



U.S. Department of Justice  
Civil Division, Appellate Staff  
601 D Street, N.W. Room 9539  
Washington, D.C. 20530-0001

EX PARTE OR LATE FILED

SRM:DLKaplan

Tel: (202) 514-5083  
Fax: (202) 514-7964

May 11, 1999

**BY HAND DELIVERY**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Room TWB-204  
Washington, D.C. 20554

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MAY 11 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: **EX PARTE PRESENTATION**  
**In the Matter Of: Communications Assistance for Law Enforcement Act**  
**CC Docket No. 97-213**

Dear Ms. Salas:

On May 10, 1999, the Attorney General of the United States and other representatives of the Department of Justice and the Federal Bureau of Investigation met with Commissioner Gloria Tristani to discuss the above-referenced matter. Present from the Department of Justice, in addition to the Attorney General, were Stephen R. Colgate, Daniel L. Kaplan, Douglas N. Letter, Scott R. McIntosh, and Lisa Monaco. Present from the Federal Bureau of Investigation were Michael Gallagher, H. Michael Warren, and Dave Yarbrough. Commissioner Tristani was accompanied by Karen Gulick.

The following subjects were discussed at this meeting:

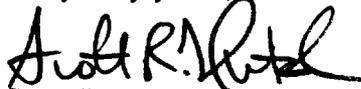
- (i) The Attorney General discussed the importance of electronic surveillance for law enforcement and the need for the Commission's assistance in implementing CALEA's assistance capability requirements.
- (ii) The parties discussed the three "surveillance integrity" assistance capability items that the Commission has tentatively concluded are not required by Section 103 of the Communications for Law Enforcement Act (the Act). The Department summarized the arguments against these capabilities made in the filed comments of several carriers, and restated the view expressed in its own filed comments that these capabilities are required under the Act.

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- (iii) The parties discussed the efforts the Department has made, and continues to make, to bring about flexible and efficient implementation of the Act's requirements. Specifically, the parties discussed: (a) the Department's ongoing negotiations with telecommunications equipment manufacturers for the development of CALEA solutions that will enable telecommunications carriers to comply with the Act's assistance capability requirements; (b) the Department's efforts to accommodate existing software upgrade cycles while identifying areas of high priority for law enforcement; and (c) the Department's efforts to avoid placing unnecessary burdens on carriers with limited resources and a limited history of intercept activity, while still preserving law enforcement's ability to conduct electronic surveillance when necessary in areas served by such carriers.
- (iv) The parties discussed the Public Notice released by the Commission on May 7, 1999, regarding manufacturer revenue estimates, and the relative costs of providing the "punchlist" assistance capabilities and the assistance capabilities already set forth in the J-STD-025 standard issued by the industry.

Pursuant to Section 1.1206 of the Commission's Rules, an original and one copy of this letter are enclosed. Copies of this letter are simultaneously being provided to the Commission representatives identified above.

Very truly yours,



Scott R. McIntosh

Attorney, Appellate Staff

cc: Commissioner Tristani, Karen Gulick