hereby orders that the application for a DEA Certificate of Registration, submitted by Barry S. Gleken, D.M.D., be, and it is hereby denied. This order is effective February 23, 1995.

Dated: February 16, 1995.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 95–4334 Filed 2–22–95; 8:45 am]

BILLING CODE 4410–09–M

Federal Bureau of Investigation

Implementation of The Communications Assistance for Law Enforcement Act

AGENCY: Federal Bureau of Investigation, Justice.

ACTION: Notice.

SUMMARY: The Federal Bureau of Investigation (FBI) is providing notice of initial steps being taken to implement, on behalf of the Attorney General, certain provisions in the Communications Assistance for Law Enforcement Act.

FOR FURTHER INFORMATION CONTACT:

Telecommunications Industry Liaison Unit, (TILU), FBI, 1–800–551–0336.

SUPPLEMENTARY INFORMATION: On October 25, 1994, the President signed into law the Communications Assistance for Law Enforcement Act (Pub. L. 103–414) (the Act). This law requires telecommunications carriers, as defined in the Act, to ensure law enforcement's ability, pursuant to court order or other lawful authorization, to intercept communications notwithstanding advanced telecommunications technologies.

Under the Act, certain implementation responsibilities are conferred upon the Attorney General. The Attorney General has, pursuant to an Attorney General Order, as codified at 28 CFR 0.85(o), delegated responsibilities set forth in the Act to the Director, FBI, or his designee. The Director, FBI, has designated personnel in the Engineering Section, Information Resources Division, to carry out these responsibilities.

To effectively implement this law, the Engineering Section has established the Telecommunications Industry Liaison Unit (TILU) to specifically address the responsibilities set forth in the Act. TILU personnel will respond to questions and inquiries concerning this Act, and act as the designated contact point for facilitating communication with the telecommunications industry.

Definition of ''Telecommunications Carrier''

The Act defines a ''telecommunications carrier'' as any ''person or entity engaged in the transmission or switching of wire or electronic communications as a common carrier for hire'' (section 102(8)(A)), and includes any ''person or entity engaged in providing commercial mobile service, (as defined in section 332(d) of the Communications Act of 1934, as amended (47 U.S.C. 332(d))'' (section 102(8)(B)). This definition includes but is not limited to local exchange and interexchange carriers; competitive access providers; resellers, cable operators, utilities, and shared tenant services to the extent that they offer telecommunications services as common carriers for hire; cellular telephone companies; personal communications services (PCS) providers; satellite-based mobile communications providers; specialized mobile radio services (SMRS) providers, and enhanced SMRS providers; and paging service providers.

The definition does not include persons or entities insofar as they are engaged in providing information services such as electronic publishing and messaging services.

Capability Requirements

The Act requires telecommunications carriers to ensure that, within four years from the date of enactment, their systems have the capability to meet the assistance capability requirements as described in section 103 of the Act. A document entitled *Law Enforcement Requirements for the Surveillance of Electronic Communications,* clarifies the generic law enforcement assistance capability requirements set forth in the Act and gives additional guidance to telecommunications carriers. This document is available upon request from TILU.

Under section 107(a)(2) of the Act, a carrier will be deemed to be in compliance if it adheres to publicly available technical requirements, feature descriptions, or standards adopted by an industry association or standard-setting organization relevant to the Act. Telecommunications carriers may also develop their own solutions. In any case, carriers must meet the requirements set forth in section 103 of the Act. If no such technical requirements or standards are issued, or if they are challenged as being deficient, upon petition, the Federal Communications Commission (FCC) has authority to develop them through a rule making.

Notice of Maximum and Actual Capacity Requirements

Within one year after enactment, the Attorney General is required to publish in the **Federal Register**, and to provide to appropriate telecommunications industry associations and standard-setting organizations, notice of the estimated electronic surveillance capacity requirements as of October 24, 1998, as well as the estimated maximum capacity required to accommodate such surveillance thereafter.

Compliance, Payment, Enforcement, Exemption, Extensions, Consultation, Systems Security, Cooperation

The mandated compliance with the requirements set forth in section 103 of the Act is affected by a number of interrelated factors, including whether the Attorney General is required to, and has agreed to, pay for needed modifications; whether the equipment, facility, or service was deployed on or before January 1, 1995; and whether such modifications are reasonably achievable under criteria set forth in the Act. Under certain circumstances, telecommunications carriers also may petition regulatory authorities to adjust changes, practices, classifications, and regulations to recover costs expended for making needed modifications. Unexcused noncompliance can lead to civil enforcement actions by the Attorney General and imposition of civil fines. The Act also includes provisions for exemption, extension of the compliance date, consultation with industry, and systems security. In addition, it requires telecommunications transmission and switching equipment manufacturers, as well as providers of telecommunications support services, to cooperate with telecommunications carriers in achieving the required capacities and capabilities.

Commerce Business Daily Notice

The FBI Telecommunications Contracts Audit Unit will issue a Notice in the *Commerce Business Daily* soliciting comments from the telecommunications industry concerning cost accounting procedures and other rules regarding payment procedures and criteria.

Dated: February 16, 1995.

Louis J. Freeh,

Director.

[FR Doc. 95–4376 Filed 2–22–95; 8:45 am]

BILLING CODE 4410–02–M