



Enforcement Bureau
Investigations and Hearings
Division

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, DC 20554

November 29, 2012

DA 12-1912

SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED AND EMAIL

Mr. Willard Ross Lanham
c/o Stephen N. Preziosi
Law Office of Stephen N. Preziosi P.C.
570 Seventh Avenue, Ninth Floor
New York, NY 10018

Re: Notice of Debarment, File No. EB-12-IH-0847

Dear Mr. Lanham:

The Federal Communications Commission (Commission) hereby notifies you that, pursuant to Section 54.8 of its rules, you are prohibited from participating in activities associated with or relating to 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 July 27, 2012, 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 August 13, 2012.³ The Notice of Suspension suspended you from participating in activities associated with or relating to the E-Rate program. It also described the basis for initiating debarment proceedings against you, the applicable debarment procedures, and the effect of debarment.

As discussed in the Notice of Suspension, in March 2012 you were convicted of one count of theft of federal funds and three counts of mail fraud in connection with your activities as a consultant for the New York City Department of Education (DOE), which included managing Project Connect, an E-Rate funded project.⁴ As a DOE consultant, you defrauded the E-Rate program by, among other things, inflating consultant fees and bundling those charges with eligible services on invoices billed to DOE for

¹ 47 C.F.R. § 54.8(g); *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, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission to Willard Ross Lanham, Notice of Suspension and Initiation of Debarment Proceeding, 27 FCC Rcd 8384 (Enf. Bur. 2012) (Attachment 1).

³ 77 Fed. Reg. 48154 (Aug. 13, 2012).

⁴ *Supra* n. 2 at 2.

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work unrelated to Project Connect.⁵ As a result of your scheme, DOE was fraudulently billed more than \$3.6 million for Project Connect between 2002 and 2008, of which you profited approximately \$1.7 million.⁶ Pursuant to Section 54.8(c) of the Commission's rules, your conviction of criminal conduct in connection with the E-Rate program is the basis for this debarment.⁷

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 occurred first.⁸ The Commission did not receive any such opposition from you.

For the foregoing reasons, you are debarred from participating in activities associated with or related to the E-Rate program for three years from the Debarment Date.⁹ 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 E-Rate program, or consulting with, assisting, or advising applicants or service providers regarding the E-Rate program.¹⁰

Sincerely,

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

cc: Johnnay Schrieber, Universal Service Administrative Company (via e-mail)
Rashann Duvall, Universal Service Administrative Company (via e-mail)
Brian A. Jacobs, U. S. Attorney's Office, Southern District of New York (via e-mail)
Alvin L. Bragg, Jr., U. S. Attorney's Office, Southern District of New York (via e-mail)
Paul M. Krieger, U. S. Attorney's Office, Southern District of New York (via e-mail)

⁵ *Id.* at 3.

⁶ *Id.*

⁷ 47 C.F.R. § 54.8(c).

⁸ 47 C.F.R. §§ 54.8 (e)(3), (4). Any opposition had to be filed no later than August 26, 2012.

⁹ *Id.* §§ 54.8(e)(5), (g).

¹⁰ *Id.* §§ 54.8(a)(1), (5), (d).