 30, 2001 compliance deadline under Section 107(c) of CALEA.² This Guide also provides some general background information regarding CALEA, and discusses lawfully-authorized electronic surveillance, technical solutions being developed by the industry, and the cost reimbursement provisions of CALEA.

¹ See 47 U.S.C. §1001, *et seq.*; see also CALEA Cost Recovery Regulations, 28 C.F.R. Part 100; Final Notice of Capacity: Implementation of Section 104 of the Communications Assistance for Law Enforcement Act, Notice, 63 Fed. Reg. 12217; Petition for the Extension of the Compliance Date under Section 107 of the Communications Assistance for Law Enforcement Act, *Memorandum Opinion and Order*, 13 FCC Rcd 17990; Second Report and Order, *Communications Assistance for Law Enforcement Act*, CC Docket No. 97-213 (rel. August 31, 1999); and Third Report and Order, *Communications Assistance for Law Enforcement Act*, CC Docket No. 97-213 (rel. August 31, 1999); *USTA v. FBI*, 227 F.3d 450 (D.C. Cir. 2000).

² The FBI believes that submission of the requested information by a carrier could facilitate a mutually beneficial agreement between the FBI and the carrier. However, carriers should be aware that submission of information in response to this Guide is completely voluntary; and does not create any legal obligation on the part of the Federal Government or the carrier. The Guide is not intended to make any offers nor provide legal advice. If carriers have any questions regarding their legal obligations under CALEA they should consult their own legal advisors.

As explained further in this Guide, certain telecommunications carriers³ are under an obligation to meet CALEA assistance capability requirements for packet-mode communications by the September 30, 2001 compliance deadline specified by the FCC. By implementing a Flexible Deployment Plan for packet-mode communications, the FBI intends to use a similar evaluation method as used in the previous iteration of its Flexible Deployment Plan (i.e., extensions of the June 30, 2000 compliance deadline for CALEA’s assistance capability requirements). Carriers choosing to submit information in response to this Guide are strongly encouraged to do so on or before September 30, 2001.

If, after reviewing the information submitted, the carrier and the FBI are able to arrive at a mutually agreeable CALEA deployment schedule, the FBI may support the carrier’s request to the FCC for an extension, provided that the carrier then proceeded with its deployment in accordance with the schedule. An agreed-to deployment schedule could benefit both parties in many ways, including avoiding a dispute before the FCC regarding an extension request. The FCC has stated that it would accord “significant weight” to such an agreement, in determining whether to grant an extension to a carrier.⁴ Carriers should note, however, that the ultimate decision on any extension rests solely with the FCC.

What is Electronic Surveillance?

Lawfully-authorized electronic surveillance is a law enforcement tool that police and other authorized government agencies use to investigate and prosecute criminals. Its use by such agencies is strictly limited by law. Lawfully-authorized electronic surveillance is a law enforcement agency’s or

³ The FCC held in its Third Report and Order that telecommunications carriers providing wireline local exchange, cellular, and/or broadband Personal Communications Service (PCS) were subject to the September 30, 2001 compliance date for packet-mode communications. The FCC further stated that all other carriers were required to meet CALEA’s assistance capability requirements by June 30, 2000. See Third Report and Order, *Communications Assistance for Law Enforcement Act*, CC Docket No. 97-213 (rel. August 31, 1999), ¶¶ 35, 36.

⁴ See Second Report and Order, *Communications Assistance for Law Enforcement Act*, CC Docket No., 97-213 (rel. August 31, 1999), ¶ 37, n.100.

organization's lawful collection of (1) the contents⁵ of communications; and/or (2) the dialing or signaling information that identifies the origin, direction, destination, or termination of any communication generated or received by a subject of surveillance by means of the equipment, facilities, or services of a telecommunications carrier.

In 1968, Congress carefully considered and passed the Omnibus Crime Control and Safe Streets Act (Pub. L. No. 90-351, 82 Stat. 212) which laid out the meticulous procedures law enforcement must follow to obtain the necessary judicial authorization to conduct electronic surveillance in the fight against crime. The law was enacted after Congress exhaustively debated issues concerning law enforcement's need to effectively address serious criminal activity and an individual's right to privacy.

In 1970, Congress amended the federal wiretap statute to confirm the government's authority to lawfully require providers of communications services to provide law enforcement with the "... technical assistance necessary to accomplish the interception . . ."⁶ In the telecommunications environment of that time, only comparatively minor assistance from telephone companies was needed by law enforcement to accomplish the interception (e.g., identity of "access points"). However, in today's telecommunications environment, greater assistance is necessary because newer and more advanced telecommunications technologies, services, and features are now being offered by service providers.

In 1978, Congress passed the Foreign Intelligence Surveillance Act (FISA, 50 U.S.C. §§ 1801-1843) to safeguard national security by authorizing select government agencies to conduct electronic surveillance of a foreign power or an agent of a foreign power for the purpose of obtaining foreign intelligence information. Section 1805(b)(2)(B) of FISA requires that common carriers furnish "... all information, facilities, or technical assistance necessary to accomplish the electronic surveillance in such a manner as will protect its secrecy and produce a minimum of interference . . ." with the services of the target of electronic surveillance.

In 1986, as a result of developments in telecommunications and computer technologies, Congress found it necessary to enact the Electronic Communications Privacy Act (Pub. L. No. 99-508, 100 Stat. 1848), which amended the Omnibus Crime Control and Safe Streets Act by broadening its coverage to include electronic communications (including electronic mail,

data transmissions, faxes, and pagers). The provisions of Title III of the 1968 Act, as amended, continue to govern the procedures for obtaining legal authority for initiating and conducting lawful interceptions of wire, oral, and electronic communications for criminal investigatory purposes.

Types of Electronic Surveillance

For the purpose of this Guide, lawfully-authorized electronic surveillance is considered to consist of both the interception of communications content (commonly referred to as wiretaps) and the acquisition of dialing and signaling information used to identify a call (e.g., dialed number information) through the use of pen registers and/or through the use of trap and trace devices.

The term *interception* is defined by law and refers to the lawful acquisition of the contents of any wire, electronic or oral communication (e.g., signs, signals, writing, images, sounds, data, or intelligence of any nature) transmitted from one party to another. Authority for initiating an interception is found in Title III of the Omnibus Crime Control and Safe Streets Act or FISA.

The term *pen register* is defined by law and refers to the lawful acquisition of certain outgoing dialing or signaling information. Authority for using a pen register is found in 18 U.S.C. § 3123 and 50 U.S.C. § 1842.

The term *trap and trace* is defined by law and refers to the lawful acquisition of the originating number of any wire or electronic communication. Authority for using a trap and trace device is also found in 18 U.S.C. § 3123 and 50 U.S.C. § 1842.

What is CALEA ?

In October 1994, Congress again took action to protect public safety and national security by enacting CALEA, (Pub. L. No. 103-414, 108 Stat. 4279). The law clarifies and further defines the existing statutory obligation of providers of telecommunications services in assisting law enforcement in executing electronic surveillance court orders.

CALEA does not change or expand law enforcement's fundamental statutory authority to conduct various types of electronic surveillance. It seeks to ensure that after law enforcement obtains the appropriate legal authority, telecommunications carriers will have the necessary technical capability and sufficient capacity to fulfill their statutory obligations to assist law enforcement. In many instances, telecommunications carriers do not have the capability to handle all electronic surveillance court orders.

⁵ Communications "contents" is defined by 18 U.S.C. § 2510(8) as "any information concerning the substance, purport or meaning of that communication."

⁶ 18 U.S.C. § 2518(4).

CALEA sets forth, in law, the assistance capability requirements that telecommunications carriers need to meet and maintain within their networks to assist law enforcement in conducting lawfully-authorized electronic surveillance. Specifically, CALEA directs the telecommunications industry to design, develop, and deploy solutions that meet specific assistance capability requirements.⁷

CALEA also recognizes that some existing equipment, services, and features would have to be retrofitted and includes a provision by which the Attorney General could reimburse the industry for modifications made to equipment, facilities, and services installed or deployed on or before January 1, 1995.

Important CALEA Dates

October 24, 1994 - Date of CALEA enactment

January 1, 1995 - Reimbursement eligibility date for equipment, facilities, and services installed or deployed in a carrier's network

October 25, 1998 - Original CALEA assistance capability compliance date

June 30, 2000 - New compliance date for Section 103 assistance capability requirements for all telecommunications services and technologies (e.g., Telecommunications Industry Association [TIA] interim technical standard J-STD-025 for wireline, cellular, and broadband Personal Communications Services [PCS])

September 30, 2001 - Compliance date for packet-mode communications to comply with the assistance capability requirements⁸

⁷ Section 103 of CALEA, 47 U.S.C. § 1002.

⁸ The FCC, in its Third Report and Order, determined that certain telecommunications carriers were required to provide a capability to conduct surveillance regarding packet-mode communications by September 30, 2001. See Third Report and Order, *Communications Assistance for Law Enforcement Act*, CC Docket 97-213 (rel August 31, 1999), ¶ 55.

TECHNICAL SOLUTION

CALEA was enacted to ensure that ongoing technological changes in the telecommunications industry would not compromise the ability of federal, state, and local law enforcement agencies to conduct lawfully-authorized electronic surveillance. To that end, CALEA obligates telecommunications carriers to ensure that their equipment, facilities, and services are technically capable of expeditiously isolating and delivering to law enforcement agencies all communications content and call-identifying information that law enforcement is authorized to acquire.

Several years before the passage of CALEA, law enforcement began meeting with individual telecommunications companies, as well as industry forums such as the Electronic Communications Service Provider (ECSP) Committee. A primary objective of those meetings was to develop a common understanding of law enforcement's surveillance requirements

and to explore options by which a network-based or switch-based interception might be implemented. The ECSP Committee, with law enforcement's endorsement, brought electronic surveillance requirements and issues to the attention of industry standards-setting organizations such as the TR45 and TR46 Committees of TIA.

In May 1995, TIA's TR45.2 Subcommittee formed the Lawfully Authorized Electronic Surveillance (LAES) Ad Hoc Group. Its mission was to develop a technical electronic surveillance standard detailing what information should be accessed to support lawfully-authorized electronic surveillance and how intercepted communications and call-identifying information should be delivered by a telecommunications carrier to a law enforcement agency. In late 1995, PCS and wireline standards bodies agreed to work with the TR45.2 group, which normally represents the cellular industry, on a standard for wireline and wireless networks.

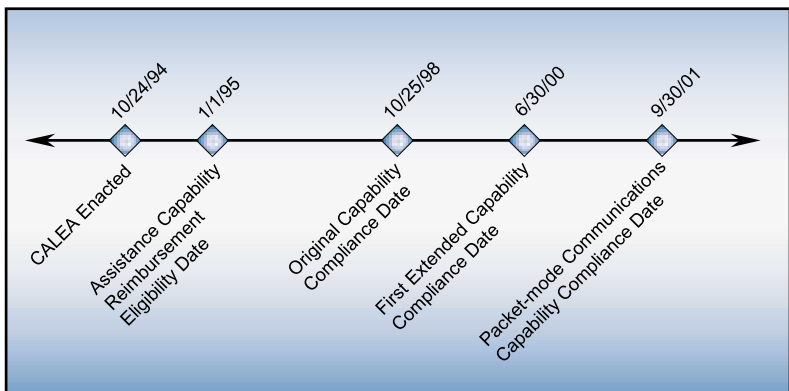


Figure 1 - CALEA Timeline

Core J-Standard

On December 8, 1997, TIA published an interim technical standard⁹ (J-STD-025, or J-Standard) concerning electronic surveillance assistance capability requirements for telecommunications carriers providing wireline, cellular, and broadband PCS. J-STD-025 describes advanced electronic surveillance capabilities intended to provide law enforcement the ability to collect call-identifying information and call content pursuant to lawful authorization regardless of whether the telecommunications are carried in circuit-mode or in packet-mode.

The original assistance capability compliance date for CALEA, October 25, 1998, was extended by the FCC¹⁰ for J-STD-025 to June 30, 2000. The FCC determined that carriers could not comply with the original October 25, 1998 compliance date because of the absence of available technology during the compliance period.

Missing Capabilities

On March 27, 1998, the Department of Justice (DOJ) and the FBI filed a joint petition before the FCC. The DOJ/FBI petition argued that the industry's J-STD-025 was deficient in that it failed to include nine capabilities determined by DOJ as necessary to meet the requirements of this law.

On August 31, 1999, the FCC released its Third Report and Order, regarding Section 103 assistance capability requirements.¹¹ The FCC determined that, in addition to the assistance capabilities included in J-STD-025, wireline, cellular,

and broadband PCS carriers must provide *six* additional assistance capabilities sought by the DOJ and FBI.¹²

The six capabilities determined by the FCC to be required by CALEA are:

- Content of subject-initiated conference calls,
- Party hold, join, drop messages,
- Access to subject-initiated dialing and signaling,
- In-band and out-of-band signaling (notification message),
- Timing to associate call data to content, and
- Dialed digit extraction (post-cut-through dialed digits)

On August 15, 2000, in the case of United States Telecom Association, et al., v. FCC, 227 F.3d 450 (D.C. Cir. 2000) the United States Court of Appeals for the District of Columbia Circuit partially vacated and remanded to the FCC the Third Report and Order. The court vacated the FCC's decision with respect to four "punch list" capabilities: dialed digit extraction, party/hold/join/drop information, subject initiated dialing and signaling, and in-band/out-of-band signaling. The court's ruling requires the FCC to reconsider whether these four punch list items are mandated by CALEA and to enter a new decision in accordance with the court's instructions. The Court did not reverse or remand the FCC's determinations regarding packet-mode communications.

To date, the FCC has not concluded its deliberations regarding those four "punch list" capabilities. Therefore, this Second Edition of the Flexible Deployment Guide is limited to packet-mode communications.

Packet-Mode Communications

The industry-developed technical standard, J-STD-025, provides descriptions of capabilities that wireline local exchange, cellular, and broadband PCS carriers need to make available to law enforcement regardless of the transmission mode (circuit-mode or packet-mode) utilized by carriers when providing service(s).

In its Third Report and Order (released on August 31, 1999), the FCC determined that wireline, cellular, and broadband PCS carriers could provide the capability to intercept packet-mode communications in accordance with J-STD-025. The FCC

⁹ An interim technical standard was jointly published by TIA and Committee T1 (sponsored by the Alliance for Telecommunications Solutions) as J-STD-025, *Lawfully Authorized Electronic Surveillance*.

¹⁰ Petition for the Extension of the Compliance Date under Section 107 of the Communications Assistance for Law Enforcement Act, *Memorandum Opinion and Order*, 13 FCC Rcd 17990.

¹¹ Third Report and Order, *Communications Assistance for Law Enforcement Act*, CC Docket No. 97-213 (rel. August 31, 1999).

¹² See *In the Matter of Establishment of Technical Requirements and Standards for Telecommunications Carrier Assistance Capabilities under the Communications Assistance for Law Enforcement Act*, Public Notice, CC Docket No. 97-213, DA 98-762, (rel. April 20, 1998) (encompassing petitions filed by CDT, TIA, CTIA, and DOJ/FBI).

also invited TIA “. . . to study CALEA solutions for packet-mode technology and report to the Commission in one year on steps that can be taken, including particular amendments to J-STD-025 . . .”¹³

As a result, TIA convened a series of Joint Experts Meetings (JEM) to study the issue. The final JEM Report, meeting summaries, and technical contributions made to the meetings are available at TIA’s website: www.tiaonline.org.

In its Third Report and Order, the FCC also mandated that the capability to intercept packet-mode communications be made available to law enforcement by September 30, 2001.¹⁴

CALEA envisioned the possibility that technical standards would not be developed for (1) carriers to meet the assistance capability requirements of section 103 or (2) manufacturers and providers of telecommunication support services to satisfy the obligations of section 106.¹⁵ Section 107(a)(3) of CALEA, Absence of Standards, states that “[t]he absence of technical standards for implementing the assistance capability requirements of section 103 shall not . . . relieve a carrier, manufacturer, or telecommunications support services provider of the obligations imposed by section 103 or 106, as applicable.”¹⁶

REIMBURSEMENT

To facilitate CALEA’s implementation, Congress authorized \$500 million to be appropriated to reimburse the telecommunications industry for certain eligible costs associated with modifications made to their networks. Section 109 of CALEA grants the Attorney General discretionary authority to allocate appropriated funds in a manner consistent with law enforcement priorities, and mandates the Attorney General to establish the necessary regulations to effectuate timely and cost-efficient payment to telecommunications carriers. The reimbursement of carriers for any eligible costs will occur under the provisions of Section 109 of CALEA, and the associated Cost Recovery Regulations,¹⁷ a firm fixed price agree-

¹³ Third Report and Order ¶ 55.

¹⁴ Ibid.

¹⁵ Section 106 of CALEA outlines the responsibilities of equipment manufacturers and providers of telecommunications support services.

¹⁶ Section 107 (a)(3) of CALEA, 47 U.S.C. § 1006(a)(3).

¹⁷ CALEA Cost Recovery Regulations, 28 C.F.R. Part 100.

ment,¹⁸ or other applicable law, and is in no way affected by a carrier’s submission of information in response to this Guide.

The Omnibus Consolidated Appropriations Act of 1997 (P.L. 104-208)¹⁹ amended CALEA by adding Title IV which created the Telecommunications Carrier Compliance Fund (TCCF). The purpose of the TCCF is to facilitate the disbursement of funds available for CALEA implementation. Additionally, the Omnibus Consolidated Appropriations Act of 1997 authorized agencies with law enforcement and intelligence responsibilities to transfer unobligated balances into the TCCF, subject to applicable Congressional reprogramming requirements.

Capability

The FBI will utilize two alternative approaches for reimbursing CALEA software solutions: (1) right-to-use (RTU) license agreements, or (2) switch-by-switch reimbursement. Both approaches are designed to be consistent with the FBI’s goal of maximizing return on TCCF dollars while at the same time responding to industry concerns regarding CALEA compliance costs and deployment schedules. Under the RTU license agreement approach, the FBI has reimbursed a facilitating carrier for that carrier’s purchase of the CALEA software RTU license for a switch installed or deployed on or before January 1, 1995. The license fee covers the manufacturer’s CALEA software development cost for a particular switch platform type. Manufacturers have then granted CALEA software RTU licenses to all other carriers at no charge for all switches of the same platform type.

In some instances, a manufacturer and its facilitating carrier partner have declined to pursue a RTU license purchase agreement with the FBI, or the FBI, manufacturer, and facilitating carrier partner have been unable to finalize an RTU license arrangement. In these cases, manufacturers are expected to design and develop a CALEA solution in accordance with the industry’s normal business practices. When a solution is available for deployment, the telecommunications market will determine the solution’s price and carriers are expected to install the developed CALEA solution. Some of the installation costs may be eligible for reimbursement under CALEA. Under a switch-by-switch reimbursement approach, a carrier will be reimbursed for CALEA software on an individual, switch-by-switch basis.

¹⁸ Pub. L. 106-246, Div. B, Title II, July 13, 2000, 114 Stat. 542.

¹⁹ The Omnibus Consolidated Appropriations Act of 1997; P.L. 104-208, 110 STAT 3009 (1996).

The reimbursement approach chosen is dependent on several factors. These factors include, but are not limited to, availability of TCCF funds, the reimbursement cost for a RTU license for the CALEA solution, per-switch commercial prices for CALEA solutions, and a switching platform's priority status to law enforcement.

Once those CALEA software solutions that the FBI has chosen to reimburse have been completed, it is in the interest of the FBI and industry to minimize, to the extent practicable, the costs associated with deploying the CALEA solution in carriers' networks. The costs associated with deploying CALEA-compliant solutions are expected to be significantly reduced if carriers are allowed to incorporate the deployment of CALEA into their normal generic upgrade cycles.²⁰ To this end, the FBI's Flexible Deployment Plan provides the opportunity for any carrier to voluntarily supply information to the FBI so that the carrier and the FBI may cooperatively develop a CALEA deployment schedule for that carrier. These schedules may be consistent with a carrier's normal deployment processes and schedules if the schedules maximize the timely deployment of solutions on those switches that are of highest priority to law enforcement.

To accomplish this, the FBI is soliciting historical electronic surveillance data from carriers in order to refine equipment prioritization based on the most current intercept data available. Prioritized equipment will be compared with the normal deployment plans identified by a carrier. Carriers and the FBI may then agree on a jointly-developed deployment schedule based on this data, deploying first on law enforcement's highest priority equipment. In some cases, this process may result in certain equipment, installed or deployed after January 1, 1995, not having a CALEA-compliant solution deployed by the September 30, 2001 capability compliance date for packet-mode communications. In those instances where a carrier and the FBI can agree on a deployment schedule, the FBI will support a carrier's petition of the FCC to issue limited extensions of time for compliance on specific equipment installed or deployed after January 1, 1995, consistent with Section 107(c) of CALEA. The above described concept is the central tenet of the FBI's *Flexible Deployment Plan*. For more information regarding Flexible Deployment, please see the Flexible Deployment section of this Guide.

²⁰ For the purposes of this Guide, normal generic upgrade cycles are carrier-specific timelines of past and / or future-planned software generic deployments.

Capacity

On March 12, 1998, the FBI published in the *Federal Register* a Final Notice of Capacity²¹ which delineates the estimated *actual* and *maximum* number of simultaneous call content interceptions, pen registers, and trap and trace devices that law enforcement may conduct in a given geographic area. The Final Notice of Capacity, with a compliance date of March 12, 2001, was published pursuant to Section 104 of CALEA²² and applies to carriers providing wireline local exchange, cellular and broadband PCS services. The Final Notice of Capacity is also available on the FBI's CALEA Implementation Section (CIS) Web site www.AskCALEA.net.²³

In addition to the reimbursement of certain costs associated with complying with the assistance capability requirements of Section 103, CALEA also provides that the Attorney General may agree to reimburse certain costs of modifications made to systems or services, identified in a carrier statement filed in accordance with CALEA Section 104(d), to attain the capacity requirements set forth in the Notice of Capacity.

In July of 1998, the FBI published a Small Entity Compliance Guide for the Final Notice of Capacity. That publication sets forth guidelines and procedures to assist carriers in complying with the Final Notice of Capacity as required by Section 104 of CALEA. The Small Entity Compliance Guide for the Final Notice of Capacity is also available on the FBI's CIS Web site at www.AskCALEA.net.²⁴

FLEXIBLE DEPLOYMENT

The FBI's overall CALEA implementation approach includes supporting telecommunications carriers' deployment of CALEA-compliant solutions in accordance with their normal generic upgrade cycles, where such deployment will not delay implementation of CALEA solutions in areas of high priority to law enforcement. This approach is the result of the FBI's recognition of the issues facing carriers and represents an at-

²¹ See *Implementation of Section 104 of the Communications Assistance for Law Enforcement Act*; Notice, 63 Fed. Reg. 12217 (March 12, 1998).

²² 47 U.S.C. § 1003.

²³ The link to the Final Notice of Capacity can be found at www.AskCALEA.net/programs/capacity.html.

²⁴ The Small Entity Compliance Guide can be found at www.AskCALEA.net/programs/capacity.html.

tempt to minimize the costs and operational impact of CALEA compliance on all carriers. Specifically, carriers wishing to participate in this effort may provide the FBI with their projected CALEA deployment schedules for all switches in their network, as well as information pertaining to any recent lawfully-authorized electronic surveillance activity. Using this information, the FBI and carrier will attempt to develop a mutually agreeable deployment schedule.²⁵ This approach is also the FBI's attempt to minimize the cost to the Government of implementing CALEA by providing the opportunity for carriers and the FBI to agree on deferring the installation of CALEA-compliant solutions in those instances where public safety and national security would not be jeopardized.

the Attorney General prior to deciding whether to grant the extension. Under a flexible deployment arrangement, the FBI would fulfill this consultative role for the Attorney General, by providing support for the carrier's flexible deployment plan.

The FBI's support would be conditioned upon an agreement between the carrier and the FBI on a deployment schedule. The schedule must ensure that CALEA-compliant solutions

are deployed on priority equipment in the near term and that other equipment is modified within a reasonable time. Assuming these conditions are met, a carrier would then be able to deploy solutions on the lower priority equipment in accordance with its normal business cycle.

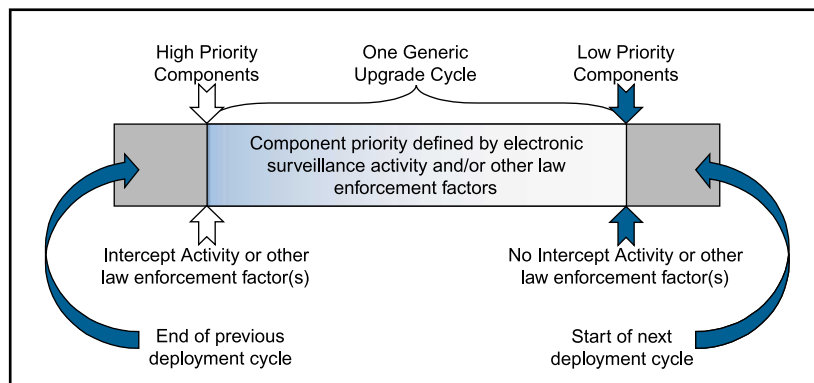


Figure 2 - Law Enforcement Priorities and Carriers' Generic Upgrade Cycle

If the FBI and carrier are able to agree upon a deployment schedule, the FBI intends to provide support to an individual carrier's petition before the FCC for extensions of CALEA's September 30, 2001 assistance capability compliance date. In order to reach such an agreement, the FBI must have an opportunity to: (1) review and comment on proposed carrier deployment schedules, and (2) review information provided by carriers pertaining to recent lawfully-authorized electronic surveillance activity. The FBI's support of a carrier's system-wide extension petition will be conditioned upon the carrier's meeting the agreed-to deployment schedule. In addition, the FBI will request the FCC incorporate such a condition into any final decision on a carrier's extension petition.

Law Enforcement Priorities

One important factor to the FBI in considering a carrier's proposed CALEA solution deployment schedule is the historical electronic surveillance activity of law enforcement. The equipment, facilities, and services²⁶ of a carrier which have previously played a role in the execution of lawfully-authorized electronic surveillance are considered by the FBI to be of high priority to law enforcement. These equipment, facilities, and services should be taken into consideration by a carrier when developing its proposed CALEA solution deployment schedule. High priority equipment, facilities, and services scheduled to be replaced should also be identified by a carrier. Figure 2 shows how law enforcement's priorities can be incorporated into a carrier's normal generic upgrade cycle.

Section 107(c) of CALEA

Under Section 107(c) of CALEA, a carrier is permitted to file one or more petitions with the FCC for an extension of the Section 103 assistance capability compliance deadline. The maximum extension the FCC may grant under this provision is two years. The FCC is required, by statute, to consult with

Carriers' Normal Generic Upgrade Cycle

A central element to the FBI's Flexible Deployment Plan is a carrier's normal, or planned, generic upgrade cycle. Individual carriers plan, engineer, and deploy services at different times

²⁵ In the event that unforeseen circumstances do not allow a carrier to deploy CALEA-compliant solutions according to the mutually agreed-to schedule, the carrier should notify the FBI as soon as possible. In the interest of public safety and/or national security, emergency or exigent law enforcement circumstances may result in the modification of a previously agreed-to schedule between the carrier and FBI.

²⁶ In those cases where a carrier has replaced circuit-mode equipment with packet-mode equipment, the carrier should provide historical electronic surveillance information for the area served by both types of equipment.

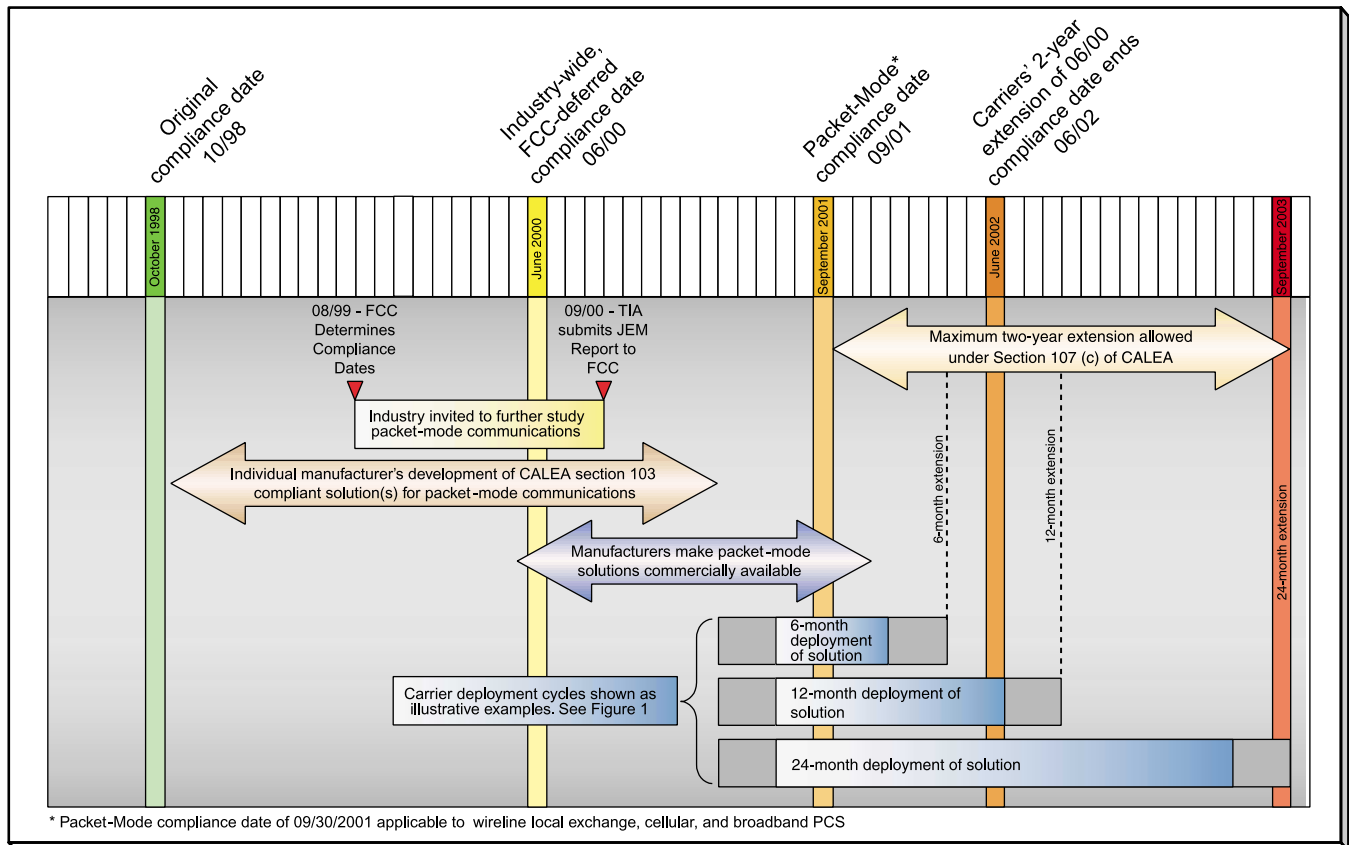


Figure 3 - CALEA Capability Development, Commercial Availability, and Carriers' Generic Upgrade Cycles

and at different frequencies. In order to ensure that carriers can meet their CALEA obligations without being overly burdensome, carriers have the opportunity to advise the FBI of their normal generic upgrade cycles. Past generic upgrades and associated dates can be provided to establish a baseline of previous generic upgrades and validate future expected generic upgrades. See the information descriptions in the following section, "Information Collection," and Appendix C for a Sample Flexible Deployment Assistance Guide Template.

Under the FBI's Flexible Deployment Plan, a carrier's normal generic upgrade cycle will play a role in when CALEA-compliant solutions are to be deployed in a carrier's network (see Figure 3). Carriers will develop their own deployment cycles based on: (1) the commercial availability of CALEA-compliant solutions; (2) market conditions and business plans; and (3) historical lawfully-authorized electronic surveillance activity (i.e., law enforcement priorities). The six-, twelve-, and twenty-four-month deployment cycles shown in Figure 3 are illustrative examples of normal generic upgrade cycles. Actual carrier generic upgrade cycles are expected to differ based on the considerations outlined above.

Commercial Availability of Solutions

In setting the carriers' packet-mode communications assistance capability requirement compliance date of September 30, 2001, the FCC did not stipulate a specific date by which manufacturers of telecommunications equipment (i.e., equipment used in wireline, cellular, and broadband PCS services) must make compliant solutions commercially available to carriers. However, the FCC did note that the September 30, 2001 "... date is 15 months after the June 30, 2000 CALEA compliance deadline, and will afford manufacturers that have not yet developed a packet-mode capability the time needed to do so."²⁷

CALEA-compliant solutions are commercially available on the date a manufacturer first makes its solution available. The FBI recognizes that manufacturers' production cycles may delay a particular carrier's ability to deploy CALEA-compliant software. The FBI expects carriers to incorporate the actual availability of CALEA-compliant solutions (i.e., available to the carrier) when developing their proposed deployment

²⁷ FCC Third Report and Order, FCC 99-230, ¶ 55.

schedules. Additionally, the FBI recognizes that some manufacturers may not have CALEA-compliant solutions available in order for carriers to deploy and meet the September 30, 2001 deadline.

Section 109(b) of CALEA

In those instances where compliance by a carrier is not reasonably achievable, CALEA provides a remedy under Section 109(b). The carrier may choose to petition the FCC with respect to any equipment, facilities, or services on which compliance would not be “reasonably achievable.” In its Second Report and Order, the FCC articulated its basis for consideration of individual carrier petitions under CALEA’s “reasonably achievable” provision. The FCC stated that: (1) it would be premature to adopt factors in addition to those set forth in Section 109(b), or to assign special weight to any one factor; (2) the Section 109 process should be reserved for the examination of specific carrier compliance problems, not to revisit broad policy goals; and (3) carrier requests for relief from CALEA compliance based on CALEA’s costs or impact on rates, quality of service, or introduction of services to the market must be supported by specific facts, including quantitative data. Finally, the FCC stated that “. . . it may be necessary to provide relief under section 109 only in unusual cases.”²⁸

INFORMATION COLLECTION

As stated previously in this Guide, the FBI’s Flexible Deployment Plan is based on (1) a carrier’s normal generic upgrade cycle - necessary to deploy a completely CALEA-compliant solution, and (2) law enforcement priorities. In order for the FBI to make an informed decision regarding a carrier’s proposed deployment schedule, a carrier is encouraged to provide information identifying its specific equipment, geographic area(s) served by the equipment, previous generic deployments, future planned generic deployments, and historical lawfully-authorized electronic surveillance activity.

In the following table, the term “component” refers to any switch, other telecommunications equipment, or peripheral piece of telecommunications equipment which would need to undergo modification to be compliant with the requirements of CALEA. Examples of “components” include (but are not limited to) end office switches, packet-mode only network edge

devices, and peripheral equipment (e.g., Home Location Registers [HLR], and InterWorking Function [IWF]). Additionally, carriers with multiple TRS (Telecommunications Relay Service) numbers must submit an individual template for each TRS number.

A Sample Flexible Deployment Assistance Guide Template is provided in Appendix C. A blank Flexible Deployment Assistance Guide Template is provided in Appendix D. Carriers may use the blank form to provide the above described information. An electronic version of this form, prepared in Microsoft Excel®, is also available on the FBI’s CIS CALEA Web site at www.AskCALEA.net. Carriers may submit electronic versions of the Flexible Deployment Assistance Guide Template to the following web e-mail address: FlexD@AskCALEA.net or to the address provided at the end of this Guide.

The intent of the FBI’s collection of information is to analyze a carrier’s proposed deployment schedule and to assess whether or not the FBI would be willing to support a carrier’s petition for an extension of CALEA’s assistance capability compliance date. Any carrier-provided information marked as proprietary will be treated accordingly by the FBI, and the FBI will enter into an appropriate non-disclosure agreement with any carrier who believes it to be necessary.

In order for the FBI to make informed decisions regarding a carrier’s proposed deployment schedule, a carrier may provide information identifying its specific equipment, geographic area(s) served by the equipment, previous generic deployments, future planned generic deployments, and historical lawfully-authorized electronic surveillance activity.

In the event that a carrier believes the template provided in Appendix D of this Guide requests information that is not applicable to its network or equipment, or is insufficient for a carrier to characterize its deployment schedule on an equipment-specific basis, a carrier is free to provide deployment information in any form. However, a carrier should provide the name of a contact person and their telephone number, as well as the following component-specific information: unique component identifier; component location; service area; current software generic; historical software generic deployment dates; future planned software generic deployment dates; and historical electronic surveillance intercept activity.

²⁸ Second Report and Order, *Communications Assistance for Law Enforcement Act*, CC Docket No. 97-213 (rel. August 31, 1999), ¶ 37.

Data Type	Description
Carrier Name	The name of the telecommunications carrier that owns the identified component (e.g., switch, other telecommunications equipment, or peripheral telecommunications equipment.) This name will appear on all correspondence between the FBI and carrier.
TRS Number	The TRS (Telecommunications Relay Service) number assigned by the FCC. If the TRS number(s) are unknown, contact the FCC to obtain. Carriers with multiple TRS numbers must submit an individual template for each TRS number.
Contact Person, Telephone, and Facsimile Number	The name, telephone, and facsimile number of a person the FBI can contact in the event questions arise with the submitted data.
Consultant of Record (COR) Information	The name of the consulting or law firm; name of a contact person providing the requested information; and the physical address, telephone, and facsimile number of the COR, if applicable. A carrier may designate only one COR. A COR will be contacted in the event that questions arise regarding submitted information.
CLLI Code or Other Identifier	Common Language Location Identifier or other unique component identification. Component-specific CLLI Codes are eleven characters long (e.g., CHANVAWFDS0).
Component Location	The city and state where the component(s) is located.
Manufacturer and Component Type	The manufacturer and type of host or stand-alone component identified by each CLLI Code. For example: 5ESS, DMS-100, EWSD, DMS-MTX, EMX-2500, IWF. Only in the event that a remote device needs to be upgraded, include the remote device type and corresponding host.
Service Area(s)	The name(s) of the counties, market service areas, or other appropriate geographic areas where service is provided by each identified component. In the event that a component serves multiple areas, each area (county, market service area, or other appropriate geographic area) should be identified. For components with remotes, include counties, market service areas, or other appropriate geographic areas where service is provided by each remote.
Current Software Generic	The software generic deployed as of the submission date of the carrier's completed template on the component identified by each CLLI Code. For example: 5E14, NAO12, MTX-10, 1.1 (IWF).
Historical Software Deployment Dates	Previous software deployment dates (in a month/year format) to establish an individual carrier's normal generic upgrade cycle. Every identified generic needs to be accompanied by a date, and every date needs to be accompanied by a generic.
Future Planned Software Generic Deployment Dates	The future planned software generic, and deployment dates (in a month/year format), to be installed in the identified switch or equipment. Every identified generic needs to be accompanied by a date, and every date needs to be accompanied by a generic.
Historical Intercept Activity	Number of lawfully-authorized electronic surveillance intercepts (i.e., communications content, pen registers, and traps and traces) conducted on each identified component by a municipal, county, state, or federal law enforcement agency for the years 1997, 1998, 1999, and 2000. Please provide an integer for each available space. If no intercept activity occurred during a given year, include a zero (0).

Table 1 - Flexible Deployment Information Elements

Carrier Notification

Upon receipt of carrier-submitted Flexible Deployment information, the FBI will provide the carrier a receipt notification letter. Following the FBI's analysis of carrier-submitted information, the FBI will either: (1) contact the carrier to initiate the process by which it and the carrier can develop a mutually agreeable deployment schedule; (2) provide a letter of support for the carrier's deployment schedule (a copy of that letter will also be provided to the FCC); or (3) notify the carrier and FCC that the FBI cannot support that carrier's extension petition.

The final determination regarding carriers' extension petitions rests solely with the FCC. The FCC will determine whether or not to grant any carrier's extension petition using the FBI's support as one factor in its decision-making process, and will notify carriers of its decision(s) accordingly.

Carriers unfamiliar with the FCC's process regarding compliance with the assistance capability requirements of section 103 of CALEA and section 107(c) petitions for extensions of the capability compliance date should refer to the FCC's Public Notice, released on April 25, 2000.²⁹ In its Public Notice, the FCC provided instructions for carriers to file with the FCC petitions for extensions of the June 30, 2000 capability compliance date. The FBI expects the FCC to modify its requirements and release a new Public Notice applicable to the September 30, 2001, capability compliance date for packet-mode communications.

Paperwork Reduction Act Notice

The FBI has created this Second Edition of the Flexible Deployment Assistance Guide and the associated information collection template (see Appendix D) with the intent for it to be easily understood, and to impose the least possible burden on carriers choosing to provide the FBI with deployment information.

This Guide does not contain any substantive or material modifications to the previously approved information collection authorization, and will only update existing requirements for certain telecommunications carriers. In view of this fact, and because the Second Edition of the Guide does not change existing requirements for the voluntary submission of information by carriers, the Second Edition of the Guide creates no additional paperwork requirements above those already approved

²⁹ Public Notice, *CALEA Section 103 Compliance and Section 107(c) Petitions*, CC Docket No. 97-213, FCC 00-154 (rel. April 25, 2000).

by the Office of Management and Budget (control number 1110-0030).

The estimated average time to read this Second Edition of the Flexible Deployment Assistance Guide, complete the template, and file the information is as follows: (1) 1 hour to read the Flexible Deployment Assistance Guide; (2) 2 hours to gather the information to complete the Flexible Deployment Assistance Guide Template; (3) 1 hour to complete the Template; (4) 15 minutes to assemble and file the Template; for a total estimated average time of 4 hours and 15 minutes per Template. If you have comments regarding this estimate, or suggestions for simplifying this Guide and the associated information collection template, you can write to both the CALEA Implementation Section (CIS), 14800 Conference Center Drive, Suite 300, Chantilly, Virginia 20151; and the Office of Management and Budget, Paperwork Reduction Project, OMB No. 1110-0030, Washington, D.C. 20503.

ADDITIONAL TECHNOLOGIES

FCC's Second Report and Order

On August 31, 1999, the FCC adopted its Second Report and Order³⁰ regarding CALEA. In its Second Report and Order, the FCC examined the definition of "telecommunications carrier" set forth in Section 102 of CALEA. The FCC determined that the requirements of CALEA apply to:

- Any entity that holds itself out to serve the public indiscriminately in the provision of any telecommunications service;
- Entities previously identified as common carriers for purposes of the Communications Act,³¹ including local exchange carriers, interexchange carriers, competitive access providers, and satellite-based service providers;
- Cable operators, electric, and other utilities to the extent that they offer telecommunications services for hire to the public;
- Commercial mobile radio service (CMRS) providers;
- Specialized Mobile Radio (SMR) providers when their systems interconnect to the public switched telephone network;

³⁰ Second Report and Order, *Communications Assistance for Law Enforcement Act*, CC Docket No. 97-213 (rel. August 31, 1999).

³¹ 47 U.S.C. § 153(10).

- Resellers of telecommunications services to the extent they own equipment with which services are provided;³²
- Providers of calling features such as call forwarding, call waiting, three-way calling, speed dialing, and the call redirection portion of voice mail; and
- Facilities used by carriers to provide both telecommunications and information services, are subject to CALEA in order to ensure the ability to conduct lawfully-authorized electronic surveillance of the telecommunications services.

The FCC concluded that some categories of entities are not telecommunications carriers subject to CALEA:

- Private mobile radio service (PMRS) providers;
- Pay telephone providers; and
- Information service providers, to the extent they do not provide telecommunications services.

Participation in this phase of the FBI's Flexible Deployment Plan is available to those telecommunications carriers subject to the September 30, 2001, deadline for compliance as set forth in the Third Report and Order. The FCC provided that all other telecommunications carriers are subject to the June 30, 2000, capability requirement compliance date.

ADDITIONAL INFORMATION

How and Where to Provide Flexible Deployment Assistance Guide Information

Carriers can download an electronic Flexible Deployment Assistance Guide Template from the FBI's CIS Web site at www.AskCALEA.net. The Flexible Deployment Assistance Guide page is available by selecting the *Flexible Deployment* hyperlink.

Carriers that do not have access to the Internet and wish to acquire the Flexible Deployment Assistance Guide Template in electronic form can request 3.5 inch diskettes containing the electronic template from the address and/or telephone listed below. Carriers may either submit a completed Flexible Deployment Assistance Guide Template in electronic form (e.g., Microsoft Excel®) or use the Flexible Deployment Assistance

Guide Template provided in Appendix D of this Guide. Carriers are strongly encouraged to file their Flexible Deployment Assistance Guide Templates by September 30, 2001, and all completed Flexible Deployment Assistance Guide Templates should be sent to **only one** of the following:

Electronic submissions of the Flexible Deployment Assistance Guide Template may be made to:

FlexD@AskCALEA.net

Facsimile submissions of the Flexible Deployment Assistance Guide Template may be made to:

703-814-4750

Standard postal delivery submissions of the Flexible Deployment Assistance Guide Template may be made to:

CALEA Implementation Section (CIS)

Attention: Flexible Deployment Assistance Guide

14800 Conference Center Drive, Suite 300

Chantilly, VA 20151-0450

Contact Information

Carriers that have additional questions or comments concerning this Second Edition of the Flexible Deployment Assistance Guide can call the following toll-free number:

**Communications Assistance for Law Enforcement Act
(CALEA)
Flexible Deployment Assistance Guide
Help Desk**

800-551-0336

³² See Second Order on Reconsideration, *Communications Assistance for Law Enforcement Act*, CC Docket No. 97-213 (rel. April 16, 2001), ¶¶ 37, 38.

APPENDIX A — FREQUENTLY ASKED QUESTIONS

Q Why has the FBI published a second Flexible Deployment Assistance Guide?

A In its Third Report and Order, the FCC determined September 30, 2001, to be the compliance date for wireline local exchange, cellular, and broadband PCS carriers that offer services using packet-mode communications technology. The Second Edition of the FBI's Flexible Deployment Assistance Guide is intended to assist those carriers that may not be able to meet the September 30, 2001 compliance deadline.

Q What information does a carrier need to provide the FBI in order to participate in the FBI's Flexible Deployment Plan?

A As described in the Information Collection Section of this Guide, a carrier should provide the name of a contact person, their telephone and fax numbers, and address, as well as the following component-specific information: (1) CLLI Code or other unique component identifier; (2) component location; (3) service area(s); (4) current software generic; (5) historical software generic deployments and corresponding deployment dates; (6) future planned software generic deployments and corresponding dates; (7) historical intercept activity. In the event that a carrier chooses to make use of a consultant or law firm, the template should include: (1) the name of the consultant of record (COR); (2) the COR company name; (3) COR address; and (4) COR telephone and fax numbers. **Additionally, carriers with multiple TRS (Telecommunications Relay Service) numbers must submit an individual template for each TRS number.**

Q Is it mandatory that a carrier complete the Flexible Deployment Assistance Guide Template?

A No. There is no legislative, regulatory, or other mandate for carriers to provide the information outlined in this Flexible Deployment Assistance Guide. Carrier submission of information to the FBI under the Flexible Deployment Plan is voluntary. However, the FBI will not be in a position to provide its support for any carrier's petition for an extension of CALEA's September 30, 2001 assistance capability compliance date (for packet-mode communications) without specific solution deployment information.

Q What are CALEA's compliance dates that a carrier needs to know?

A All carriers had until June 30, 2000, to comply with the assistance capability requirements of CALEA. For wireline local exchange, cellular, and broadband PCS carriers compliance with a technical standard known as the J-Standard (TIA Standard J-STD-025) provided safe harbor from enforce-

ment. Certain carriers (including, but not limited to wireline local exchange, cellular, and broadband PCS carriers) petitioned and received extensions of the June 30, 2000, assistance capability compliance date based on individual solution deployment schedules. Any wireline local exchange, cellular, and broadband PCS carrier using packet-mode communications has until September 30, 2001 to comply with the assistance capability requirements of CALEA. Additionally, wireline local exchange, cellular, and broadband PCS carriers had until March 12, 2001, to comply with the capacity requirements as enumerated in the Final Notice of Capacity (63 Fed. Reg. 12217).

Q Will filling out the Flexible Deployment Assistance Guide Template ensure that a carrier receives an extension of the assistance capability requirements compliance date?

A No. If the FBI, with the aid of the law enforcement community, determines that a carrier's proposed deployment schedule is consistent with law enforcement priorities, it may provide support for the carrier's petition under section 107(c) of CALEA. The FCC decides whether or not to grant any carrier's petition.

Q How will carriers be notified of their status after submitting the information identified in this Flexible Deployment Assistance Guide?

A Upon receipt of carrier-submitted Flexible Deployment information, the FBI will provide the carrier (and consultant of record) a receipt notification letter. Following the FBI's analysis of carrier-submitted information, the FBI will either: (1) contact the carrier (or consultant of record) to develop a mutually agreeable deployment schedule; (2) provide a letter of support for the carrier's deployment schedule (a copy of that letter will also be provided to the FCC); or (3) notify the carrier and FCC that the FBI cannot support that carrier's extension petition.

Q Where can a carrier get more information regarding the FBI's Flexible Deployment Plan?

A The CALEA Implementation Section of the FBI maintains a Web site (www.AskCALEA.net) to provide carriers information regarding CALEA. Electronic versions of this Guide, as well as the information submission template, are available on the AskCALEA website.

APPENDIX B — GLOSSARY¹

Actual Capacity — defined in 47 U.S.C. § 1003(a)(1) as a notice of the actual number of communications interceptions, pen registers, and trap and trace devices, representing a portion of the maximum capacity, that the Attorney General estimates that government agencies authorized to conduct electronic surveillance may conduct and use simultaneously by a certain date.

Basic Trading Area (BTA) — a PCS service area defined by the FCC as a collection of counties, based on the Rand McNally 1992 Commercial Atlas & Marketing Guide.

Broadband Personal Communications Services (PCS) — radio communications operating within the 2 GHz band of the electromagnetic spectrum (from 1850 to 1990 MHz), which encompass mobile and ancillary fixed communication services, including a family of communications devices utilizing very small, lightweight, multifunction portable phones, portable facsimile and other imaging devices, new types of multifunction cordless phones, and advanced devices with two-way data capabilities.

Call Content — the “contents” of a communication is defined by 18 U.S.C. § 2510(8) as “any information concerning the substance, purport, or meaning of that communication.” The phrase “call content” used in this Guide refers to the contents of lawfully intercepted communications.

Call-identifying Information — defined in 47 U.S.C. §1001(2) to mean “dialing or signaling information that identifies the origin, direction, destination, or termination of each communication generated or received by a subscriber by means of any equipment, facility, or service of a telecommunications carrier.”

Cellular Service — a mobile radiotelephone service in which common carriers are authorized to offer and provide a mobile telecommunications service for hire to the general public using cellular systems. A cellular radio system is an automated, high-capacity system of one or more multichannel base stations designed to provide radio telecommunications services to mobile stations.

CLLI Code — Common Language Location Identifier or equivalent identifier for carrier equipment.

Commercial Availability — the date on which a manufacturer of telecommunications equipment makes software available.

Electronic Communication — defined in 18 U.S.C. §2510(12), in substance, to include any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectric, or a photooptical system.

Electronic Surveillance — for purposes of this Guide, the word “electronic surveillance” is used to refer to either the interception of call content and/or acquisition of call-identifying information. The telecommunications service targeted for electronic surveillance includes all of the services and features associated with the subject’s facilities, equipment and services, as specified in a court order or lawful authorization.

Interception — defined in 18 U.S.C. § 2510(4) as the acquisition of the contents of a communication through the use of a device. See Electronic Surveillance above.

J-STD-025 — industry interim technical standard developed to meet the assistance capability requirements of Section 103 of CALEA published in December 1997.

¹ This Glossary is provided herein solely for the assistance of the reader.

APPENDIX B — GLOSSARY (cont'd)

Local Exchange Carrier — any person or entity that is engaged in the provision of telephone exchange service or exchange access. Such term does not include persons or entities engaged in the provision of a commercial mobile service.

Local Loop — the physical connection between a service provider's end office equipment, most often a switch, and a telephone subscriber's home or office.

Major Trading Area (MTA) — a PCS service area defined by the FCC as a collection of BTAs, based on the Rand McNally 1992 Commercial Atlas & Marketing Guide.

Maximum Capacity — defined in 47 U.S.C. § 1003(a)(1)(B) as the maximum capacity required to accommodate all of the communication interceptions, pen registers, and trap and trace devices that the Attorney General estimates that government agencies authorized to conduct electronic surveillance may conduct and use simultaneously by a certain date.

Metropolitan Statistical Area (MSA) — a geographic area based on counties, as defined by the U.S. Census Bureau, that contain cities with populations of 50,000 or more.

Normal Generic Upgrade Cycle — carrier-specific timeline of past- and future-planned software generic deployments.

Notice of Capacity — the notice required by 47 U.S.C. § 1003(a) of the estimated actual and maximum number of simultaneous call content interceptions, pen registers, and trap and traces that law enforcement may conduct at some future date.

Packet Mode Communications — defined in the FCC's Third Report and Order as "a communication where individual packets or virtual circuits of a communication within a physical circuit are switched or routed by the accessing telecommunication system. Each packet may take a different route through the intervening network(s)" (Third Report and Order, ¶ 6).

Pen Register — see generally 18 U.S.C. § 3121, et seq. Pursuant to these provisions, a law enforcement agency can be authorized to acquire certain outgoing dialing and signaling information.

Rural Service Area (RSA) — a geographic area not included within either an MSA or a New England Country Metropolitan Area for which a common carrier may have a license to provide cellular service.

Title III — the provision of the Omnibus Crime Control and Safe Streets Act of 1968 (Pub. L. No. 90-351, 82 Stat. 212) that, among other things, governs the conduct of lawful interceptions.

Telecommunications Carrier — defined in 47 U.S.C. § 1001(8), in pertinent part, as a person or entity engaged in the transmission or switching of wire or electronic communications as a common carrier for hire; or a person or entity engaged in providing commercial mobile service (See also 47 U.S.C. § 332(d)).

Trap and Trace Device — see generally 18 U.S.C. § 3121, et seq. Pursuant to these provisions a law enforcement agency can be authorized to acquire certain information identifying originating numbers.

Wire Communication — defined in 18 U.S.C. § 2510(1), in substance, to mean any transfer involving the human voice made in whole or in part through the use of wire, cable, or other like transmission facilities. The term includes communications via cellular telephones.

APPENDIX C — SAMPLE FLEXIBLE DEPLOYMENT ASSISTANCE GUIDE TEMPLATE

APPENDIX D — FLEXIBLE DEPLOYMENT ASSISTANCE GUIDE TEMPLATE

OMB Control Number: 1110-0030

Expiration Date: April 30, 2003

Carrier Name AnyTel
 TRS Number 123456
 Contact Person John Doe
 Address 14800 Conference Center Drive, Suite 300
 City, State, Zip Chantilly, Virginia 20151
 Telephone Number 703-814-4700
 Fax Number 703-814-4750

If Applicable:
 Consultant of Record (COR) _____
 COR Company Name _____
 COR Address _____
 COR City, State, Zip _____
 COR Telephone Number _____
 COR Fax Number _____

Component Specific Information				Deployed Generics										Interceptions			
				Previous -1 n-2		Previous n-1		Current n		Next n+1		Next + 1 n+2					
CLLI Code or Other Unique Identifier	Component Location	Service Area(s) Served	Manufacturer & Component Platform	Generic	Date Deployed	Generic	Date Deployed	Generic	Date Deployed	Generic	Date to be Deployed	Generic	Date to be Deployed	1997	1998	1999	2000
CHANVAWFCM1	Chantilly, VA	Wash. DC MSA #8	Nortel DMS-MTX	MTX-07	06/99	MTX-08	06/00	MTX-09	06/01	MTX-10	12/01			1	2	3	5
			Nortel DMS-MTX Integrated HLR														
			No message center														
			CommWorks InterWorking Function (IWF) High Density Gateway (HDG) platform					1.1	07/01	1.2	09/01						

Please email this form to FlexD@AskCALEA.net
 or fax to (703) 814-4750

APPENDIX D — FLEXIBLE DEPLOYMENT ASSISTANCE GUIDE TEMPLATE

OMB Control Number: 1110-0030
 Expiration Date: April 30, 2003

Carrier Name _____
 TRS Number _____
 Contact Person _____
 Address _____
 City, State, Zip _____
 Telephone Number _____
 Fax Number _____

If Applicable:
 Consultant of Record (COR) _____
 COR Company Name _____
 COR Address _____
 COR City, State, Zip _____
 COR Telephone Number _____
 COR Fax Number _____

Component Specific Information				Deployed Generics										Interceptions			
				Previous -1 n-2		Previous n-1		Current n		Next n+1		Next + 1 n+2					
CLLI Code or Other Unique Identifier	Component Location	Service Area(s) Served	Manufacturer & Component Platform	Generic	Date Deployed	Generic	Date Deployed	Generic	Date Deployed	Generic	Date to be Deployed	Generic	Date to be Deployed	1997	1998	1999	2000

Please email this form to FlexD@AskCALEA.net
 or fax to (703) 814-4750



*CALEA Implementation Section
Attention: Flexible Deployment Assistance Guide
Second Edition - Packet-Mode Communications
14800 Conference Center Drive, Suite 300
Chantilly, Virginia 20151-0450*