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October 6, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
12th Street Lobby, TW-A325
Washington, D.C. 20554

Re: CC Docket No. 97-213, In the Matter of Communications Assistance for Law Enforcement Act

Dear Ms. Salas:

Representatives of the Telecommunications Industry Association (TIA) met with Commission staff on Tuesday, October 5, 1999, regarding the above-captioned proceeding. On behalf of TIA were Benjamin Ederington, Dean Grayson, Sue McNeil, Jennifer Peper, and the undersigned. The Commission staff members present are listed in the "copy to" block below.

The purpose of the meeting was for TIA to seek guidance on interpreting the Commission's recent R&Os and its treatment of packet-mode technologies -- especially "voice over Internet Protocol" (VOIP) technologies.¹ In its Third R&O, the Commission entrusted TIA with responsibility for preparing a study on possible CALEA solutions for packet-mode technologies; TIA sought the staff's guidance as part of this responsibility.²

Specifically, the Commission has never determined whether most packet-mode technologies are within the statutory meaning of "telecommunications;" in fact, the Commission has determined that many of these technologies are "information services." Because carriers are required to provide CALEA-compliant access to law enforcement authorities (LEAs) only for telecommunications services, and not information services, TIA sought an informal clarification as to whether, under the R&Os, the Commission had modified any of its previous decisions regarding the classification of packet technologies (particularly, VOIP). During the meeting, the Commission staff confirmed that the Second and Third R&Os did not make a determination on this issue and had not modified the Commission's previous decisions. In particular, it is our understanding that the Commission has not made a finding that VOIP is covered by CALEA.

TIA appreciates the staff's guidance. We will keep the Commission informed of our progress in preparing the requested study.

¹ Second Report and Order, FCC 99-229 (released Aug. 31, 1999); Third Report and Order, FCC 99-230 (released Aug. 31, 1999) (*Third R&O*).

² Third R&O, ¶¶55-56.

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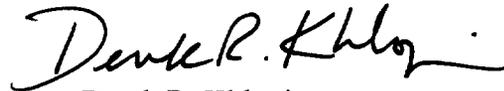
Representing the telecommunications industry in
association with the Electronic Industries Alliance



Telecommunications Industry Association
CC Docket No. 97-213
October 6, 1999

An original and one copy of this letter are submitted and a copy has been forwarded to the Commission staff present at the meeting, pursuant to 47 C.F.R. § 1.1206. If you have any questions about this submission, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, reading "Derek R. Khlopin". The signature is written in a cursive style with a long horizontal flourish at the end.

Derek R. Khlopin
Regulatory Counsel

cc: Charles Iseman, OET
Stacy Jordan, WTB
Geraldine Matise, OET
Rodney Small, OET
John Spencer, WTB
Jerome Stanshine, OET
Thomas Wasilewski, WTB