

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
GU Holdings Inc., China Mobile) File Nos. SCL-LIC-20150626-00015
International Limited, China Telecom)
Global Limited, Global Transit 2 Limited,)
KDDI Corporation, and Singapore Telecom)
USA Inc.)
)
Application for Application for a License to)
Construct, Land and Operate a Fiber Optic)
Submarine Cable System between the)
United States, Japan, and Taiwan)

**PETITION TO ADOPT CONDITIONS TO
AUTHORIZATIONS AND LICENSES**

The Department of Homeland Security (“DHS”), with the concurrence of the Department of Justice (“DOJ”) and Department of Defense (“DOD”; collectively, the “Agencies”), submits this Petition to Adopt Conditions to Authorizations and Licenses (“Petition”), pursuant to Section 1.41 of the Federal Communications Commission (“Commission”) rules.¹ Through this Petition, DHS advises the Commission that the Agencies have no objection to the Commission approving the authority sought in the above-referenced proceedings, provided that the Commission conditions its approval on the commitment of GU Holdings Inc. (“GU Holdings”) to abide by the undertakings set forth in the May 27, 2016, National Security Agreement (“2016 NSA”), which is attached hereto as Attachment A. The above-referenced proceedings involve applications seeking Commission to construct, land and operate a fiber optic submarine cable system between the United States, Japan, and Taiwan (FCC File No. SCL-LIC-20150626-00015).

¹ 47 C.F.R. § 1.41.

The Commission has long recognized that law enforcement, national security, and public safety concerns are part of its public interest analysis, and has accorded deference to the views of other U.S. government agencies with expertise in those areas. *See In the Matter of Comsat Corporation d/b/a Comsat Mobile Communications, etc.*, 16 FCC Rcd. 21,661, 21707 ¶ 94 (2001).

After discussions with representatives of GU Holdings in connection with the above-referenced proceedings, DHS has concluded that the commitments set forth in the 2016 NSA will help ensure that those agencies with responsibility for enforcing the law, protecting the national security, and preserving public safety can proceed appropriately to satisfy those responsibilities; and, DOD and DOJ otherwise have no objections regarding the application(s) at issue or the DHS's requested relief. Accordingly, DHS, with the concurrence of DOD and DOJ, advises the Commission that it has no objection to the Commission granting the applications in the above-referenced proceedings, provided that the Commission conditions its consent on compliance by GU Holdings with the 2016 NSA.

Respectfully submitted,

/S/ Shawn Cooley
Shawn Cooley
U.S. Department of Homeland Security
Director – Foreign Investment Risk Management
Office of Policy
3801 Nebraska Avenue
Washington, D.C. 20016

May 27, 2016

Attachment A (2016 National Security Agreement)