

carriers offering local exchange service in each county, regardless of equipment type used or customer base.

CALEA applies to all telecommunications carriers as defined in section 102(8). Notices will eventually be issued covering all telecommunications carriers. However, the Second Notice of Capacity and its associated Final Notice of Capacity should be viewed as a first phase application to telecommunications carriers offering services that are of most immediate concern to law enforcement—that is, those telecommunications carriers offering local exchange service and certain commercial mobile radio services, specifically cellular service and personal communications service (PCS).

The exclusion from the notice of certain telecommunications carriers that have services deployed currently or anticipate deploying services in the near term does not exempt them from obligations under CALEA.

- The hour burden depends on how each carrier interprets the meaning of capacity.

Response: The Second Notice of Capacity provides capacity requirements based on geographic area and states the estimated actual and maximum capacity numbers and not a percentage. Also, item 3c ("capacity") has been removed from the Telecommunications Carrier Statement Template and therefore should not impact the estimated hour burden to respondents.

Synacom Technology, Inc.

- Synacom states, "Law enforcement should provide some guidance as to which features and services should be accessible and then determine the capacity required for each feature and service. This is to prevent overbuilding the intercept capacity." Also, "The information requested is largely unnecessary, because its resolution is not adequate to accurately measure compliance with neither the CALEA capability requirements nor the capacity notice."

Response: The Telecommunications Carrier Statement Template was developed through the consultative process with industry representatives. The information requested will be used by law enforcement in conjunction with law enforcement priorities and other factors to determine the specific equipment, facilities, and services that require immediate modification.

- Synacom also states, " * * * the burden to gather the required information is much more difficult to gather as it requires technical expertise

to evaluate whether the systems of the telecommunications service provider collectively provide the required access for each of several independent features and services."

Response: The Telecommunications Carrier Statement Template was simplified to its present form through the consultative process with the telecommunications industry. The telecommunications carriers need only list systems and services that do not meet the requirements of CALEA subsection 104(d). If any system or service does not meet the requirements of CALEA subsection 104(d), it must be reported.

- Synacom states that, "There should be a 'jurisdiction' column instead of the 'county', 'city', and 'state' columns." Also, "the 'MSA, RSA, MTA, or BTA' field is largely irrelevant."

Response: In the Second Notice of Capacity, law enforcement provides a notice of estimated capacity requirements by geographical area and has selected counties and market as the appropriate basis for expressing capacity requirements for telecommunications carriers offering local exchange service. Appendix A of the Second Notice of Capacity lists all estimated actual and maximum capacity requirements by county. The selection of county as a means to define law enforcement requirements takes into consideration, by its very nature, a longstanding territorial location that is unchanged, well documented, is understandable to both law enforcement and industry, and takes into consideration a specific law enforcement jurisdiction. These requirements represent the simultaneous number of call-content interceptions and wireline interceptions of call-identifying information for each county in the United States and its territories. Wireline carriers may ascertain the estimated actual and maximum capacity requirements that will affect them by looking up in Appendix A the county (or counties) or Appendices B, C, D for which they offer local exchange service.

Law enforcement's county or market capacity requirements are based on historical interception data and represent its interception needs anywhere in the county or market. The county or market requirements apply to all existing and any future wireline carriers offering local exchange service in each county, regardless of equipment type used or customer base.

For wireless carriers, individual county boundaries were not considered to be feasible geographic designations for identifying capacity requirements.

Instead, law enforcement determined that the wireless market service area would be the most appropriate geographic designations. Although these areas comprise sets of counties, the use of such market service areas best takes into account the greatest inherent mobility of wireless subscribers. What is most important is that historical information on wireless interceptions could only be associated with market service areas.

Therefore, the county(s) field of the Telecommunications Carrier Statement Template is information required for wireline systems and services only.

Dated: April 30, 1997.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

[FR Doc. 97-11708 Filed 5-5-97; 8:45 am]

BILLING CODE 4410-02-M

LEGAL SERVICES CORPORATION

Sunshine Act Meeting; Meeting of the Board of Directors Operations and Regulations Committee

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 62 FR 24138 (May 2, 1997)

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: The Operations and Regulations Committee of the Legal Services Corporation Board of Directors will meet on May 9, 1997. The meeting will begin at 10:00 a.m. and continue until the committee concludes its agenda.

CHANGES IN THE MEETING: The agenda has been revised as follows:

MATTERS TO BE CONSIDERED:

Open Session

1. Approval of agenda.
2. Approval of minutes of the March 7, 1997, committee meeting.
3. Approval of minutes of the committee's March 7, 1997, executive session.

Closed Session

4. Report by legal counsel on litigation involving the Corporation.

Open Session

5. Consider and act on final revisions to 45 CFR Part 1610, the Corporation's regulation governing the use of non-LSC funds.

6. Consider and act on final revisions to 45 CFR Part 1639, the Corporation's regulation proscribing involvement in welfare reform.

7. Consider and act on a draft personnel rule to be codified at 45 CFR Part 1601.

8. Consider and act on proposed procedures to govern employee grievances filed against either the Inspector General or the President.

9. Consider and act on other business.

CONTACT PERSON FOR INFORMATION:

Victor M. Fortuno, General Counsel and Secretary of the Corporation, at (202) 336-8810.

Dated: May 2, 1997.

Victor M. Fortuno,

General Counsel.

[FR Doc. 97-11929 Filed 5-2-97; 3:11 pm]

BILLING CODE 7050-01-P

LEGAL SERVICES CORPORATION

Sunshine Act Meeting of the Corporation's Board of Directors

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 62 FR 24139 (May 2, 1997).

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: The Board of Directors of the Legal Services Corporation will meet on May 10, 1997. The meeting will begin at 9:00 a.m. and continue until conclusion of the Board's agenda.

CHANGES IN THE MEETING: The meeting agenda has been revised as follows:

MATTERS TO BE CONSIDERED:

Open Session

1. Approval of agenda.
2. Approval of minutes of the March 8, 1997, Board meeting.
3. Approval of minutes of the March 23, 1997, Board meeting.
4. Approval of minutes of the Board's executive session of March 23, 1997.
5. Chairman's and Members' Reports.
6. President's Report.
7. Inspector General's Report.
8. Consider and act on the report of the Board's Finance Committee.
9. Consider and act on the report of the Board's Operations and Regulations Committee:
 - a. Consider and act on final revisions to 45 CFR Part 1610, the Corporation's regulation governing the use of non-LSC funds.
 - b. Consider and act on final revisions to 45 CFR Part 1639, the Corporation's regulation proscribing involvement in welfare reform.
 - c. Consider and act on a draft personnel rule to be codified at 45 CFR Part 1601.
 - d. Consider and act on procedures to govern employee grievances filed against either the Inspector General or the President.
10. Consider and act on the report of the Board's Provision for the Delivery of Legal Services Committee.

11. Consider and act on possible amendment to the Corporation's communications policy, as adopted on March 8, 1997.

12. Consider and act on proposed Report of the Board of Directors to accompany the Inspector General's Semiannual Report to the Congress for the period of October 1, 1996-March 31, 1997.

Closed Session

13. Briefing¹ by the Inspector General on the activities of the OIG, including but not limited to a status report on the OIG's special audits.
14. Consider and act on the General Counsel's report on potential and pending litigation involving the Corporation.

Open Session

15. Consider and act on making available to the incoming President of the Corporation copies of selected executive session transcripts, or excerpts thereof, for the purpose of providing him with background on specific issues relating to the Corporation and its operations.
16. Consider and act on scheduling of board and committee meetings for the period from July through December 1997.
17. Public comment.
18. Consider and act on other business.

CONTACT PERSON FOR INFORMATION:

Victor M. Fortuno, General Counsel and Secretary of the Corporation, at (202) 336-8810.

Dated: May 2, 1997.

Victor M. Fortuno,

General Counsel.

[FR Doc. 97-11930 Filed 5-2-97; 3:12 pm]

BILLING CODE 7050-01-P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meeting

TIME AND DATE: 10:00 a.m., Thursday, May 8, 1997.

PLACE: Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following:

¹ Any portion of the closed session consisting solely of staff briefings does not fall within the Sunshine Act's definition of the term "meeting" and, therefore, the requirements of the Sunshine Act do not apply to any such portion of the closed session. 5 U.S.C. 552(b)(2) and (b). See also 45 CFR § 1622.2 & 1622.3.

1. *Secretary of Labor v. Faith Coal Co.*, Docket No. SE 91-97, et al. (Issues include whether the judge erred in finding that the operator violated 30 CFR 75.202(a) and 75.220 by permitting work or travel under an unsupported roof and by failing to comply with a requirement of its roof control plan to set cribs prior to splitting a pillar, and that a separate violation of section 75.220, involving cuts of excessive length and a crosscut driven into an area of unsupported roof, was the result of the operator's unwarrantable failure to comply with its roof plan, and whether the judge erred in vacating a citation alleging that the operator improperly operated a scoop loader that contained an inoperative methane monitor and in finding that the operator did not violate 30 CFR 75.203(b) by failing to use sight lines to control the direction of mining).

TIME AND DATE: 10:00 a.m., Thursday, May 15, 1997.

PLACE: Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

STATUS: Closed [Pursuant to 5 U.S.C. 552b(c)(10)].

MATTERS TO BE CONSIDERED: It was determined by a unanimous vote of the Commissioners that the Commission consider and act upon the following in closed session:

1. *Contractors Sand & Gravel Supply, Inc. v. Secretary of Labor*, Docket No. EAJ 96-3 (Issues include whether the Commission has jurisdiction to review the decision of the administrative law judge issued pursuant to the Equal Access to Justice Act and whether the position of the Secretary was substantially justified in the underlying proceeding).

TIME AND DATE: 10:00 a.m., Thursday, May 29, 1997.

PLACE: Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will hear oral argument on the following:

1. *Secretary of Labor o.b.o. Glover v. Consolidation Coal Co.*, Docket No. LAKE 95-78-D (Issues include whether the judge erred in finding that the operator discriminated against two mine representatives when it transferred them from positions as scooter barn mechanics to underground mechanics, and whether he properly assessed the penalty amount for the violation).

TIME AND DATE: 11:30 a.m., Thursday, May 29, 1997.

PLACE: Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

STATUS: Closed [Pursuant to 5 U.S.C. 552b(c)(10)].