

**Before the
Federal Communications Commission
Washington, DC**

In the Matter of)	
)	
United States Department of Justice, Federal)	RM-10865
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)	

**COMMENTS OF THE
ALLIANCE FOR TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

The Alliance for Telecommunications Industry Solutions (ATIS) hereby files these comments with the Federal Communications Commission (Commission) to update the Commission on ATIS's work to develop standards relating to the lawful surveillance of packet-mode communications. These informational comments are filed in response to the Commission's *Public Notice*¹ regarding the *Joint Petition for Expedited Rulemaking (Joint Petition)* filed by the Federal Bureau of Investigation, US Department of Justice and US Drug Enforcement Administration (Petitioners) to resolve issues regarding the implementation of the Communications Assistance for Law Enforcement Act (CALEA).²

¹ In its March 12, 2004, *Public Notice*, DA No. 04-700, the Commission requested comment on the above-referenced petition by April 12, 2004.

² 47 U.S.C. §1001 et seq.

ATIS is a technical planning and standards development organization committed to rapidly developing and promoting technical and operational standards for communications and information technologies worldwide using a pragmatic, flexible and open approach. Over 1,400 industry professionals from more than 400 communications companies actively participate in ATIS's open industry committees and forums. The ATIS membership spans all segments of the industry, including local exchange carriers, interexchange carriers, manufacturers, competitive local exchange carriers, data local exchange carriers, wireless providers, cellular providers, broadband providers, software developers and internet service providers. ATIS is also accredited by the American National Standards Institute (ANSI).

ATIS's work on lawful intercept standards principally falls within the jurisdiction of two ATIS Technical Subcommittees:

T1P1. The ATIS Wireless/Mobile Services and Systems Technical Subcommittee, T1P1, coordinates, develops and recommends standards and technical reports relating to wireless/mobile telecommunications networks in the United States. T1P1 reviews and prepares contributions on such matters for submission to the appropriate United States preparatory body for consideration as ITU contributions or for submission to other domestic and regional standards organizations. The subcommittee maintains liaison with other subcommittees and groups, including law enforcement, and coordinates closely with other standards organizations on wireless issues to ensure that the on-going standards work of these organizations is complementary.

T1S1. The ATIS Services, Architectures and Signaling Technical Subcommittee, T1S1, coordinates, develops and recommends standards and technical reports related to services, architectures and signaling relevant to telecommunications networks in the United States. T1S1 reviews and prepares contributions on such matters for submission to United States ITU-T and ITU-R Study Groups or other standards organizations. T1S1 also reviews the position of other countries in related standards development and takes or recommends appropriate actions. In addition to maintaining liaison with appropriate technical subcommittees and other standard-setting bodies, T1S1 also includes participation by the law enforcement community.

In the *Joint Petition*, the Petitioners urge the Commission to establish benchmarks and deadlines to ensure compliance with CALEA. According to the Petitioners, the need for these new regulatory requirements stems in part from deficiencies in the development of packet-mode standards for CALEA implementation. With no “clear” standards, manufacturers have been reluctant to develop CALEA-compliant solutions and have instead requested extensions of time for packet-mode compliance based on the lack of available technology.³

While ATIS expresses no opinion as to the specific details of the Petitioners’ phased-in compliance plan for packet-mode communications, ATIS wishes to provide an update on its standards work regarding this matter. ATIS Technical Subcommittees T1P1 and T1S1 have been working with the telecommunications industry and law enforcement, as well as with other standards organizations, to develop appropriate standards for the lawful surveillance of packet-mode communications.

ATIS Technical Subcommittees T1P1 and T1S1 and the Telecommunications Industry Association (TIA) TR-45 Lawfully Authorized Electronic Surveillance Working Group have jointly developed and published the J-STD-025 Lawfully Authorized Electronic Surveillance (LAES) series of standards. These standards define the interfaces between a telecommunications service provide (TSP) and a Law Enforcement Agency (LEA) to assist the LEA in conducting lawfully authorized electronic surveillance. The most recent iteration, J-STD-025-B, has been approved on a trial basis and is currently in ballot for approval as an American National Standard (ANS).⁴ J-STD-025-B references

³ *Joint Petition* at pp. 34-40.

⁴ The ballot on this issue, ATIS LB J002, closes on April 14, 2004.

two ATIS-developed standards that address several law enforcement needs as specified in the Federal Bureau of Investigation (FBI) *Packet Surveillance Fundamental Needs*

Document (PSFND) and *Carrier Grade Voice over Packet (CGVoP)* documents:

ANS T1.724 Handover Interface for Lawful Interception defines the interfaces between a TSP and a LEA to assist the LEA in conducting lawfully authorized electronic surveillance for General Packet Radio Service (GPRS) and Universal Mobile Telecommunications System (UMTS) Packet-Data Services and UMTS IP Multi-Media Services, including Voice over IP (VoIP). The ANS defines both the Intercept Related Information and content to be delivered and the methods for delivering the information and content. This standard was developed in cooperation with the ATIS partners in the 3rd Generation Partnership Project (3GPP).

ANS T1.678 Lawfully Authorized Electronic Surveillance for Voice over Packet Technologies in Wireline Telecommunications Networks defines the interfaces between a TSP and a LEA to assist the LEA in conducting lawfully authorized electronic surveillance for Voice Packet Technologies in Wireline Telecommunications Networks. T1.678 defines both the Call-Identifying Information and content to be delivered and the methods for delivering the information and content.

ATIS continues to develop lawfully authorized electronic intercept standards.

One of the existing ballot issues of Technical Subcommittee T1S1 is the further development of ANS T1.678. The proposed revision of this standard is aimed at addressing additional law enforcement specifications and requirements.

ATIS, through Technical Subcommittees T1P1 and T1S1, is currently proposing an ANS standard for lawful intercepts outside the confines of those mandated by CALEA. Key contributions to the *Additional Capabilities for Electronic Surveillance* are expected to originate from law enforcement and the FBI's *PSFND* and *CGVoP* documents. ATIS will continue its close cooperation with law enforcement on these

future standards through the FBI's participation in the ATIS T1P1 and T1S1 Technical Subcommittees.

Finally, ATIS notes that the telecommunications industry strongly supports the standards process. ATIS remains committed to working with law enforcement to resolve technical issues and to continuing its work to develop standards relating to the lawful surveillance of packet-mode communications.

THEREFORE, THE PREMISES CONSIDERED, ATIS respectfully submits this informational filing for inclusion on the record in this proceeding.

Respectfully submitted by:

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