

# CALEA LEGAL SUMMARY



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Summary of the Communications Assistance for Law Enforcement Act (“CALEA”) and related regulations

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## **Communications Assistance for Law Enforcement Act (CALEA) Regulatory Compliance Guide:**

*Your Comprehensive Guide for Ensuring Compliance with Federal  
Communications Commission (FCC) Regulations Governing Law  
Enforcement Access under CALEA*

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## OVERVIEW

Congress enacted the Communications Assistance for Law Enforcement Act ("CALEA") in 1994, requiring telecommunications carriers to assist law enforcement in executing electronic surveillance pursuant to a court order or other lawful authorization. Carriers are required to design their systems to allow for surveillance to be performed upon launch. Since 2006, the Federal Communications Commission ("FCC") has extended the requirements of CALEA to providers of two-way interconnected VoIP and broadband Internet access service. Common carriers, resellers, and CMRS providers are all covered by CALEA.

According to the FCC, the policy purpose of CALEA is to preserve the ability of law enforcement agencies to conduct electronic surveillance by requiring that telecommunications carriers and manufacturers of telecommunications equipment design and modify their equipment, facilities, and services to ensure that they have the necessary surveillance capabilities as communications network technologies evolve.

To fulfill their requirements, all telecommunications carriers with equipment or services that provide a subscriber with the ability to originate, terminate or direct communications must be capable of the following:

- allowing a lawfully authorized government agency to intercept all wire and electronic communications carried to or from a subscriber of the carrier;
- allowing such government agency to access call-identifying information reasonably available to the carrier (e.g., via "pen trap" devices);
- providing the information to the government off-premises unobtrusively and with minimum interference; and
- intercepting requested information with minimum interference to subscribers' service while protecting both the privacy and security of subscribers and information regarding the government's interception.

This Guide will provide clients with a full background on their responsibilities as a communications business to comply with federal law enforcement regulations. We hope you find this summary to be a valuable reference document on an ongoing basis. If you have any questions on the contents of this summary or related matters of security and privacy protection, we invite you to contact The *CommLaw* Group.

### *About the Authors*

**Marashlian & Donahue, PLLC, [The CommLaw Group](#)**, is not your ordinary law firm. Together with [The Compliance Group](#), its affiliated consultancy, The *CommLaw* Group is a professional services "organization" that was specially designed and staffed to service the full-range of legal, consulting and compliance needs of the telecommunications, broadcast, information technology and Internet services and manufacturing industries. Boasting a vibrant and diverse communications law practice, The *CommLaw* Group currently serves hundreds of clients throughout the U.S. and internationally. The firm's loyal base includes clients of all shapes and sizes, from start-ups to Fortune 100 enterprises, and from practically every sector of the communications and info tech

industries. The firm also serves the intellectual property, privacy, cyber-security, litigation and general business law needs of its clientele.

In 2005, anticipating the seismic shift in the market for effective, yet affordable legal services, The *CommLaw* Group set out to engineer its one-of-a-kind, "[Full Spectrum](#)" professional services business model. The ground-breaking processes developed by the firm enable it to provide value-driven, high-quality professional services that deliver business-savvy solutions for reasonable, predictable, task appropriate costs; all provided with the customer-friendly approach that has become the firms' hallmark characteristic.

The *CommLaw* Group is led by its founder and managing partner, Jonathan S. Marashlian, an AV Preeminent Rated, nationally-recognized expert in the areas of communications taxes, regulatory fees, regulatory litigation, audits, advocacy and defense. Winner of a SmartCEO Executive Management Award for his [innovation and leadership](#) in the legal profession, Mr. Marashlian also earned multiple [Client Choice Awards](#) by Lexology/International Law Office; named overall winner in the Telecommunications Law – USA category.

The *CommLaw* Group is the recipient of several ACQ Law and ACQ Global Awards and was named "Customer Service Law Firm of the Year" and "Best Communications Law Firm of the Year" in the U.S., and was profiled in the Wall Street Journal as one of Washington D.C.'s [Premier Law Firms](#).

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