

**STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

Re: Communications Assistance for Law Enforcement Act and Broadband Access and Services, RM-10865, ET Docket 04-295, Second Report and Order and Memorandum Opinion and Order (May 3, 2006).

There is no higher calling for us at the Commission than preserving public safety and homeland security, so I support our efforts to provide guidance on the legal framework for the Communications Assistance for Law Enforcement Act (CALEA) and the obligations of facilities-based broadband providers and interconnected VoIP providers under that statute.

CALEA provides an important tool for law enforcement by requiring telecommunications carriers to build into their networks technical capabilities to assist law enforcement with authorized intercepts of communications and call-identifying information. In August of last year, the Commission determined that facilities-based broadband providers and interconnected VoIP providers are subject to CALEA. With this Order, we take additional steps to meet the unique needs of our nation's first responders and law enforcement officials. I am particularly encouraged by the Order's finding that broadband and VoIP providers may use so-called "trusted third parties" to extract the information necessary to comply with CALEA, particularly given the potential that this approach holds for smaller providers.

We move the ball forward today, but there remains important work ahead for industry, law enforcement, and the Commission, alike. Particularly given CALEA's reliance on industry organizations to take a lead role on these issue and the tight deadlines for compliance, it will be critical for all parties to work expeditiously, creatively and cooperatively if we are to meet the multi-faceted goals of CALEA. This Order directs carriers to file detailed reports on the status of their compliance efforts. I look forward to seeing the results of these reports so that we can track industry progress and take any additional actions or address remaining issues necessary.

I would like to thank the staff from our Office of Engineering and Technology and the Wireline Competition Bureau for their hard work on this item. I look forward to working with my colleagues and the broader community as we continue our efforts to faithfully implement CALEA.