



U.S. Department of Justice

National Security Division

Foreign Investment Review Staff

Washington, D.C. 20530

April 2, 2019

By E-File

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

**Re: Flock FZ-LLC
ITC-T/C-20190319-00090
ITC-STA-20190319-00091**

Dear Ms. Dortch:

The U.S. Department of Justice, with the concurrence of the U.S. Department of Homeland Security and the U.S. Department of Defense (collectively, “the Agencies”), requests that the Federal Communications Commission (“Commission”) defer action on the above-referenced proceedings. The Agencies currently are reviewing this matter for any national security, law enforcement, and public safety issues, but have not yet completed that effort. We therefore request that the Commission defer action until 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.

The Agencies also have no objection to the Commission granting the requested special temporary authority (“STA”) on national security, law enforcement, and public safety grounds while the Agencies conduct this review. However, the Agencies note that in previous discussions with Flock FZ-LLC’s (the “Applicant”) representatives, the Agencies have learned the following:

- On March 1, 2016, the Applicant changed its ultimate beneficial owner from Bhavin Turakhia to Divyank Turakhia by transferring shares of its ultimate parent company (Directi Web Technologies) between these two individuals. This transaction resulted in the transfer of control of the international Section 214 authorization without the Commission’s prior review or approval;
- On March 16, 2016, the Applicant filed an application for a transfer of control of its international Section 214 authorization (FCC File No. ITC-T/C-20160316-00123);

- On January 30, 2018, Bhavin Turakhia and Divyank Turakhia engaged in a transaction that resulted in a return to the ownership structure that existed prior to the March 1, 2016 transfer of control of the international Section 214 authorization;
- On February 27, 2018, the Applicant applied for and received an STA to avoid discontinuance of service to its customers while its application was pending Commission consideration;
- On October 4, 2018 and February 14, 2019, the Applicant applied for and received extensions for the STA; and
- On March 13, 2019, the Applicant informed the Agencies that it had consulted with the Commission on this matter and would be filing the above-referenced application for transfer of control of the international Section 214 authorization.

The Agencies' lack of an objection to the STA at this time should not be viewed as an indication of the recommendation for the underlying transfer of authorization application. Given the facts presented above, the Agencies' defer to the Commission the Applicant's compliance with the Commission's rules and whether granting an STA would be appropriate at this time. The Agencies will advise the Commission promptly upon completion of our review.

Thank you for your consideration.

Sincerely,

LOYAAN A. EGAL
Deputy Chief
Foreign Investment Review Staff
National Security Division
U.S. Department of Justice

/s/

Lee Licata
Attorney Advisor

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