



(2001).

After discussions with representatives of the Applicant in connection with the above-referenced proceedings, the Agency has concluded that the additional commitments set forth in the LOA will help ensure that the Agency with responsibility for enforcing the law, protecting the national security, and preserving public safety, can proceed appropriately to satisfy those responsibilities. Accordingly, the Agency advises the Commission that it has no objection to the Commission granting the application in the above-referenced proceeding, provided that the Commission conditions its consent on compliance by Homeland Phone, Inc. with the LOA.

Respectfully submitted,

/S/ Richard C. Sofield  
Richard C. Sofield  
U.S. Department of Justice  
Director - Foreign Investment Review Staff  
National Security Division  
600 E Street, NW Rm 10000  
Washington, D.C. 20004

October 27, 2011

Dated: October 20, 2011

Lisa Monaco  
Assistant Attorney General  
National Security Division  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
ttelecom@usdoj.gov

**Re: Pending application by Homeland Phone, Inc. for authorization under Section 214 of the Communications Act of 1934, as amended FCC ITC-214-20100607-00223.**

Dear Ms. Monaco:

This letter outlines the commitments made by Homeland Phone, Inc. (HPI) to the US Department of Justice (DOJ) in order to address national security, law enforcement, and public safety concerns raised with regard to the HPI application to the Federal Communications Commission (FCC) for authority to provide global facilities-based and resale services to all international points under Section 214 of the Communications Act of 1934, as amended.

HPI is a US corporation seeking an authorization from the FCC to provide international global or limited global facilities-based authority, and global or limited global resale authority (47 C.F.R. § 63.18(e)(1) and § 63.18(e)(2)) to all international points under Section 214 of the Communications Act of 1934, as amended.

HPI agrees that it will comply with all applicable lawful interception statutes, regulations, and requirements, including the Communications Assistance for Law Enforcement Act (CALEA) and its implementing regulations, and with all court orders and other legal process for lawfully authorized electronic surveillance. HPI will inform DOJ of its lawful interception capabilities within sixty (60) days after the grant of its authority.

HPI also agrees that for all HPI customer billing records, subscriber information, and any other related information used, processed, or maintained in the ordinary course of business relating to telecommunications services offered in the US (US Records), HPI will store either originals or copies of originals in the US and make such records available in response to lawful US process. For these purposes, US Records shall include information subject to disclosure to a US Federal or state governmental entity under the procedures specified in Sections 2703(c) and (d) and Section 2709 of Title 18 of the US Code. HPI also agrees to ensure that US Records are not made subject to mandatory destruction under any foreign laws. The storage location for the US Records will be provided to DOJ at least thirty (30) days in advance of the time in which HPI anticipates generating any US Records.

HPI agrees that it will not, directly or indirectly, disclose or permit disclosure of or access to US Records, domestic communications, or any information (including the content of communication) pertaining to a wiretap or electronic surveillance order, pen/trap order, subpoena or other lawful demand by a US law enforcement agency for US Records to any person if the purpose of such disclosure or access is to respond to the legal process or request on behalf of a non-US government, without first satisfying all pertinent requirements of US law and obtaining the express written consent of DOJ or the authorization of a court of competent jurisdiction in the US. The term "non-US government" means any government, including an identified representative, agent, component or subdivision thereof, that is not a local, state or federal government in the US. Any such requests or legal process submitted by a non-US government to HPI shall be referred to the DOJ as soon as possible, and in no event later than five (5) business days after such request or legal process is received by or known to HPI, unless the disclosure of the request or legal process would be in violation of US law or an order of a court of the US.

HPI agrees that in the event the commitments set forth in this letter are breached, in addition to any other remedy available at law or equity, the DOJ or FBI may request that the FCC modify, condition, revoke, cancel, or render null and void any relevant license, permit, or other authorization granted by the FCC to HPI or any successor-in-interest. Nothing herein shall be construed to be a waiver by HPI of, or limitation on, its right to oppose or comment on any such request.

Nothing in this letter is intended to excuse HPI from its obligations to comply with any and all applicable legal requirements and obligations, including any and all applicable statutes, regulations, requirements, or orders.

We understand that, upon execution of this letter by an authorized representative or attorney for HPI, DOJ shall notify the FCC that it has no objection to the FCC's grant of HPI's application.



Mashfiqul Hoq Chowdhury  
CEO