

September,28, 2015



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

Re: Pending applications by US Telephone & Telegraph (USTT), a Nevada company for authority to provide facilities-based and resale service in accordance with sections 63.18(e)(1) and (e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (e)(2).

FCC file number: ITC-214-20140327-00108

Dear Mr. Carlin,

This letter outlines the commitments being made by USTT to the U.S. Department of Justice (DOJ) in order to address national security, law enforcement, and public safety concerns raised with regard to the company's applications to the Federal Communications Commission (FCC) seeking FCC authority to provide facilities-based and resale service in accordance with section 63.18(e)(1) and (e)(2) of the Commission's rules. 47 C.F.R. § 63.18(e)(1), (e)(2).

USTT is a Nevada corporation wholly-owned by Tran Van Son (100%). USTT's headquarters are located at 8550 W Desert Inn Road, Suite 102-321, Las Vegas, Nevada 89117.

USTT agrees that it is covered by and 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 will comply with all court orders and other legal process for lawfully authorized electronic surveillance. USTT will provide DOJ with a report on the status of its implementation of lawful interception capabilities, including the status of its compliance with CALEA, within sixty (60) days prior to offering facilities-based and or interconnected VoIP services in the US. Upon completion of the implementation of lawful interception capabilities, USTT will request that the FBI send its CALEA Implementation Unit to conduct a CALEA-compliance test. USTT understands that its failure to fulfill its obligations under this paragraph could constitute a breach of its commitments to DOJ.

USTT agrees that it will inform DOJ at least thirty (30) days in advance if it becomes facilities-based operator and offer interconnected VoIP services and data to residential users, businesses, and enterprises in the U.S. Moreover, if USTT begins to provide interconnected VoIP/VoP in the U.S., the company agrees to maintain a point of contact (POC) in the U.S., preferably a U.S. citizen, to receive service of process for U.S. records and to assist and support lawful requests for surveillance by U.S. federal, state, and local law enforcement agencies. The name of and contact information for this POC will be provided to DOJ at least thirty (30) days prior to the date that USTT begins to provide these services to residential end users, businesses, and enterprise customers and will be subject to DOJ approval. USTT also agrees to provide DOJ at least thirty (30) days prior notice of any change to this POC.

USTT agrees that it will not directly or indirectly disclose or permit disclosure of or access to U.S. records or domestic communications or any information (including call content and call data) pertaining to a wiretap order, pen/trap and trace order, subpoena, or any other lawful request by a U.S. law enforcement agency for U.S. 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-U.S. government without first satisfying all pertinent requirements of U.S. law and obtaining the express written consent of DOJ, or the authorization of a court of competent jurisdiction in the U.S. 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 U.S. Any such requests for legal process submitted by a non-U.S. government to USTT shall be referred to DOJ as soon as possible, but in no event later than five business days after such request or legal process is received by or made known to USTT unless disclosure of the request or legal process would be in violation of U.S. law or an order of a court of the U.S.

USTT also agrees to ensure that U.S. records are not made subject to mandatory destruction under any foreign laws. The location of any U.S. records' storage facility will be provided to DOJ at least thirty (30) days in advance of the time in which USTT anticipates generating U.S. records.

USTT agrees that it will inform DOJ and the FBI at least thirty (30) days in advance if it plans to outsource or off shore any of the following services including but not limited to:

- a. network operation center (NOC)
- b. network maintenance services
- c. customer service, and or,
- d. any operation/service that could potentially expose US domestic telecommunications infrastructure, US customer data and records, CDRs and CPNIs.
- e. deployment of any network elements, hardware, software, core network equipment, and network management capabilities that are owned, managed, manufactured or controlled by a foreign government or non-public entities.

All notice and communications required under this letter shall be sent to the following:

Assistant Attorney General for National Security

National Security Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530
Attn.: Team Telecom
Electronic mail: ttelecom@usdoj.gov

Unit Chief, Science and Technology Policy and Law Unit
Federal Bureau of Investigation
935 Pennsylvania Ave, NW
Room 7350
Washington, DC 20535

Courtesy electronic copies of all notices and communications also should be sent to the following: Tyrone Brown of the DOJ (at Tyrone.Brown@usdoj.gov) and Ryan Breitenbach of the FBI (at ryan.breitenbach@ic.fbi.gov).

USTT 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, DOJ 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 USTT or any successors-in-interest. Nothing herein shall be construed to be a waiver by USTT of, or limitation on, its right to oppose or comment on any such request.

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

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

Sincerely,

A handwritten signature in black ink that reads "Tim VanSledright". The signature is written in a cursive style with a large, stylized "V".

[SIGNATORY, TITLE]
US Telephone & Telegraph