

## § 22.1035

### § 22.1035 Construction period.

The construction period (see § 22.142) for offshore stations is 18 months.

### § 22.1037 Application requirements for offshore stations.

Applications for new Offshore Radiotelephone Service stations must contain an exhibit showing that:

(a) The applicant has notified all licensees of offshore stations located within 321.8 kilometers (200 miles) of the proposed offshore station, by providing the following data, at least 30 days before filing the application:

- (1) The name, business address, channel coordinator, and telephone number of the applicant;
- (2) The location and geographical coordinates of the proposed station;
- (3) The channel and type of emission;
- (4) The height and type of antenna;
- (5) The bearing of the main lobe of the antenna; and,
- (6) The effective radiated power.

(b) The proposed station will not interfere with the primary ORS channels by compliance with the following separations:

- (1) Co-channel to a distance of 241.4 kilometers (150 miles).
- (2) If interstitial channels are used, adjacent channels ( $\pm 12.5$  kHz) to a distance of 80.5 kilometers (50 miles).
- (3) Third order intermodulation channels ( $\pm 12.5$  kHz) to a distance of 32.2 kilometers (20 miles).
- (4) If the proposed transmitting antenna site is located west of longitude W.93°40', and within 32.2 kilometers (20 miles) of the shoreline, and proposed use of the channels listed in § 22.1007(b), no third-order intermodulation interference would be caused to any base or mobile station using the channels between 488 and 494 MHz.

## Subpart J—Required New Capabilities Pursuant to the Communications Assistance for Law Enforcement Act (CALEA)

SOURCE: 64 FR 51717, Sept. 24, 1999, unless otherwise noted.

### § 22.1100 Purpose.

Pursuant to the Communications Assistance for Law Enforcement Act

## 47 CFR Ch. I (10–1–03 Edition)

(CALEA), Public Law 103–414, 108 Stat. 4279 (1994) (codified as amended in sections of 18 U.S.C. and 47 U.S.C.), this subpart contains rules that require a cellular telecommunications carrier to implement certain capabilities to ensure law enforcement access to authorized communications or call-identifying information.

### § 22.1101 Scope.

The definitions included in this subpart shall be used solely for the purpose of implementing CALEA requirements.

### § 22.1102 Definitions.

*Call identifying information.* Call identifying information means 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. Call identifying information is “reasonably available” to a carrier if it is present at an intercept access point and can be made available without the carrier being unduly burdened with network modifications.

*Collection function.* The location where lawfully authorized intercepted communications and call-identifying information is collected by a law enforcement agency (LEA).

*Content of subject-initiated conference calls.* Capability that permits a LEA to monitor the content of conversations by all parties connected via a conference call when the facilities under surveillance maintain a circuit connection to the call.

*Destination.* A party or place to which a call is being made (e.g., the called party).

*Dialed digit extraction.* Capability that permits a LEA to receive on the call data channel digits dialed by a subject when a call is connected to another carrier’s service for processing and routing.

*Direction.* A party or place to which a call is re-directed or the party or place from which it came, either incoming or outgoing (e.g., a redirected-to party or redirected-from party).

*In-band and out-of-band signaling.* Capability that permits a LEA to be informed when a network message that provides call identifying information (e.g., ringing, busy, call waiting signal, message light) is generated or sent by the IAP switch to a subject using the facilities under surveillance. Excludes signals generated by customer premises equipment when no network signal is generated.

*Intercept Access Point (IAP).* Intercept access point is a point within a carrier's system where some of the communications or call-identifying information of an intercept subject's equipment, facilities, and services are accessed.

*J-STD-025.* The interim standard developed by the Telecommunications Industry Association and the Alliance for Telecommunications Industry Solutions for wireline, cellular, and broadband PCS carriers. This standard defines services and features to support lawfully authorized electronic surveillance, and specifies interfaces necessary to deliver intercepted communications and call-identifying information to a LEA.

*LEA.* Law enforcement agency; e.g., the Federal Bureau of Investigation or a local police department.

*Origin.* A party initiating a call (e.g., a calling party), or a place from which a call is initiated.

*Party hold, join, drop on conference calls.* Capability that permits a LEA to identify the parties to a conference call conversation at all times.

*Subject-initiated dialing and signaling information.* Capability that permits a LEA to be informed when a subject using the facilities under surveillance uses services that provide call identifying information, such as call forwarding, call waiting, call hold, and three-way calling. Excludes signals generated by customer premises equipment when no network signal is generated.

*Termination.* A party or place at the end of a communication path (e.g. the called or call-receiving party, or the switch of a party that has placed another party on hold).

*Timing information.* Capability that permits a LEA to associate call-identifying information with the content of a

call. A call-identifying message must be sent from the carrier's IAP to the LEA's Collection Function within eight seconds of receipt of that message by the IAP at least 95% of the time, and with the call event time-stamped to an accuracy of at least 200 milliseconds.

[64 FR 51717, Sept. 24, 1999, as amended at 67 FR 22007, May 2, 2002]

**§22.1103 Capabilities that must be provided by a cellular telecommunications carrier.**

(a) Except as provided under paragraph (b) of this section, as of June 30, 2000, a cellular telecommunications carrier shall provide to a LEA the assistance capability requirements of CALEA, *see* 47 U.S.C. 1002. A carrier may satisfy these requirements by complying with publicly available technical requirements or standards adopted by an industry association or standard-setting organization, such as J-STD-025.

(b) As of November 19, 2001, a cellular telecommunications carrier shall provide to a LEA communications and call-identifying information transported by packet-mode communications.

(c) As of June 30, 2002, a cellular telecommunications carrier shall provide to a LEA the following capabilities:

- (1) Content of subject-initiated conference calls;
- (2) Party hold, join, drop on conference calls;
- (3) Subject-initiated dialing and signaling information;
- (4) In-band and out-of-band signaling;
- (5) Timing information;
- (6) Dialed digit extraction, with a toggle feature that can activate/deactivate this capability.

[64 FR 51717, Sept. 24, 1999, as amended at 67 FR 22007, May 2, 2002]

**PART 23—INTERNATIONAL FIXED PUBLIC RADIOCOMMUNICATION SERVICES**

FIXED PUBLIC SERVICES

Sec.

23.1 Definitions.

23.11 Use of radiotelephone emissions by radiotelegraph stations.