



U.S. Department of Justice
National Security Division

Foreign Investment Review Section

Washington, D.C. 20530

August 6, 2020

By E-File

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

Re: Telegration, Inc., FCC File No. ITC-STA-20200710-00116

Dear Ms. Dortch:

On July 31, 2020, the Commission referred the above-referenced application to the relevant Executive Branch agencies in connection with a request by the applicants for a special temporary authority (STA).¹ The Commission is notified that any request for the relevant Executive Branch agencies' views on potential national security or law enforcement concerns associated with this application is subject to review by the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) pursuant to Executive Order (E.O.) 13913.²

Section 2(b) of the E.O. defines "Application" as "any application, petition, or other request for a license or authorization, or the transfer of a license or authorization, that is referred by the FCC to the Committee" Therefore, when the Commission refers an STA for national security and law enforcement concerns, the Committee must utilize the E.O. process, including any relevant timelines to accommodate said process.³ As such, the Committee requests the Commission confirm that it requests to move forward with this referral under the E.O. process.⁴

Thank you for your consideration.

¹ FCC Public Notice, Report No. TEL-02034S (July 31, 2020).

² Exec. Order No. 13913, 85 Fed. Reg. 19643 (Apr. 4, 2020).

³ See E.O. § 3(a) (establishing the Committee, "the primary objective of which shall be to assist the FCC in its public interest review of national security and law enforcement concerns that may be raised by foreign participation in the United States telecommunications services sector"); E.O. § 5 (setting out the Committee application review process, including the 120-day initial review period and possible 90-day secondary assessment); E.O. § 7(a) (requiring a written threat assessment from the Director of National Intelligence); E.O. § 9(c) (requiring that Committee recommendations on applications be based on written risk-based analyses).

⁴ See attached request from the Chair.

Sincerely,

/s/ Megan Fluckiger

Megan Fluckiger

Attorney Advisor

Foreign Investment Review Section

National Security Division

U.S. Department of Justice

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Telegation, Inc., FCC File No. ITC-STA-20200710-00116

Pursuant to Executive Order 13913 (Apr. 4, 2020), the Chair of the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (“Committee”) requests that the Federal Communications Commission (“Commission”) confirm that it refers the above-referenced application for special temporary authority to undergo a review by the Committee under Executive Order 13913 to determine whether there are any national security and law enforcement concerns raised by foreign participation in the United States telecommunications services sector.

A handwritten signature in black ink, appearing to read "Sanchitha Jayaram".

Sanchitha Jayaram

Chief

Foreign Investment Review Section

National Security Division

U.S. Department of Justice

Date: A u g u s t 6 , 2 0 2 0