



U.S. Immigration
and Customs
Enforcement

April 11, 2005

Filed Electronically

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

Re: WT Docket No. 03-103 and 05-42; WT Docket No. 04-425
Notice of Ex Parte Presentation

Dear Ms. Dortch:

On April 8, 2005, Department of Homeland Security, Immigrations and Customs Enforcement, Federal Air Marshals Service (FAMS) Agent Roderick Allison and the undersigned, met with the following FCC employees; Kathy Harris, Zenji Nakazawa, Jay Jackson, Julius Knapp, Jim Schlichting, Peter Tenhula, Linda Chang, Guy Benson and Eric Salovarra. This meeting was requested to discuss FAMS homeland security issues related to this rulemaking.

After brief introductions of all attendees, the FAMS discussed the following areas of concern.

The primary concerns are as follows:

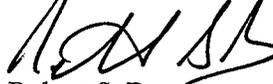
1. The deployment of a commercial air to ground communication system, to which the FAMS could subscribe, is predicated on the forthcoming Wi-Fi frequency allocation auction. This technology is required to insure the continued success of the FAMS in our mission to detect, deter, and defeat hostile acts targeting air carriers, airports and passengers, and crews.
2. The ability of the onboard Federal Air Marshal (FAM) to preempt other users in emergency situations is extremely critical. This functionality is required to insure the FAM can transmit and receive communications in times of potential national crisis.
3. The FAMS have been advised that the FCC may receive commentary regarding the proposed rule making on cell phone use on commercial aircraft. The commentary is associated with possible terrorist use of cell phone technology to facilitate an attack on the aviation industry, via a remotely detonated explosive device. The FAMS believes that existing safeguards and protocols should be reviewed to deter

this threat, as cell phone technology is not the only technology that could be utilized to remotely attack aviation interests.

Pursuant to section 1.1206(b) of the Commission's rules, an electronic copy of this letter is being filed electronically with the Office of the Secretary. Copies are also being served electronically on the Commission participants in the meeting.

Should there be any questions regarding this matter, please contact the undersigned.

Respectfully Submitted,



Robert S. Bray
Deputy Assistant Director
Federal Air Marshal Service

cc: Kathy Harris
Peter Tenhula
Jay Jackson
Zenji Nakazawa
Jim Schlichting
Julius Knapp
Linda Chang
Guy Benson
Erik Salovarra