

Explanation for Reduction in “Annual Reporting Burden Hours” in PRA Justification

As described in the Justification Memorandum, CALEA provides that individual telecommunications carriers may request reimbursement from the government for certain costs associated with compliance with regard to telecommunications equipment installed before 1995. *See* 47 U.S.C. § 1008(a). CALEA further authorized to be appropriated \$500 million for that purpose. *Id.* § 1009. Since the late 1990’s, the FBI pursued a reimbursement strategy under CALEA that substantially reduced the costs to certain individual telecommunications carriers for compliance with CALEA with regard to pre-1995 equipment. This strategy involved the negotiation of “nation-wide” agreements with several telecommunications equipment manufacturers for development of CALEA-compliant technical upgrades applicable to entire classes of telecommunications equipment. FBI made such agreements with AG Communications Systems, Lucent Technologies, Motorola, Nortel Networks, and Siemens AG for technical solutions developed to meet the assistance capability requirements of CALEA. Through these agreements, the technical upgrades were provided by the equipment manufacturers to all telecommunications carriers throughout the nation, free of charge. As a consequence, many eligible carriers incurred substantially reduced compliance costs, and thus have no need to seek reimbursement under the provisions outlined above. The original PRA estimates were largely based on the assumption that multiple individual carriers would be seeking reimbursement for various expenses. The FBI has now revised its “Annual Reporting Burden Hours” estimate according to the FBI’s actual experience subsequent to following the above-described strategy.