

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

ORDER

Adopted: December 23, 1997

Released: December 23, 1997

By the Chief, Network Services Division:

1. On October 10, 1997, the Commission released a Notice of Proposed Rulemaking (NPRM) to implement certain sections of the Communications Assistance for Law Enforcement Act (CALEA), 47 U.S.C. § 1001 *et seq.*¹ Comments were due on December 12, 1997, and reply comments are due on January 12, 1998.
2. The Commission has received a "Request for an Extension of Time to File Reply Comments" in the above captioned proceeding, filed on December 17, 1997 by the Federal Bureau of Investigation (FBI). The FBI asks for an extension of thirty days, which would change the date for reply comments from January 12, 1998, to February 11, 1998.
3. It is the policy of the Commission that extensions of time shall not be routinely granted.² The Petitioner cites four special circumstances: "(1) the FBI must coordinate its reply effort with--and obtain consensus from--approximately fifty (50) Law Enforcement Technical Forum (LETF) members and other law enforcement agencies across the nation; (2) this rulemaking involves a complex subject matter that affects not only carriers, but hundreds of Federal, State, and local law enforcement agencies and prosecutors' offices; (3) the issues in this rulemaking invoke critical public safety and privacy concerns, the development of a complete record is particularly important in this matter; and (4) the current 30-day reply period coincides with the holidays, which further limits the FBI's undertaking."³

¹ Communications Assistance For Law Enforcement Act, *Notice of Proposed Rulemaking*, CC Docket No. 97-213, FCC 97-356 (rel. Oct. 10, 1997).

² See 47 C.F.R. § 1.46.

³ Communications Assistance for Law Enforcement Act, *Request of the Federal Bureau Investigation for An Extension of Time to File Reply Comments*, CC Docket No. 97-213, FCC 97-356 (Dec. 17, 1997), at 2.

4. The circumstances shown by Petitioner establish good cause for an extension of the reply comment date in this docket. All parties to this proceeding will be allowed to file reply comments by February 11, 1998.

5. Accordingly, IT IS ORDERED, pursuant to authority found in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 303(r), and Sections 0.204(b), 0.291 and 1.45 of the Commission's rules, 47 C.F.R. §§ 0.204(b), 0.291 and 1.45, that an additional period of thirty days to submit Reply Comments IS GRANTED. The new date for Reply Comments is February 11, 1998.

FEDERAL COMMUNICATIONS COMMISSION



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Common Carrier Bureau