

*Communications Assistance for  
Law Enforcement Act - CALEA*

*Flexible Deployment  
Assistance Guide*

*Fourth Edition*

*Further Extensions  
of the June 30, 2004  
CALEA Assistance Capability  
Requirements Compliance Dates*



*Department of Justice  
Federal Bureau of Investigation  
CALEA Implementation Unit  
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## INTRODUCTION

The purpose of this *Fourth Edition* of the “Communications Assistance for Law Enforcement Act (CALEA) Flexible Deployment Assistance Guide” (Guide or *Fourth Edition Guide*) is to further assist telecommunications carriers in meeting certain requirements of CALEA.<sup>1</sup> This Guide continues the implementation efforts of the CALEA Implementation Unit (CIU) of the Federal Bureau of Investigation (FBI) with respect to further extensions of the June 30, 2002 compliance date for six additional technical capabilities affirmed by the Federal Communications Commission (FCC)<sup>2</sup> to be required by CALEA and further extensions of June 30, 2000,<sup>3</sup> for certain telecommunications carriers (hereinafter collectively referred to as “assistance capability requirements compliance date[s]”).

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<sup>1</sup>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; *In the Matter of Petition for the Extension of the Compliance Date Under Section 107 of the Communications Assistance for Law Enforcement Act by AT&T Wireless Services, Inc. et al.*, FCC 98-223, 1998 WL 601289 (1998) (hereinafter referred to as “1998 Section 107 Extension Order”); *In the Matter of Communications Assistance for Law Enforcement Act*, Second Report and Order, 15 FCC Rcd 7105 (1999) (hereinafter referred to as “CALEA Second Report and Order”); *In the Matter of Communications Assistance for Law Enforcement Act*, Third Report and Order, 14 FCC Rcd 16794 (1999) (hereinafter referred to as “CALEA Third Report and Order”); *USTA v. FCC*, 227 F.3d 450 (D.C. Cir. 2000); and *In the Matter of Communications Assistance for Law Enforcement Act*, Order on Remand, 17 FCC Rcd 6896 (2002) (hereinafter referred to as “CALEA Order on Remand”).

<sup>2</sup>On April 11, 2002, the FCC released the CALEA Order on Remand regarding four contested and two uncontested technical capabilities, and established a June 30, 2002 compliance date. See the Missing Capabilities section of this *Fourth Edition Guide* for more information.

<sup>3</sup>A telecommunications carrier participating in this iteration of the FBI’s Flexible Deployment Program may have already received *two*, two-year extensions of its June 30, 2000 assistance capability requirements compliance date from the FCC (*i.e.*, first extending its assistance capability requirements compliance date to June 30, 2002, and then further extending its assistance capability requirements compliance date to June 30, 2004). The carrier now seeks the FBI’s support of its petition to the FCC for a *further* extension of June 30, 2000, and/or a *further* extension of June 30, 2002.

This Guide provides guidance to telecommunications carriers that voluntarily submit certain CALEA compliance information to the FBI, and explains under what circumstances, based on a review of that information, the FBI will consider supporting a telecommunications carrier’s request of the FCC to further extend the assistance capability requirements compliance date(s) under Section 107(c) of CALEA.<sup>4</sup> This Guide also provides some general background information regarding CALEA, and discusses lawfully-authorized electronic surveillance and technical solutions developed by the industry.

As explained further in this Guide, telecommunications carriers<sup>5</sup> are under an affirmative obligation to meet CALEA assistance capability requirements by June 30, 2004. By implementing Flexible Deployment for both further extensions of the assistance capability requirements compliance date(s), the FBI intends to use a similar evaluation method as used previously in its Flexible Deployment Program. Carriers choosing to submit

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<sup>4</sup>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 legal advisors or the FCC.

<sup>5</sup>The FCC determined in its *CALEA Third Report and Order* that certain telecommunications carriers (*i.e.*, carriers providing wireline local exchange, cellular, and/or broadband Personal Communications Service [PCS]) were required to provide certain core electronic surveillance capabilities by June 30, 2000. See *CALEA Third Report and Order* at ¶¶ 35, 36.

On September 21, 2001, the FCC released an Order granting carriers until November 19, 2001, to either come into compliance with, or to seek individual relief of, the packet-mode compliance deadline. See *In the Matter of Communications Assistance for Law Enforcement Act*, Order, 16 FCC Rcd 17,397 (2001). Carriers sought individual relief and were granted preliminary extensions of the November 19, 2001 packet-mode assistance capability requirements compliance date (*i.e.*, two-year extensions ending on November 19, 2003). On November 19, 2003, the FCC released a Public Notice extending until January 30, 2004, the preliminary extensions granted to carriers. See *Wireline Competition and Wireless Telecommunications Bureaus Announce a Revised Schedule for Consideration of Pending Packet-Mode CALEA Section 107(c) Petitions and Related Issues*, Public Notice, DA 03-3722, 2003 WL 22717863 (2003).

information in response to this Guide are strongly encouraged to do so on or before June 8, 2004.

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 a further extension of one or both of the assistance capability requirements compliance date(s), provided that the carrier then proceeds 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.<sup>6</sup> Carriers should note, however, 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 organization's lawful collection of (1) the contents<sup>7</sup> 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 (OCCSSA) (Pub. L. No. 90-351, 82 Stat. 212 [1968]) 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 OCCSSA (Pub. L. No. 91-644, 84 Stat. 1880 [1971]) to confirm the government's authority to lawfully require providers of communications services to provide law enforcement with the ". . . technical assistance

<sup>6</sup>See *CALEA Second Report and Order* at ¶ 37, n.100.

<sup>7</sup>Communications "contents" is defined by 18 U.S.C. § 2510(8) as "any information concerning the substance, purport or meaning of that communication."

necessary to accomplish the interception . . ."<sup>8</sup> 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 [1986]), which amended the OCCSSA by broadening its coverage to include electronic communications (including electronic mail, data transmissions, faxes, and pagers). The provisions of Title III of the OCCSSA, 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 OCCSSA or FISA.

<sup>8</sup>18 U.S.C. § 2518(4).

The term *pen register* is defined by law and refers to the lawful acquisition of certain outgoing dialing, routing, addressing, 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 dialing, routing, addressing, and signaling information reasonably likely to identify the source of a 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 [1994]). The law clarifies and further defines the existing statutory obligations 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.

CALEA sets forth the assistance capabilities that telecommunications carriers are legally required to have 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 delineated in Section 103 of CALEA.<sup>9</sup>

CALEA also recognizes that some existing equipment, services, and features would have to be retrofitted and includes a provision by which the Attorney General may reimburse the industry for modifications made to equipment, facilities, and services installed or deployed on or before January 1, 1995.<sup>10</sup>

<sup>9</sup>Section 103 of CALEA, 47 U.S.C. § 1002.

<sup>10</sup>For more information regarding CALEA's cost reimbursement provisions (*i.e.*, Section 109 of CALEA, 47 U.S.C. § 1008) go to the AskCALEA.net Web site at <http://www.AskCALEA.net/cost.html> or see previous editions of this Guide, also available on the AskCALEA Web site at <http://www.AskCALEA.net/FlexD.html>.

## 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 the Telecommunications Industry Association (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-setting bodies agreed to work with the TR45.2 group, which normally represented the cellular industry, on a standard for wireline and wireless networks.

CALEA does envision 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 telecommunications support services to satisfy the obligations of Section 106.<sup>11</sup> However, 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

<sup>11</sup>Section 106 of CALEA outlines the responsibilities of equipment manufacturers and providers of telecommunications support services.

carrier, manufacturer, or telecommunications support services provider of the obligations imposed by section 103 or 106, as applicable.”<sup>12</sup>

## Core J-Standard

On December 8, 1997, TIA published an interim technical standard concerning electronic surveillance assistance capability requirements for telecommunications carriers providing wireline, cellular, and broadband PCS (J-STD-025, or J-Standard).<sup>13</sup> J-STD-025 describes 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- or packet-mode.

The original compliance date for installation and deployment of the CALEA assistance capability requirements of October 25, 1998, was extended by the FCC to June 30, 2000.<sup>14</sup> The FCC concluded in the *1998 Section 107 Extension Order* that carriers could not comply with the original October 25, 1998 compliance date because of the absence of available technology during the compliance period. The FCC subsequently granted certain carriers extensions of the June 30, 2000 assistance capability requirements compliance date in response to those carriers’ individual extension petitions. Individual carrier extensions of the June 30, 2000 assistance capability requirements compliance date expired on June 30, 2002. However, the FCC subsequently granted *further* extensions of the June 30, 2000 assistance capability requirements compliance date to those carriers that had received an extension to June 30, 2002, in response to those carriers’ individual petitions for further extension. The *further* extensions granted to those carriers will expire on June 30, 2004.

## 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 technical capabilities (commonly referred

<sup>12</sup>Section 107 (a)(3) of CALEA, 47 U.S.C. § 1006(a)(3).

<sup>13</sup>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*.

<sup>14</sup> See *1998 Section 107 Extension Order* at ¶ 44.

to as “punch list” capabilities) determined by DOJ as necessary to meet the requirements of this law.

On August 31, 1999, the FCC released its *CALEA Third Report and Order*, regarding Section 103 assistance capability requirements.<sup>15</sup> The FCC determined in its *CALEA Third Report and Order* 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.<sup>16</sup>

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

- Content of subject-initiated conference calls,
- Party hold, join, and 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).

**Content of subject-initiated conference calls**—permits a law enforcement agency to monitor the content of conversations connected via a conference call. Surveillance of all portions of a conference call would continue, even if any party to the call utilized services such as hold, call waiting, or three-way calling.

**Party hold, join, and drop messages**—involve features designed to aid a law enforcement agency in the interception of multi-party calls. This capability permits the law enforcement agency to receive from the telecommunications carrier messages identifying the parties to a conversation at all times. The party hold message is provided whenever one or more parties are placed on hold. The party join message reports the addition of a party to an active call or the reactivation of a held call. The party drop message is provided when any party to a call is released or disconnects and the call continues with two or more other parties.

**Access to subject-initiated dialing and signaling**—permits a law enforcement agency to be informed when a subject, using the facilities under surveillance, uses services such as call forwarding, call waiting, call hold, and three-way calling. This information is provided for each communication initiated by the subject. This capability requires the telecommunications carrier to deliver a message to the law enforcement agency, informing it that the subject has invoked a feature that places a party on hold, transfers a call, forwards a call, or adds/removes a party to a call.

<sup>15</sup>*CALEA Third Report and Order*.

<sup>16</sup>*Id.*

**In-band and out-of-band signaling (notification message)**—enables a telecommunications carrier to send a notification message to the law enforcement agency when any network message (ringing, busy, call waiting signal, message light, etc.) is sent to a subject using facilities under surveillance. For example, if someone leaves a voice mail message on the subject's phone, the notification to the law enforcement agency indicates the type of message notification sent to the subject (such as the phone's message light, audio signal, text message, etc.). For calls the subject originates, a notification message indicates whether the subject ended a call when the line was ringing, busy (a busy line or busy trunk), or before the network could complete the call.

**Timing to associate call data to content**—requires that a telecommunications carrier send call timing information to the law enforcement agency so that it will be able to associate the call-identifying information with the actual content of the call in cases where the law enforcement agency has obtained authorization to intercept both content and call-identifying information.

**Dialed digit extraction (post-cut-through dialed digits)**—requires the telecommunications carrier to provide to the law enforcement agency the identity of any digits dialed by the subject after connecting to another carrier's service (also known as "post-cut-through dialed digits"). One example of such dialing and signaling would occur when the subject dials an 800 number to access a long distance carrier. After connecting to the long distance carrier through the 800 number, the subject then dials the telephone number that represents the ultimate destination of the call.

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 *CALEA Third Report and Order*. The Court vacated the FCC's decision with respect to four missing technical capabilities: dialed digit extraction; party hold, join, and drop information; subject initiated dialing and signaling; and in-band/out-of-band signaling. The Court's ruling required the FCC to reconsider whether these four missing capabilities were mandated by CALEA and to enter a new decision in accordance with the Court's instructions. The Court upheld the FCC's determinations regarding packet-mode communications.

On April 11, 2002, the FCC concluded its deliberations regarding the four missing technical capabilities remanded by the Court. In its *CALEA Order on Remand*, the FCC re-affirmed its previous conclusion that the four missing technical capabilities are required by CALEA. Further, the FCC established June 30, 2002, as the date by which telecommunications carriers must provide these capabilities to law enforcement pursuant

to appropriate lawful authorization. With respect to the two remaining, uncontested technical capabilities (*i.e.*, content of subject-initiated conference calls and timing to associate call data to content), the FCC's *CALEA Order on Remand* lifted its previously granted suspension of the compliance date<sup>17</sup> and mandated that these two capabilities also be provided by June 30, 2002. The FCC subsequently granted certain carriers extensions of the June 30, 2002 assistance capability requirements compliance date in response to those carriers' individual extension petitions. Extensions granted to those carriers will expire on June 30, 2004.

TIA has since amended the original J-Standard to include the missing capabilities determined by the FCC to be required by CALEA. The amended technical standard is known as J-STD-025A, or "J-Standard Rev. A."

## 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 *CALEA Third Report and Order*, 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 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 ..."<sup>18</sup>

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 Web site: <http://www.tiaonline.org>.

In its *CALEA Third Report and Order*, the FCC mandated that the capability to intercept packet-mode communications be made available to law enforcement by September 30, 2001.<sup>19</sup> In September 2001, the FCC granted carriers until November 19, 2001, to either come into compliance with, or to seek individual

<sup>17</sup>See *In the Matter of Communications Assistance for Law Enforcement Act*, Order, 16 FCC Rcd 17,397 (2001).

<sup>18</sup>*CALEA Third Report and Order* at ¶ 55.

<sup>19</sup>*Id.*

relief of, the packet-mode compliance deadline.<sup>20</sup> Packet-mode communications were the subject of the *Second Edition* of the Flexible Deployment Assistance Guide. That edition of the Flexible Deployment Assistance Guide is available for reference on the FBI's CIU Web site: <http://www.AskCALEA.net>. The FCC subsequently granted certain carriers extensions of the November 19, 2001 assistance capability requirements compliance date as a result of carriers seeking individual relief. Extensions were to expire on November 19, 2003. However, on November 19, 2003, the FCC released a Public Notice extending until January 30, 2004, the preliminary extensions granted to carriers.<sup>21</sup>

Effective November 19, 2003, the FBI terminated its Flexible Deployment Program with respect to packet-mode communications. The FBI was unable to determine generally, based on information provided in carrier-submitted Flexible Deployment templates, which carriers proposed to install and deploy CALEA-compliant packet-mode intercept solutions by the assistance capability requirements compliance date. On March 10, 2004, the DOJ, FBI, and Drug Enforcement Administration (DEA) filed a Joint Petition for Expedited Rulemaking before the FCC.<sup>22</sup> Among other outstanding issues, the Joint Petition for Expedited Rulemaking requested the FCC: (1) formally identify the services that are considered "packet-mode services;" (2) establish benchmarks and deadlines for CALEA packet-mode compliance; and (3) establish procedures for FCC enforcement action against entities that do not comply with their CALEA obligations.

## Important CALEA Dates

Figure 1 (pages 8–9) illustrates important dates and milestones in the implementation of CALEA.

<sup>20</sup>See *In the Matter of Communications Assistance for Law Enforcement Act*, Order, 16 FCC Rcd 17,397 (2001).

<sup>21</sup>See *Wireline Competition and Wireless Telecommunications Bureaus Announce a Revised Schedule for Consideration of Pending Packet-Mode CALEA Section 107(c) Petitions and Related Issues*, Public Notice, DA 03-3722, 2003 WL 22717863 (2003).

<sup>22</sup>See *In the Matter of United States Department of Justice, Federal Bureau of Investigation and Drug Enforcement Administration Joint Petition for Rulemaking to Resolve Various Outstanding Issues Concerning the Implementation of the Communications Assistance for Law Enforcement Act*, RM-10865 (filed Mar. 10, 2004). The Joint Petition is available on the AskCALEA.net Web site at <http://www.AskCALEA.net/jper.html>.

## 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 attempt to minimize the costs and operational impact of CALEA compliance on all carriers. Specifically, a carrier wishing to participate in this effort may provide the FBI with its projected CALEA deployment schedules for equipment in its 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.<sup>23</sup> 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.

If the FBI and carrier are able to agree upon a deployment schedule, the FBI is prepared to provide support to an individual carrier's petition(s) before the FCC. In order to reach such an agreement, however, 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 (1) providing sufficient information upon which to base such a decision, and (2) 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.

## 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

<sup>23</sup>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.

two years. The FCC is required by statute to consult with the Attorney General prior to deciding whether to grant the extension. Under its Flexible Deployment Program, the FBI would fulfill this consultative role for the Attorney General,<sup>24</sup> by assessing its level of 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 generic upgrade cycle.

## 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 with that carrier. The equipment, facilities, and services<sup>25</sup> 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. Equipment, facilities, and services scheduled to be replaced should also be identified by a carrier.

## Normal Generic Upgrade Cycle

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

<sup>24</sup>The authority to carry out the responsibilities conferred upon the Attorney General under CALEA have been delegated to the FBI pursuant to 28 C.F.R. § 0.85(o).

<sup>25</sup>In those cases where a carrier has replaced equipment, the carrier should provide historical electronic surveillance information for the area served by the previous equipment.

Collection," and Appendix C for Sample *Fourth Edition* Flexible Deployment Assistance Guide Templates.

Under the FBI's Flexible Deployment Program, 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. Carriers will develop their 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).

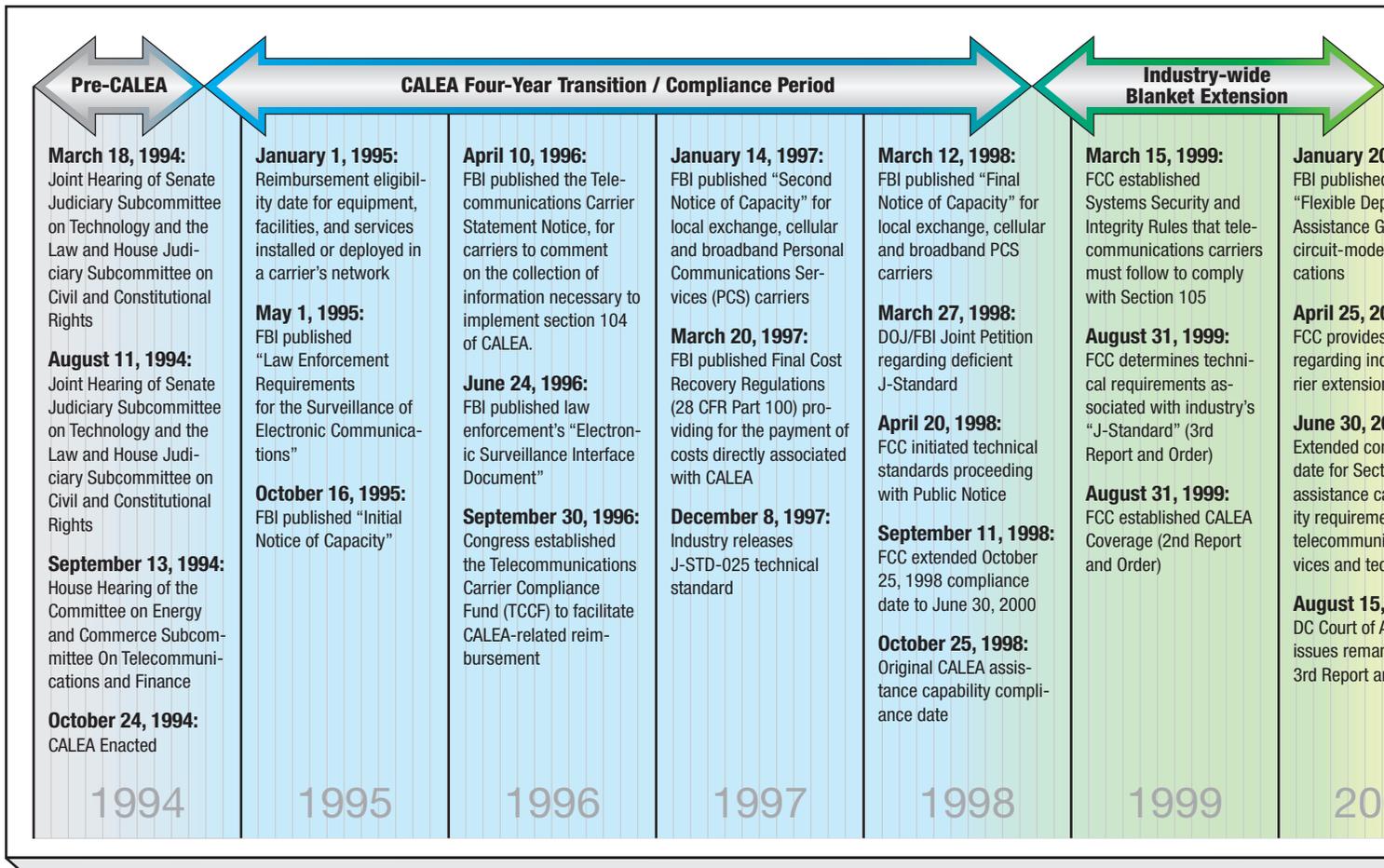
## Commercial Availability of Solutions

CALEA-compliant solutions are commercially available on the date a manufacturer first makes its solution available. The FBI recognizes that manufacturers' production cycles may have delayed a particular carrier's ability to deploy CALEA-compliant software in the past. However, the FBI currently understands that most, if not all, manufacturers have made solutions commercially available. Delays in the installation of commercially available solutions may be the result of a carrier's normal generic business cycle, in a carrier's difficulty scheduling installation with a manufacturer, or both. The FBI expects carriers to incorporate the actual availability of CALEA-compliant solutions (*i.e.*, available to the carrier) when developing their proposed deployment schedules.

## 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). A carrier may choose to petition the FCC for relief from CALEA's capability requirements with respect to any equipment, facilities, or services on which compliance would not be reasonably achievable. Section 109(b) of CALEA requires carriers to prove that capability compliance is not reasonably achievable pursuant to one or more of the eleven factors listed in Section 109(b)(1). CALEA requires the FCC to (1) notify the FBI of the petition, and (2) issue a decision regarding the petition within one year of the petition's filing. Section 109(b) does not contain any provision for automatic stays of extensions previously granted in response to a carrier's petition filed under Section 107(c). In its *CALEA 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;

Figure 1 - CALEA Timeline



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. The FCC stated that "... it may be necessary to provide relief under section 109 only in unusual cases."<sup>26</sup> Finally, in its *CALEA Order on Remand*, the FCC stated that "... Section 109 serves as an ultimate check on cost considerations."<sup>27</sup>

## INFORMATION COLLECTION

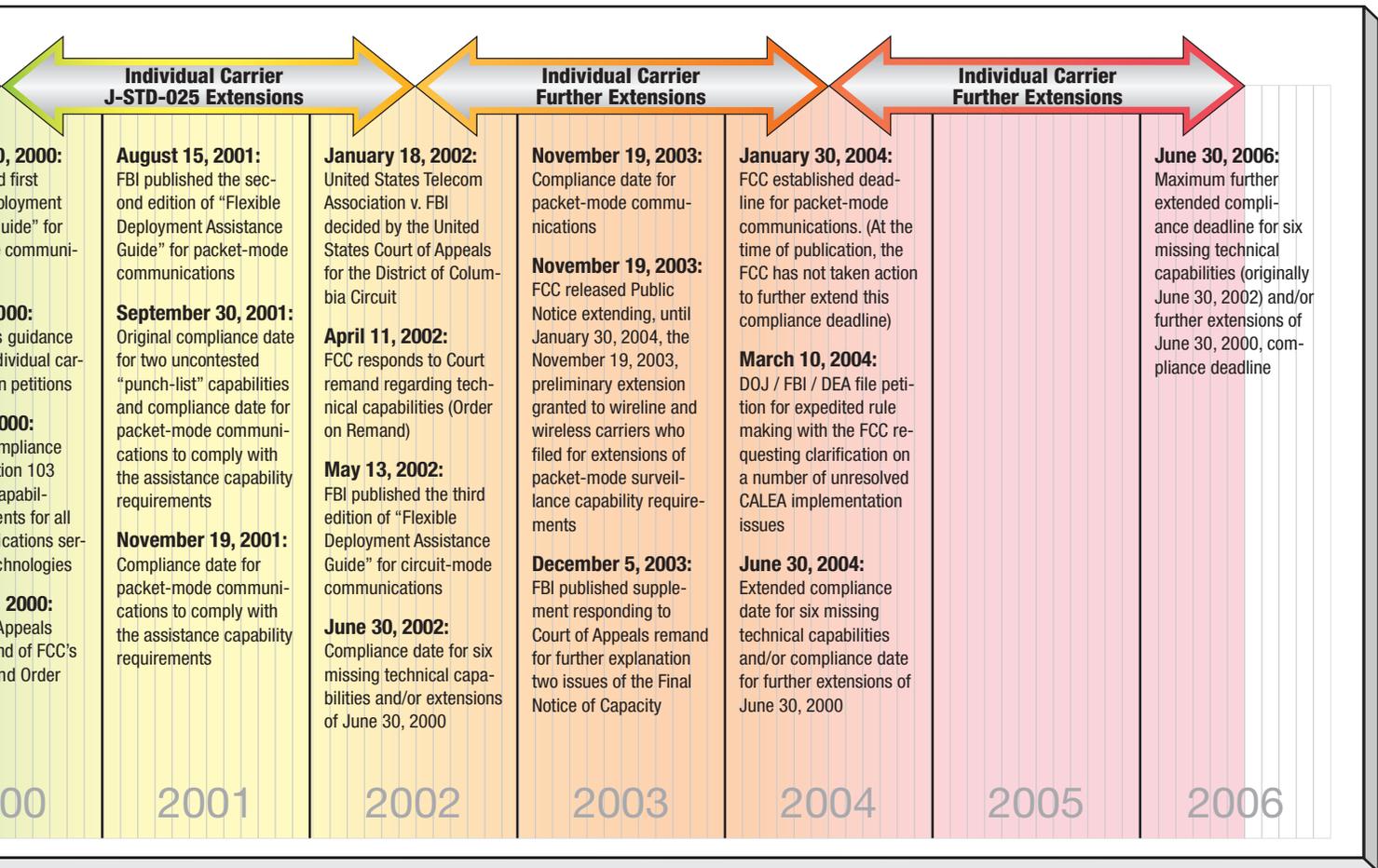
As stated previously in this *Fourth Edition* Guide, the FBI's Flexible Deployment Program is based on (1) a carrier's normal generic upgrade cycle—necessary to deploy a completely

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.

Table 1 (page 11) provides a description of the information elements requested in this *Fourth Edition* Guide. 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, network edge devices, and peripheral equipment (e.g., Home Location Registers [HLR]). Additionally, carriers with multiple Filer 499 ID (formerly TRS or Telecommunications Relay Service) numbers must submit an individual Template for each Filer 499 ID number.

<sup>26</sup>CALEA Second Report and Order at ¶ 37.

<sup>27</sup>CALEA Order on Remand at ¶ 64.



Sample *Fourth Edition* Flexible Deployment Assistance Guide Templates are provided in Appendix C. A blank *Fourth Edition* 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 CIU Web site at <http://www.AskCALEA.net/FlexD.html>. Carriers may submit electronic versions of the *Fourth Edition* Flexible Deployment Assistance Guide Template to the following e-mail address: [FlexD@AskCALEA.net](mailto:FlexD@AskCALEA.net), or to the facsimile number or U.S postal 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 (and 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.

## Carrier Notification

Upon receipt of a carrier-submitted *Fourth Edition* Flexible Deployment Template, 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; or (3) notify the carrier and FCC that the FBI cannot support that carrier's extension petition. In the event a carrier submits

a *Fourth Edition* Template with the Consultant of Record (COR) fields completed, copies of correspondence will be provided to both the COR and the carrier contact person.

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 September 28, 2001.<sup>28</sup> In that Public Notice, the FCC provided instructions for carriers to file petitions for extensions with the FCC. In its *CALEA Order on Remand*, the FCC also directed carriers to follow the procedures outlined in the September 28, 2001 Public Notice.<sup>29</sup> Both the September 28, 2001 Public Notice and *CALEA Order on Remand* can be found on the CALEA page on the FCC's Internet Web site: <http://www.fcc.gov/calea>.

## Withdrawal

Once a carrier has installed and activated the appropriate software generic (e.g., J-STD-025 ["J-Standard"] for core capabilities and/or J-STD-025A ["J-Standard Rev. A"] for the missing capabilities) and any applicable equipment-specific hardware associated with the software or to provide delivery capability, the equipment can then be considered CALEA compliant. If a carrier completes the aforementioned installation and activation before the end of the period of extension requested in its petition, the carrier should notify the FBI and withdraw its *Fourth Edition* template. Notification can follow the same procedures as information submission. See the "Additional Information" section of this Guide for specifics regarding how and where to provide Flexible Deployment Assistance Guide information.

<sup>28</sup>See *The Common Carrier and Wireless Telecommunications Bureaus Establish Procedures for Carriers to Submit or Supplement CALEA Section 107(c) Extension Petitions, both Generally and with respect to Packet-mode and other Safe Harbor Standards*, Public Notice, 16 FCC Rcd 17,701 (2001).

<sup>29</sup>*CALEA Order on Remand* at ¶ 128.

## Paperwork Reduction Act Notice

The FBI has created this *Fourth 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 *Fourth Edition* 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 this Guide does not change existing requirements for the voluntary submission of information by carriers, this Guide creates no additional paperwork requirements above those already approved by the Office of Management and Budget (control number 1110-0030).

The estimated average time to read this *Fourth Edition* of the Guide, complete the Template, and file the information is as follows: (1) 1 hour to read the Guide; (2) 2 hours to gather the information to complete the *Fourth Edition* Template; (3) 1 hour to complete the *Fourth Edition* Template; (4) 15 minutes to assemble and file the *Fourth Edition* Template; for a total estimated average time of 4 hours and 15 minutes per *Fourth Edition* 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 Unit (CIU), 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.

**Table 1 - Flexible Deployment Information Elements**

<b>Data Type</b>	<b>Description</b>
Carrier Name	The name of the telecommunications carrier that owns the identified component ( <i>e.g.</i> , switch, other telecommunications equipment, or peripheral telecommunications equipment). The name will appear on all correspondence between the FBI and carrier.
Filer 499 ID (formerly TRS or Telecommunications Relay Service) Number	The Filer 499 ID (formerly TRS or Telecommunications Relay Service) number assigned by the National Exchange Carrier Association (NECA). If the Filer 499 ID number is unknown, contact NECA (973-560-4460) to obtain. <b>Carriers with multiple Filer 499 ID numbers must submit an individual Template for each Filer 499 ID number.</b>
Contact Person Information	The name of the contact person for the carrier, physical address, telephone number, facsimile number, and e-mail address of a person the FBI can contact in the event questions arise with the submitted data.
Consultant of Record (COR) Information, if applicable	The name of the COR providing the requested information; name of their consulting or law firm; the physical address, telephone number, facsimile number, and e-mail address. A carrier may designate 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 ( <i>e.g.</i> , CHANVAWFS0).
Component Location	The city and state ( <i>i.e.</i> , state abbreviation) where the component is located.
Manufacturer and Component Type	The manufacturer and type of host or stand-alone component identified by each CLLI Code. For example: Lucent 5ESS, Motorola EMX-2500, Nortel DMS-MTX, and Siemens EWSD. 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 of the county or equivalent ( <i>e.g.</i> , parish, borough) or market service area where service is provided by each identified component. In the event that a component serves multiple areas, each area (counties or equivalent or market service areas) should be identified. For components with remotes, include county(ies) or equivalent or market service area(s) where service is provided by each remote on its appropriate host component.
Current Software Generic & Deployment Date	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, and MTX-10. This generic needs to be accompanied by a deployment date.
Historical Software Generic & Deployment Dates	Previous software generic deployment dates 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, 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>i.e.</i> , 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 2000, 2001, 2002, and 2003. Please provide an integer for each available space. If no intercept activity occurred during a given year, include a zero (0).

## ADDITIONAL TECHNOLOGIES

### FCC's CALEA Second Report and Order

The FCC has examined the definition of the term "telecommunications carrier" set forth in Section 102 of CALEA and, in its *CALEA Second Report and Order* regarding CALEA,<sup>30</sup> 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,<sup>31</sup> 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;
- Resellers of telecommunications services to the extent they own equipment with which services are provided;<sup>32</sup>
- 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 in the *CALEA Second Report and Order* that some categories of entities are not telecommunications carriers subject to CALEA:<sup>33</sup>

- Private mobile radio service (PMRS) providers, to the extent they offer PMRS services;
- Pay telephone providers; and
- Information service providers that exclusively provide information services.

<sup>30</sup>CALEA Second Report and Order at ¶¶ 9-22, 24, 28.

<sup>31</sup>47 U.S.C. § 153(10).

<sup>32</sup>See *In the Matter of Communications Assistance for Law Enforcement Act*, Second Order on Reconsideration, 16 FCC Rcd 8959, 8971 ¶¶ 37, 38 (2001).

<sup>33</sup>CALEA Second Report and Order at ¶¶ 23, 25-27.

## ADDITIONAL INFORMATION

### How and Where to Provide Flexible Deployment Assistance Guide Information

Carriers can download an electronic version of the *Fourth Edition* Flexible Deployment Assistance Guide and/or template from the FBI's CIU Web site at <http://www.AskCALEA.net/FlexD.html>.

Carriers that do not have access to the Internet and wish to acquire the *Fourth Edition* Flexible Deployment Assistance Guide Template in electronic form can request a 3.5-inch diskette containing the electronic Template from the address and/or telephone listed below. Carriers may either submit a completed *Fourth Edition* Template in electronic form (e.g., Microsoft Excel®) or use the *Fourth Edition* Template provided in Appendix D of this Guide. Carriers are strongly encouraged to file *Fourth Edition* Templates by June 8, 2004. Multiple submissions (i.e., electronic and hardcopy) are not necessary. All completed *Fourth Edition* Templates should be sent to **only one** of the following:

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

[FlexD@AskCALEA.net](mailto:FlexD@AskCALEA.net)

Carriers are requested to include the phrase "*Fourth Edition*" in the subject line of the e-mail.

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

**703-814-4750**

Carriers are requested to include the phrase "*Fourth Edition*" on the cover sheet of the facsimile.

**Postal delivery submissions** of the *Fourth Edition* Flexible Deployment Assistance Guide Template may be made to:

**CALEA Implementation Unit (CIU)**  
**Attention: *Fourth Edition* Flexible Deployment Assistance Guide**  
**14800 Conference Center Drive, Suite 300**  
**Chantilly, VA 20151-0450**

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

**800-551-0336**

## APPENDIX A — FREQUENTLY ASKED QUESTIONS

**Q** Why has the FBI published this *Fourth Edition* Flexible Deployment Assistance Guide?

**A** The FBI's original Flexible Deployment Assistance Guide, published in January 2000, allowed carriers the opportunity to submit certain information for the FBI's consideration regarding a carrier's petition before the FCC to extend June 30, 2000. This *Fourth Edition* of the FBI's Flexible Deployment Assistance Guide is intended to assist carriers submitting petitions to the FCC for further extensions of the assistance capability requirements compliance dates.

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

**A** Please refer to the "Information Collection" section of this Guide for the specific information a carrier should provide. **Carriers with multiple Filer 499 ID (formerly TRS or Telecommunications Relay Service) numbers must submit an individual template for each Filer 499 ID number.**

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

**A** No. There is no legislative, regulatory, or other mandate for carriers to provide the information outlined in this Guide. Submission of information to the FBI's Flexible Deployment Program is voluntary. However, the FBI will not be in a position to provide its support for any carrier's petition without specific solution deployment information.

**Q** Does a carrier have to request an extension from the FCC in addition to submitting a *Fourth Edition* Flexible Deployment Assistance Guide Template to the FBI?

**A** Yes. Carriers must submit a request to the FCC and provide a copy of that request to the FBI. Only the FCC has the authority to grant a carrier's petition.

**Q** Will filling out the *Fourth Edition* Template ensure that a carrier receives an extension of the assistance capability requirements compliance date(s)?

**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** If a carrier provides the FBI a copy of its petition to the FCC (including a *Fourth Edition* Template), is this sufficient for participation in Flexible Deployment?

**A** No. The *Fourth Edition* Template must be submitted to the FBI as a stand-alone document as described in the "Additional Information" section of this Guide.

**Q** What does it mean for a carrier to be CALEA compliant?

**A** CALEA requires carriers to be capable of "... delivering intercepted communications and call-identifying information . . . by means of equipment, facilities, or services procured by the government to a location other than the premises of the carrier. . ." Carriers must install and activate appropriate software and any applicable switch platform specific hardware to provide carriers the necessary capability.

**Q** How does a carrier withdraw from the Flexible Deployment Program?

**A** If a carrier completes the installation and activation of the appropriate software generic and any applicable equipment-specific hardware associated with the software or to provide delivery of intercepted information before the end of the period of extension requested in its petition, the carrier should notify the FBI and withdraw its *Fourth Edition* template.

**Q** Does this edition of the Flexible Deployment Assistance Guide allow for carrier submissions of packet-mode related information?

**A** No. The FBI has terminated its Flexible Deployment Program with respect to packet-mode communications. The FBI was unable to determine generally, based on information provided in carrier-submitted Flexible Deployment templates, which carriers proposed to install and deploy CALEA-compliant packet-mode intercept solutions by the assistance capability requirements compliance date. Templates with packet-mode communications equipment will not be accepted.

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

**A** The CALEA Implementation Unit of the FBI maintains a Web site ([www.AskCALEA.net](http://www.AskCALEA.net)) to provide carriers information regarding CALEA, electronic versions of this Guide, and the information submission template.

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## APPENDIX B — GLOSSARY<sup>1</sup>

**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** – “contents” of a communication (18 U.S.C. § 2510(8)) is “any information concerning the substance, purport, or meaning of that communication.” “Call content” 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** – mobile radiotelephone service in which carriers are authorized to offer and provide mobile communications service for hire to the general public using cellular systems. A cellular radio system is an automated, high-capacity system of one or more multi-channel 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, photoelectronic, or a photooptical system.

**Electronic Surveillance** – within this Guide, “electronic surveillance” is used to refer to either the interception of call content and/or acquisition of call-identifying information. The 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.

**J-STD-025A** – industry interim technical standard developed to meet the assistance capability requirements of Section 103 of CALEA, including those capabilities determined by the FCC to be required by CALEA, published in May 2000.

**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.

**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, routing, addressing, or signaling information.

**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 dialing, routing, addressing, and signaling information.

**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 (includes cellular telephones).

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<sup>1</sup> This Glossary is provided herein solely for the assistance of the reader.

**APPENDIX C — SAMPLE FOURTH EDITION FLEXIBLE DEPLOYMENT ASSISTANCE GUIDE TEMPLATE**

**APPENDIX D — FOURTH EDITION FLEXIBLE DEPLOYMENT ASSISTANCE GUIDE TEMPLATE**

OMB Control Number: 1110-0030  
 Expiration Date: April 30, 2007

Carrier Name \_\_\_\_\_  
 Filer 499 ID 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  
 E-mail Address FlexD@AskCALEA.net

If Applicable:  
 Consultant of Record (COR) \_\_\_\_\_  
 COR Company Name \_\_\_\_\_  
 COR Address \_\_\_\_\_  
 COR City, State, Zip \_\_\_\_\_  
 COR Telephone Number \_\_\_\_\_  
 COR Fax Number \_\_\_\_\_  
 COR E-mail Address \_\_\_\_\_

Component Specific Information		Deployed Generics					Interceptions
		Previous -1 n-2	Previous n-1	Current n	Next n+1	Next + 1 n+2	
CLL Code or Other Unique Identifier	Component Location	Date Deployed	Date Deployed	Date Deployed	Date to be Deployed	Date to be Deployed	
	State (ST)	Generic	Generic	Generic	Generic	Generic	
City	Service Area(s) Served	Date Deployed	Date Deployed	Date Deployed	Date to be Deployed	Date to be Deployed	
	Manufacturer & Component Platform	410	411	501	502	None Planned	
CHANVAWFD50	Fairfax, VA Loudon, VA	12/99	12/01	12/03	12/05	2000	2001
	Nortel NT4T50 Card				12/05		2002
							2003

Please email this form to [FlexD@AskCALEA.net](mailto:FlexD@AskCALEA.net) (please include "Fourth Edition" in subject line)  
 or fax to (703) 814-4750 (please include "Fourth Edition" on cover sheet)

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If Applicable:  
 Consultant of Record (COR) \_\_\_\_\_  
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 COR Address \_\_\_\_\_  
 COR City, State, Zip \_\_\_\_\_  
 COR Telephone Number \_\_\_\_\_  
 COR Fax Number \_\_\_\_\_  
 COR E-mail Address \_\_\_\_\_

Component Specific Information		Deployed Generics					Next n+1	Next + 1 n+2	Interceptions
		Previous -1 n-2	Previous n-1	Current n	Next n+1	Next + 1 n+2			
Unique Identifier CHANA/WFD50	Component Location	Generic	Date Deployed	Generic	Date Deployed	Generic	Date to be Deployed	Generic	Date to be Deployed
	State (ST)	Generic	Generic	Generic	Generic	Generic	Generic	Generic	Generic
City	Chantilly	5E13	06/02	5E14	05/04	5E15	06/05	None Planned	0
Service Area(s)	MSA 8, MTA 10	R15.1	06/02	R16.0	05/04	R17.0	06/05	None Planned	4
Manufacturer & Component Platform	Lucent Autoplex-1000 (DCS)								7
	Lucent Autoplex-1000 (ECP)								8
	HLR			WVN 4.0	05/04				
	LTDU			1.0	05/04	2.1	06/05		

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OMB Control Number: 1110-0030  
 Expiration Date: April 30, 2007

Carrier Name \_\_\_\_\_  
 Filer 499 ID \_\_\_\_\_  
 Contact Person \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_  
 Telephone Number \_\_\_\_\_  
 Fax Number \_\_\_\_\_  
 E-mail Address \_\_\_\_\_

If Applicable:

Consultant of Record (COR) \_\_\_\_\_  
 COR Company Name \_\_\_\_\_  
 COR Address \_\_\_\_\_  
 COR City, State, Zip \_\_\_\_\_  
 COR Telephone Number \_\_\_\_\_  
 COR Fax Number \_\_\_\_\_  
 COR E-mail Address \_\_\_\_\_

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

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 or fax to (703) 814-4750 (please include "Fourth Edition" on cover sheet)



***CALEA Implementation Unit  
Attention: Fourth Edition Flexible Deployment Assistance Guide  
14800 Conference Center Drive, Suite 300  
Chantilly, Virginia 20151-0450***