



Federal Communications Commission  
Washington, DC 20554

International Bureau

October 2, 2003

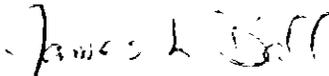
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Washington, D C 20007-5116

Re Application of Global Crossing Ltd and GC Acquisition Limited for Consent to Transfer Control of Various Licenses and Authorizations and Petition for Declaratory Ruling, IB Docket No 02-286

Dear Mr Lipman, Ms Kiddoo, and Mr Gagner:

On March 27, 2003, we advised we would not restart the clock in IB Docket No 02-286 during the pendency of applicants' discussions with the Executive Branch on national security, law enforcement and public safety issues.<sup>1</sup> On September 26, 2003, the Department of Justice filed, on behalf of the affected Executive Branch agencies, a Petition to Adopt Conditions to Authorizations and Licenses ("Petition"). The Petition attaches a network security agreement between the Department of Justice, Federal Bureau of Investigation, Department of Defense and Department of Homeland Security, on one hand, and Global Crossing, New GX and ST Telemedia, on the other ("Agreement"). The Petition advises that the Agreement is intended to ensure that the Department of Justice, Federal Bureau of Investigation, Department of Defense and Department of Homeland Security and other entities with responsibility for enforcing the law, protecting the national security and preserving public safety can proceed in a legal, secure and confidential manner to satisfy these responsibilities.<sup>2</sup> With the receipt of the Petition and our review thereof, we are now restarting the clock, effective today, at day 149.

Sincerely,

  
James Ball  
Chief, Policy Division

Cc John G Malcolm, DOJ  
Patrick W Kelley, FBI  
Debbie Goldman, CWA  
William Malone, Counsel for ACNI  
Mark Tauber, Counsel for IDT Corporation  
Todd Malan, OII  
Douglas W Kinkoph, XO  
Cheryl A Tritt, Counsel for XO

<sup>1</sup> Prior pleadings from the applicants and the Department of Justice advised the Commission that the discussions were occurring. See Petition for Declaratory Ruling (filed Aug 22 2002), at 20 (asking the Commission to defer dispositive action on the applications pending notification that all issues raised by the Executive Branch had or had not been resolved), DOJ/FBI Motion (filed Oct 21, 2002) (seeking deferral of Commission action for review of national security, law enforcement and public safety issues). See also Third Amendment (filed May 13, 2003) (reiterating applicants' request for prompt review but no dispositive action until after DOJ/FBI notification).

<sup>2</sup> See Petition at 6.