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U.S. Department of Justice

Federal Bureau of Investigation

Office of the General Counsel

Washington, D.C. 20535

October 21, 2002

By Hand Delivery

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W
Room TW-B204
Washington, D.C. 20554

RECEIVED

OCT 21 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: *Motion for Continued Deferral In the Matter of Global Crossing Ltd., Transferor, and GCAcquisition Limited, Transferee, Application for Consent to Transfer Control and Petition for Declaratory Ruling, IB Docket No. 02-286, DA 02-2299*

Dear Ms. Dortch:

Transmitted herewith, on behalf of the Department of Justice ("DoJ") and the Federal Bureau of Investigation ("FBI"), are an original and four copies of the Motion for Continued Deferral regarding the pending Application and Petition in the above-referenced matter. Pursuant to the Application, filed with the FCC in IB Docket No. 02-286, the Department of Defense, DoJ, and FBI (hereinafter "Executive Agencies") are still reviewing national security, law enforcement and public safety issues pertaining to this matter. In light of this review, the DOJ and FBI respectfully request the Commission to accept this Motion, and to continue to defer dispositive action on the Application and Petition until notification and request for appropriate action, as described in the Application, is submitted by the Executive Agencies.

Sincerely,

Patrick W. Kelley
Office of the General Counsel
935 Pennsylvania Ave., N.W., Room 7427
Washington, D.C. 20535
(202) 324-8067

Enclosures

cc: Qualex International

Ms. Marlene H. Dortch
List A-00000000

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Global Crossing Ltd.)
(Debtor-in-Possession),)

Transferor,)

and)

GC Acquisition Limited,)

Transferee.)

Application for Consent to Transfer)
Control and Petition for Declaratory Ruling)

IB Docket No. 02-286
DA 02-2299

To the Commission:

MOTION FOR CONTINUED DEFERRAL

The United States Department of Justice (“DOJ”) and the Federal Bureau of Investigation (“FBI”) respectfully request that the Federal Communications Commission (“Commission”) continue to defer dispositive action on the above captioned applications pending notification to the Commission by the Department of Defense (“DOD”), the DOJ, and/or the FBI (collectively referred to herein as the “Executive Agencies”) that the national security, law enforcement, **and** public safety issues now under review by the Executive Agencies have or have not been resolved and appropriate action is requested of the Commission.

In the instant Application for Consent to Transfer of Control and Petition for Declaratory Ruling (the “Application”), Global Crossing Ltd. and GC Acquisition Limited (collectively the “Applicants”) stated:

The Applicants * * * understand that there are law enforcement, national security, and public safety issues that the Executive Agencies want to review in connection with this Application. * * *

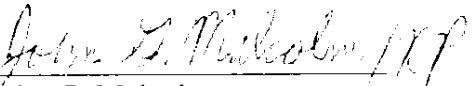
* * * [W]ith the concurrence of the Executive Agencies, [the Applicants] request that the Commission commence its review and processing of this Application, including placing the Application on Public Notice for public comment, but that dispositive action by the Commission concerning this Application be deferred pending notification to the Commission that all issues identified by the Executive Agencies have or have not been resolved and requesting appropriate action by the Commission.

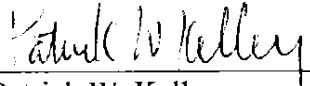
Application, page 20

Wherefore, the Executive Agencies, as did the Applicants, respectfully request that the Commission continue to defer dispositive action on the Application until the notification described in the Application (quoted above) is submitted by the Executive Agencies. The Executive Agencies will complete their assessment of the practicality of resolving the identified national security, law enforcement, and public safety concerns as soon as possible.

The DOJ and the FBI have been authorized by the Office of the General Counsel of the DOD to state that the DOD concurs in this Motion.

Respectfully submitted,


John G. Malcolm
Deputy Assistant Attorney General
Criminal Division
UNITED STATES DEPARTMENT OF
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Dated: October 21, 2002

CERTIFICATE OF SERVICE

I, Myla K Saldivar-Trotter, Federal Bureau of Investigation, hereby certify that on this 21st day of October, 2002, I caused a true and correct copy of the foregoing Motion for Continued Deferral to be served via hand delivery (indicated by *) or by mail to the following parties.

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