

LAW OFFICES OF THOMAS K. CROWE, P.C.

1250 24th STREET, N.W.
SUITE 300
WASHINGTON, D.C. 20037

TELEPHONE (202) 263-3640
FAX (202) 263-3641
E-MAIL firm@tkcrowe.com

August 1, 2003

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

Re: New Information; IB Docket No. 03-115

Dear Ms. Dortch:

To ensure that neither national security nor public safety in the Commonwealth of the Northern Mariana Islands ("CNMI") is compromised, the Office of the Governor provides the enclosed new information in order to update the record in the above-referenced proceeding.

In recent weeks, the U.S. Department of Homeland Security has been conducting training exercises in the CNMI in order to prepare the people of the CNMI for the possibility of terrorist attacks. The enclosed articles published on July 23, 2003 in the *Saipan Tribune* and *Marianas Variety* include statements made by Herbert Marshall, Exercise Program Manager for the Office of Domestic Preparedness, U.S. Department of Homeland Security, expressing concern over the possibility of a terrorist attack on the CNMI, given its proximity to Asia. According to Mr. Marshall, "the CNMI and other U.S. islands could even be more vulnerable to terrorist attacks as they are closer to Asia, where the Al-Qaeda network and other terrorist groups are based."¹

¹ Agnes E. Donato, *Insular Areas Not Immune to Terror Attacks*, *Marianas Variety*, July 23, 2003.

The above statement and others contained in the attached press reports underscore and further support the national security and public safety arguments raised by the Office of the Governor in the above-referenced matter,² including concerns over the CNMI's location being "within a relatively close distance to regions where U.S. national security could be jeopardized in the future."³

Respectfully submitted,



Thomas K. Crowe
Gregory E. Kunkle,
Counsel for the Office of the Governor
of the Commonwealth of the Northern
Mariana Islands

Enclosures

cc: Attached Service List

² Petition to Deny, or, in the Alternative, to Designate for Hearing, filed on June 9, 2003 at 18-31 ("Petition").

³ Petition at 30.

Anti-terror response training held in NMI

Story by John Ravelo

Reporter



Suppose a boat explodes on Saipan's harbor, resulting in mass casualties, how should different government agencies respond to the emergency?

Such was the hypothetical scenario presented during a workshop attended mostly by local emergency responders at the Hyatt Regency Saipan.

In the example cited, Herbert Marshall said that casualties will have to be brought to health facilities, but the facilities should not be contaminated, should the explosion involve chemical weapons. Decontamination should take place, but those involved with this process should not destroy possible pieces of evidence once the police and the Federal Bureau of Investigation step in.

Marshall, an exercise program manager from the U.S. Department of Homeland Security's Office for Domestic Preparedness, stressed the need of enhancing coordination among responders from the different government agencies during times of disaster.

Homeland Security has allotted around \$1.487 million to the Commonwealth for domestic preparedness, Marshall said. Some \$262,000 of the money is intended for program exercises, including the "tabletop" and brainstorming exercises conducted yesterday. About \$70,000 is allotted for training, while planning aspect for the CNMI's domestic preparedness got an appropriation of \$105,000.

The biggest chunk of the CNMI's share in the \$3.5-billion budget for national domestic preparedness is \$1.05 million, Marshall said. The money has been appropriated for equipment acquisition.

Marshall said the Homeland Security Department considers terrorist threats seriously, preparing all U.S. states and territories for such a scenario.

"It's very possible. It's close to mainland Asia," he said of a potential terrorist attack on the CNMI.

CNMI.

Participating agencies in yesterday's workshop included the Emergency Management Office, the departments of Public Health and Public Safety, the divisions of Fire and Environmental Quality and the Commonwealth Ports Authority, among others.

Representatives from Rota, Tinian, Guam and the American Samoa also joined the workshop.

Dawn Alailima, Samoa's counter-terrorism and HAZMAT (hazardous materials) manager, expressed gratitude to the Homeland Security Department for the "funding to bring Pacific territories together." She underscored the need for Pacific territories to network on anti-terrorism efforts.

Alailima, who was with two other Samoa representatives, also thanked CNMI homeland security adviser Jerry Crisostomo and EMO director Rudolfo Pua for inviting them to the workshop.

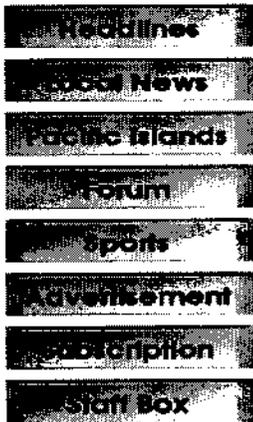
Marianas Variety

Micronesia's Leading Newspaper Since 1972

Vol. 31 No. 93
©2003 Marianas Variety

Wednesday, July 23, 2003

www.mvariety.com
Serving the CNMI for 31 years



'Insular areas not immune to terror attacks'

*By Agnes E. Donato
Variety News Staff*

AMERICA'S insular areas in the Pacific are "not immune" to possible terrorist attacks, an official of the U.S. Department of Homeland Security said.

Herbert Marshall, exercise program manager for the Office of Domestic Preparedness, said the CNMI and other U.S. islands could even be more vulnerable to terrorist attacks as they are closer to Asia, where the Al-Qaeda network and other terrorist groups are based.

Marshall and four other representatives from the Office of Domestic Preparedness headed an anti-terrorism preparedness training for CNMI, Guam and American Samoa government officials and staff at the Hyatt Regency Hotel yesterday.

It was the first training conducted by the office in the CNMI.

The Office of Domestic Preparedness was given a budget of \$4 million for conducting training exercises in the U.S. insular areas in the Pacific.

"If you look back historically — on what has been happening to American states and territories in the past 10 to 15 years — you'll know that (a terrorist attack) is going to happen sometime in the future," Marshall said.

The region, he added, could be a target for groups that are out to "hurt the economic interests or the population of the U.S."

In an interview, Marshall said the training aimed to instruct government officials on how to respond to, and recover from, a possible chemical weapons attack at the seaports.

Marshall said that aside from preparedness, the training also aimed to teach measures in preventing chemical attacks.

"We also like the word 'prevention' because if you can prevent a terrorist attack from occurring, you'll save lives and property," Marshall said.

© 2003 Marianas
Variety
Published by Younis Art
Studio Inc.
All Rights Reserved
Email :
mvariety@vzpacifica.net

CERTIFICATE OF SERVICE

I, Sandra Safro, a legal assistant with the Law Offices of Thomas K. Crowe, P.C., certify that on August 1, 2003, a copy of the foregoing *New Information; IB Docket No. 03-115*, was served by first class United States mail, postage prepaid upon the parties listed below.

Michael K. Powell
Chairman, Federal Communications
Commission
445 12th Street, S.W.
Washington, D.C. 20554

Kathleen Q. Abernathy
Commissioner, Federal Communications
Commission
445 12th Street, S.W.
Washington, D.C. 20554

Michael J. Copps
Commissioner, Federal Communications
Commission
445 12th Street, S.W.
Washington, D.C. 20554

Kevin J. Martin
Commissioner, Federal Communications
Commission
445 12th Street, S.W.
Washington, D.C. 20554

Jonathan S. Adelstein
Commissioner, Federal Communications
Commission
445 12th Street, S.W.
Washington, D.C. 20554

Daniel K. Akaka
United States Senator, Hawaii
141 Hart Senate Office Building
Washington, D.C. 20510

Conrad Burns
United States Senator, Montana
Chairman, United States Subcommittee on
Communications
428 Hart Senate Office Building
Washington, D.C. 20510

Conrad Burns
United States Senator, Montana
Chairman, United States Subcommittee on
Communications
187 Dirksen Senate Office Building
Washington, D.C. 20510

Hon. George Miller
United States Representative, California
2205 Rayburn HOB
Washington, D.C. 20515-0507

Hon. Don Young
United States Representative, Alaska
2111 Rayburn House Office Building
Washington, D.C. 20515

John McCain
United States Senator, Arizona
Chairman, United States Committee on
Commerce, Science and Transportation
241 Russell Senate Office Building
Washington, D.C. 20510

John McCain
United States Senator, Arizona
Chairman, United States Committee on
Commerce, Science and Transportation
508 Dirksen Senate Office Building
Washington, D.C. 20510-6125

Madeleine Z. Bordallo
United States Representative, United States
Territory of Guam
427 Cannon House Office Building
Washington, D.C. 20515-5301

Fred Upton
United States Representative, Michigan
Chairman, United States Subcommittee on
Telecommunications and the Internet
2125 Rayburn House Office Building
Washington, D.C. 20515

Fred Upton
United States Representative, Michigan
Chairman, United States Subcommittee on
Telecommunications and the Internet
2161 Rayburn House Office Building
Washington, D.C. 20515

W.J. Tauzin
United States Representative, Louisiana
Chairman, United States Committee on
Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

W.J. Tauzin
United States Representative, Louisiana
Chairman, United States Committee on
Energy and Commerce
2183 Rayburn House Office Building
Washington, D.C. 20515

Tom Ridge
Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, D.C. 20528

Scott Boylan
Advisor to the Secretary
Department of Homeland Security
3801 Nebraska Ave., N.W.
Washington, D.C. 20528

Felix Perez Camacho
Governor, Territory of Guam
P.O. Box 2950
Hagatna, Guam 96932

Clyde Lemons, Jr.
Acting Attorney General
Commonwealth of the Northern
Mariana Islands
2nd Floor Hon. Juan A. Sablan
Memorial Bldg.
Caller Box 10007, Capitol Hill
Saipan, MP 96950

Marvin M. Dodge
Commander, U.S. Navy
Assistant Chief of Staff for Civil-Military
Affairs
U.S. CINCPAC REP Guam, CNMI, FSM &
Palau
Attn: Code N5
PSC 455 Box 152
FPO AP 96540-1000

Amy Jabloner
Chief – FBI Task Force
U.S. Department of Justice
1301 New York Avenue, N.W.
10th Floor
Washington, D.C. 20005

Kenneth L. Doroshov
Trial Attorney
U.S. Department of Justice
Criminal Division, Computer Crime and
Intellectual Property Section
1301 New York Avenue, N.W., Suite 600
Washington, D.C. 20005

Jennifer Underriner
Attorney
Office of Enforcement Operations
U.S. Department of Justice
1301 New York Avenue, N.W.
12th Floor
Washington, D.C. 20005

Michael Stawasz
Trial Attorney
Computer Crime and Intellectual Property
Section
U.S. Department of Justice
10th and Constitution Avenue, N.W.
John C. Keeney Building
Washington, D.C. 20530

John LoGalbo
Trial Attorney
Computer Crime and Intellectual Property
Section
U.S. Department of Justice
10th and Constitution Avenue, N.W.
John C. Keeney Building
Washington, D.C. 20530

Josephine Scarlett, Office of Chief Counsel
National Telecommunications &
Information Administration
U.S. Department of Commerce
1401 Constitution Avenue N.W.,
Room 4713
Washington, D.C. 20230

Hillary Morgan
General Counsel
Defense Information Systems Agency
702 South Courthouse Rd.
Arlington, V.A. 22204-2199

Jeannine R. Aguon
Senior Legislative Assistant
2428 Rayburn Building
Washington, D.C. 20515

Marsha MacBride
Director, Homeland Security Policy Council
Federal Communications Commission
Office of the Chairman
445 12th Street, S.W.
Washington, D.C. 20554

Larry R. Parkinson
General Counsel
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535

James Lovelace
Federal Bureau of Investigation
935 Pennsylvania Avenue NW
Suite 7877
Washington, D.C. 20535

Office of the U.S. Coordinator for
International Communication and
Information Policy
U.S. Department of State
Mail Code: EB/CIP
2201 C Street, N.W.
Room 4826
Washington, D.C. 20520-5820

David B. Cohen
Deputy Assistant Secretary for Insular
Affairs
Office of Insular Affairs
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Jack Zinman
Senior Advisor, Office of the Assistant
Secretary for Communications and
Information
National Telecommunications &
Information Administration
U.S. Department of Commerce
1401 Constitution Avenue N.W.
Room 4898B
Washington, D.C. 20230

Kent R. Nilsson
Special Counsel and Deputy Chief
Network Technologies Division
Office of Engineering and Technology
Federal Communications Commission
445 12th Street, SW
Room 7B452
Washington, D.C. 20554

Richard Salgado
Trial Attorney
Computer Crime Section
U.S. Department of Justice
1301 New York Avenue, N.W.
Suite 600
Washington, D.C. 20053

Michael S. Mowery
International Vice President—9th District
International Brotherhood of Electrical
Workers
2500 Venture Oaks Way, Suite 250
Sacramento, California 95833-4221

Brenton Greene
Deputy Manager
National Communications System
701 South Courthouse Road
Arlington, VA 22201-2199

Lawrence C. Hale
Director, FedCIRC
7th & D Streets, S.W.
Room 5060
Washington, D.C. 20407

U.S. Department of Homeland Security
Attn: Critical Infrastructure Assurance
Office
1401 Constitution Avenue, N.W.
Washington, D.C. 20230

Gardner Foster
Federal Communications Commission
Policy Division, International Bureau
445 12th Street, S.W.
Room 7-A861
Washington, D.C. 20554

Susan O'Connell
Federal Communications Commission
Policy Division, International Bureau
445 12th Street, S.W.
Room 7-B544
Washington, D.C. 20554

Erin McGrath
Federal Communications Commission
Commercial Wireless Division
Wireless Telecommunications Bureau
445 12th Street, S.W.
Room 4-B454
Washington, D.C. 20554

Dennis Johnson
Federal Communications Commission
Competition Policy Division
Wireline Competition Bureau
445 12th Street, S.W.
Room 6-A461
Washington, D.C. 20554

Neil A. Dellar
Federal Communications Commission
Transaction Team, Office of the General
Counsel
445 12th Street, S.W.
Room 8-C818
Washington, D.C. 20554

David Strickland
Policy Division, International Bureau
Federal Communications Commission
445 12th Street, S.W.
Room 7-B428
Washington, D.C. 20554

Patrick W. Kelley
Deputy General Counsel
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535

John G. Malcolm
Deputy Assistant Attorney General
Criminal Division
United States Department of Justice
10th Street & Constitution Avenue, N.W.
Washington, D.C. 20530

Representative Herman T. Palacios
House of Representatives
Thirteenth Northern Marianas
Commonwealth Legislature
Commonwealth of the Northern
Mariana Islands
Post Office Box 500586
Saipan, MP 96950-0586

Representative Gloria Dlc. Cabrera
House of Representatives
Thirteenth Northern Marianas
Commonwealth Legislature
Commonwealth of the Northern
Mariana Islands
Post Office Box 500586
Saipan, MP 96950-0586

Representative Pedro P. Castro
House of Representatives
Thirteenth Northern Marianas
Commonwealth Legislature
Commonwealth of the Northern
Mariana Islands
Post Office Box 500586
Saipan, MP 96950-0586

Representative Oscar M. Babauta
House of Representatives
Thirteenth Northern Marianas
Commonwealth Legislature
Commonwealth of the Northern
Mariana Islands
Post Office Box 500586
Saipan, MP 96950-0586

Senator Pete D. Reyes
House of Representatives
Thirteenth Northern Marianas
Commonwealth Legislature
Commonwealth of the Northern
Mariana Islands
Post Office Box 500586
Saipan, MP 96950-0586

Herman Q. Deleon Guerrero
P.O. Box 500825
Saipan, MP 96950-0825

Representative Stanley T. Torres
House of Representatives
Thirteenth Northern Marianas
Commonwealth Legislature
Commonwealth of the Northern
Mariana Islands
Post Office Box 500586
Saipan, MP 96950-0586

Representative Joe P. Deleon Guerrero
House of Representatives
Thirteenth Northern Marianas
Commonwealth Legislature
Commonwealth of the Northern
Mariana Islands
Post Office Box 500586
Saipan, MP 96950-0586

Representative Martin B. Ada
House of Representatives
Thirteenth Northern Marianas
Commonwealth Legislature
Commonwealth of the Northern
Mariana Islands
Post Office Box 500586
Saipan, MP 96950-0586

Anthony A. Das
Senior Vice President/Managing Director
For Asia and the Pacific
PCI Communications, Inc.
135 Chalan Santo Papa, Suite 101
Hagatna, GU 96910

Christopher M. Bennett
General Counsel and Secretary
Bell Atlantic New Zealand Holdings, Inc.
1095 Avenue of the Americas
Room 3828
New York, N.Y. 10036

Jose Ricardo Delgado
Prospector Investment Holdings, Inc.
4/F SGV II Building
6758 Ayala Avenue
Makati City, Philippines

Peter D. Shields
Jennifer D. Hindin
Wiley Rein & Fielding, LLP
1776 K Street, N.W.
Washington, D.C. 20006

Qualex International
445 12th Street, S.W.
Room CY-B402
Washington, D.C. 20554

Veronica Ahern
Nixon Peabody LLP
401 9th Street, N.W.
Washington, D.C. 20004
Counsel for Governor of Guam

Kenneth D. Patrich
Timothy J. Cooney
Wilkinson Barker Knauer, LLP
2300 N Street, N.W.
Suite 700
Washington, D.C. 20037



Sandra Safro