



**Federal Communications Commission
Enforcement Bureau
Investigations and Hearings Division
445 12th Street, SW, Suite 4-C330
Washington, D.C. 20554**

December 15, 2011

DA 11-2022

**VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED
AND E-MAIL**

Mr. Tyrone D. Pipkin
c/o Mr. Walter Francis Becker, Jr.
Chaffe McCall LLP
Energy Centre
1100 Poydras St., Suite 2300
New Orleans, LA 70163-2300

**Re: Notice of Debarment
File No. EB-11-IH-1071**

Dear Mr. Pipkin:

The Federal Communications Commission (Commission) hereby notifies you that, pursuant to Section 54.8 of its rules, you are prohibited from participating in the schools and libraries universal service support mechanism (E-Rate program) for three years from either the date of your receipt of this Notice of Debarment, or of its publication in the Federal Register, whichever is earlier in time (Debarment Date).¹

On August 17, 2011, the Commission's Enforcement Bureau (Bureau) sent you a Notice of Suspension and Initiation of Debarment Proceeding (Notice of Suspension)² that was published in the Federal Register on September 2, 2011.³ The Notice of Suspension suspended you from participating in activities associated with or relating to the schools and libraries universal service support mechanism and described the basis for initiating debarment proceedings against you, the applicable debarment procedures, and the effect of debarment.⁴

As discussed in the Notice of Suspension, you and others conspired to control the E-Rate application and implementation process for several schools located in four states.⁵ Specifically,

¹ 47 C.F.R. § 54.8(g) (2010). *See also* 47 C.F.R. § 0.111 (delegating authority to the Enforcement Bureau to resolve universal service suspension and debarment proceedings).

² Letter from Theresa Z. Cavanaugh, Acting Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission to Tyrone D. Pipkin, Notice of Suspension and Initiation of Debarment Proceeding, DA 11-1424, 26 FCC Rcd 11389 (Inv. & Hearings Div., Enf. Bur. 2011).

³ 76 Fed. Reg. 54768 (Sept. 2, 2011).

⁴ *Supra* note 2.

⁵ Notice of Suspension, 26 FCC Rcd at 11390.

you obstructed the open competitive bidding process by paying school officials \$79,382 in bribes and kickbacks to ensure more than \$1.4 million in E-Rate contracts would be steered to your company, Global Networking Technologies, Inc.⁶ For your role in the conspiracy, you were sentenced to serve one year and one day in federal prison, followed by two years of supervised release for federal crimes in connection with your participation in a scheme to defraud the E-Rate program.⁷ The court ordered you to pay a \$6,000 criminal fine in addition to your sentence.⁸ Pursuant to Section 54.8(c) of the Commission's rules, your conviction of criminal conduct in connection with the E-Rate program serves as a basis for your debarment.⁹

In accordance with the Commission's debarment rules, you were required to file with the Commission any opposition to your suspension or its scope, or to your proposed debarment or its scope, no later than 30 calendar days from either the date of your receipt of the Notice of Suspension or of its publication in the Federal Register, whichever date occurs first.¹⁰ The Commission did not receive any such opposition.

For the foregoing reasons, you are debarred for three years from the Debarment Date.¹¹ During this debarment period, you are excluded from participating in any activities associated with or related to the E-Rate program, including the receipt of funds or discounted services through the schools and libraries support mechanism, or consulting with, assisting, or advising applicants or service providers regarding the schools and libraries support mechanism.¹²

Sincerely,

Theresa Z. Cavanaugh
Acting Chief
Investigations and Hearings Division
Enforcement Bureau

cc: Johnnay Schrieber, Universal Service Administrative Company (via e-mail)
Rashann Duvall, Universal Service Administrative Company (via email)
Juan Rodriguez, Antitrust Division, United States Department of Justice (via e-mail)
Marvin Opotowsky, Antitrust Division, United States Department of Justice (via e-mail)

⁶ *Id.*

⁷ See *United States v. Tyrone D. Pipkin*, Criminal Case Nos. 10-325 and 11-15 "A", Judgment (E.D. La. filed June 21, 2011).

⁸ Notice of Suspension, 26 FCC Rcd at 11391.

⁹ 47 C.F.R. § 54.8(c).

¹⁰ 47 C.F.R. §§ 54.8 (e)(3), (4). Any opposition had to be filed no later than September 16, 2011.

¹¹ 47 C.F.R. §§ 54.8(e)(5), (g).

¹² 47 C.F.R. §§ 54.8(a)(1), (5), (d).