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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

July 19, 2001

NOTICE OF EX PARTE

Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

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

Dear Ms. Salas:

On Wednesday, July 18, 2001, representatives of the Telecommunications Industry Association (TIA) met with Lauren Maxim Van Wazer of Commissioner Copps' office.

TIA was represented by Terri Brooks, Cathy Fitzpatrick, Tim Harr, Diane Law Hsu, Gary Pellegrino, Grant Seiffert, Stewart Baker, Ben Ederington and the undersigned. The meeting afforded TIA an opportunity to discuss industry progress in developing solutions for packet-mode technologies. In the course of the meeting, TIA reiterated its position that the September 30, 2001 deadline for compliance with CALEA obligations for the punch list and packet-mode telecommunications services should be suspended or extended based on, among other things, technical and legal complexities. Enclosed is a handout that was distributed during the meeting, outlining the discussion.

Copies of this filing have been forwarded to the Commission staff present at the meeting, pursuant 47 C.F.R. § 1.1206. If you have any questions about this submission, please contact the undersigned.

Respectfully Submitted,

Derek R. Khlopin /LBE

Derek R. Khlopin
Director, Law and Public Policy

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Communications Assistance for Law Enforcement Act ("CALEA")
Ex Parte Meeting
(July 18, 2001)

1. Packet Data

- The Commission has authority to grant a two-year extension.
  - CTIA *Petition to Suspend Compliance Date* (August 23, 2000)
  - Carrier, manufacturer, and industry association comments in support of same

- The Commission should grant a two-year extension of the compliance deadline for all packet-mode technologies.
  - Complexity of CALEA
  - Uncertainty over what is covered under CALEA ("information service")
  - Uncertainty about what capabilities are reasonably achievable
  - Immaturity of technology and uncertainty over law's application to new packet-mode technologies
  - No clear packet standard
  - Experience from "core" J-STD-025

2. Punch List

- The Commission should act as quickly as possible to address the four punch list items vacated and remanded by the D.C. Circuit.

- As part of its order, the Commission should establish a new compliance schedule for all six of the punch list items.