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August 13, 2001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Room TW-A325
Washington, D.C. 20554

Re: *Ex Parte* Presentation
CC Docket No. 97-213

Dear Ms. Salas:

On August 10, 2001, the undersigned, Don Bender and Ed Kania, representing the United States Telecom Association, met via telephone conference call with Ms. Lauren Maxim Van Wazer of Commissioner Copps' office and on August 13, 2001 met with Ms. Deena Shetler of Commissioner Tristani's office and with Mr. Matthew Brill of Commissioner Abernathy's office regarding the above-referenced docket. Consistent with its written filings in this proceeding, USTA urged the Commission to extend the September 30, 2001 compliance date for both the punchlist and packet mode communications. USTA discussed the specific points raised on the attached slides.

In accordance with Section 1.1206(a)(1) of the Commission's rules, an original and a copy of this notice are being filed in the Office of the Secretary. Please include a copy of the letter in the above-referenced proceeding. If there are any questions regarding this submission, please contact the undersigned.

Respectfully submitted,

Linda L. Kent

Associate General Counsel

Attachment

cc: Lauren Maxim Van Wazer
Deena Shetler
Matthew Brill

No. of Copies rec'd 071
List ABCDE



CALEA Compliance Issues

Linda Kent

Ed Kania

Don Bender

United States Telecom Association



TIA's Packet Report

Commission's *Third Report and Order* considered the issues of CALEA compliance for packet-mode communications

Expressed concerns with the technical solutions
provided in J-STD-025 for packet-mode technology

Decided that CALEA solutions consistent with J-STD-
025 should be provided by Sept. 30, 2002 along with
the "punch list" functions



TIA's Packet Report

Requested that TIA further study the technical issues concerning the electronic surveillance of packet-mode technologies and submit a report to the Commission by Sept.30, 2000

The report was submitted to the Commission on Sept. 29, 2000 which

Cannot determine if packet is Telecom service or Information Service (Information Service exempt from CALEA)

Identified the technical difficulties of analyzing data traffic and separating call-identification-like information from content



TIA's Packet Report

Raised privacy issues

Encouraged the Commission to suspend the Sept. 30, 2002 compliance date and to establish a procedure by which CALEA solutions for packet data technologies could be implemented

The industry has recently reactivated the LAES Ad Hoc Group to start the process of addressing packet-mode technology standards.

First meeting on August 29th in the Chicago, IL area

Need solution for broadband deployment



Sept. 30, 2001 Compliance Date

The timeline of activities cannot be accomplished in the time remaining to the Sept. 30th compliance date

Each carrier would need a compliant software/hardware completion date for each switch from their respective switch vendor

Some switch vendors' availability dates are beyond the compliance date (survey chart provided)

107 (c) Petitions need to be prepared and sent to the FCC for consultation with the FBI prior to approval



Sept. 30, 2001 Compliance Date

This process or amendments to the previously filed 107 (c) Petitions cannot be accomplished prior to Sept. 30th

Need completion date for each switch from switch vendor

First round not completed

Same administration burdens will apply to new flexible packet deployment plan already sent to carriers by the FBI



Sept. 30, 2001 Compliance Date

The most expeditious approach is to suspend the Sept. 30, 2001 compliance date for both packet and the punch list

No FCC action on punch list items reversed and remanded on appeal

WIRELINE INDUSTRY (ILECs)
CALEA CAPABILITY – INCLUDING PACKET & PUNCH LIST FUNCTIONS

MANUFACTURERS	SWITCH IDENTIFICATION	SOFTWARE RELEASE	FIRST OFFICE APPLICATION	GENERAL AVAILABILITY	COMMENTS
SIEMENS	EWSD	19	4Q01	2Q02	<ul style="list-style-type: none"> - INCLUDE ALL SIX PUNCH LIST FUNCTIONS - EACH FUNCTION IS DISABLE BY SOFTWARE TOGGLE - THE SWITCH HAS ISDN PACKET FUNCTIONALITY. HOWEVER, THE PACKET HANDLER WILL NOT SUPPORT CALEA REQUIREMENTS AND IS MANUFACTURED DISCONTINUED
SIEMENS	DCO	23	AUGUST 2001	NOVEMBER 2001	<ul style="list-style-type: none"> - INCLUDE ALL SIX PUNCH LIST FUNCTIONS - EACH FUNCTION IS DISABLE BY SOFTWARE TOGGLE - THE SWITCH HAS NO ISDN PACKET FUNCTIONALITY
NORTEL	DMS-10	502	APRIL 2001	JUNE 30, 2001	<ul style="list-style-type: none"> - THE SWITCH HAS NO ISDN PACKET FUNCTIONALITY - INCLUDE ALL SIX PUNCH LIST FUNCTIONS - EACH FUNCTION IS DISABLE BY SOFTWARE TOGGLE
NORTEL	DMS-100	14	COMPLETED	NOV. 2000	<ul style="list-style-type: none"> - INCLUDE ALL SIX PUNCH LIST FUNCTIONS AND ISDN PACKET DATA INTERCEPTION AND DELIVERY - EACH FUNCTION IS DISABLE BY SOFTWARE TOGGLE EXCEPT PTY. HELD, DROP OR JOINED MESSAGING WHICH ARE BLOCK ON THE DELIVERY CHANNEL

WIRELINE INDUSTRY (ILECs)
CALEA CAPABILITY - INCLUDING PACKET & PUNCH LIST FUNCTIONS

MANUFACTURERS	SWITCH IDENTIFICATION	SOFTWARE RELEASE	FIRST OFFICE APPLICATION	GENERAL AVAILABILITY	COMMENTS
LUCENT	5E	5E15 5E14 INCLUDES ISDN PACKET INTERCEPTION AND DELIVERY	COMPLETED	AVAILABLE	<ul style="list-style-type: none"> - INCLUDE ALL SIX PUNCH LIST FUNCTIONS AND ISDN PACKET DATA INTERCEPTION AND DELIVERY - EACH FUNCTION IS DISABLE BY SOFTWARE TOGGLE
AG COMMUNICATIONS SYSTEMS	GTD5	4006	COMPLETED	MAY 2001	<ul style="list-style-type: none"> - INCLUDE ALL SIX PUNCH LIST FUNCTIONS - EACH FUNCTION IS DISABLE BY SOFTWARE TOGGLE - WAITING FOR THEIR RESPONSE ON PACKET SURVEILLANCE
MITEL	GX5000	5009 frozen Core Functions only			<ul style="list-style-type: none"> - MITEL STOP MARKETING THE PRODUCT - THE COMPANY IS NOW A SERVICE ORGANIZATION TO SUPPORT PREVIOUSLY SOLD SYSTEMS - SOFTWARE RLS. 5009 INCLUDE J-STD-025 - NOT KNOWN AT THIS TIME IF MITEL WILL OFFER THE PUNCH LIST FUNCTIONS - THE SWITCH HAS NO ISDN PACKET FUNCTIONALITY
REDCOM	MDXI	6 - Core Functions only 7 - Includes Two of the six Punch List Functions	MID 2001	AVAILABLE	<ul style="list-style-type: none"> - THE SWITCH HAS NO ISDN PACKET FUNCTIONALITY - REQUIRES A NEW PROCESSOR AND THE PRODUCT WAS REMANED MDXI - PUNCH LIST FUNCTIONS ARE NOT AVAILABLE IN SOFTWARE VERISON 6

**WIRELINE INDUSTRY (ILECs)
CALEA CAPABILITY – INCLUDING PACKET & PUNCH LIST FUNCTIONS**

MANUFACTURERS	SWITCH IDENTIFICATION	SOFTWARE RELEASE	FIRST OFFICE APPLICATION	GENERAL AVAILABILITY	COMMENTS
ERICSSON	AKE10	320/321			<ul style="list-style-type: none"> - THE SOFTWARE RELEASE DATE FOR THE PUNCH LIST FUNCTIONS HAS NOT BEEN ESTABLISHED AND SUBJECT TO CUSTOMER PURCHASE - THE SWITCH HAS NO ISDN PACKET FUNCTIONALITY