



Homeland Security

Ms. Marlene H. Dortch
Federal Communications Commission
445 12th St. SW, Room TW-B204
Washington, DC 20554

FILED/ACCEPTED

NOV - 6 2006

Federal Communications Commission
Office of the Secretary

Re: T-Mobile USA, Inc. (Duetch Telekom)
ISP-PDR-20060510-00013
(DT USL file number 0002769270)

Dear Ms. Dortch:

The Department of Homeland Security ("DHS") with the concurrence of the Department of Justice, including the Federal Bureau of Investigation ("FBI"), request that the Federal Communications Commission ("Commission") defer action on the request for declaratory ruling allowing indirect foreign ownership in excess of 25% in the AWS license in the above-captioned matter. DHS, DOJ and FBI ("the agencies") are currently reviewing such matter for any national security, law enforcement, and public safety issues, but have not yet completed that effort. See generally, In the matter of Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, 12 F.C.C. Rcd. 23,891, ¶ 63 (November 26, 1997). We are therefore requesting that the Commission defer action until such time as the agencies notify the Commission of the completion of their review and, based on the results of such review, request appropriate action by the Commission.

DHS, DOJ and FBI will advise the Commission promptly upon completion of our review.

Thank you for your consideration.

Sincerely,

Stewart A. Baker
Assistant Secretary for Policy

- cc: Cecilia Seppings
- Gail Cohen
- Susan O'Connell
- James Bird
- George Li
- Doane F. Kiechel
- Lou Brenner
- Lonnie Kishiyama