

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Global UC Inc
File No. EB-TCD-22-00034406

ORDER

Adopted: October 16, 2023

Released: October 16, 2023

By the Chief, Enforcement Bureau:

1. The Enforcement Bureau (Bureau) of the Federal Communications Commission (FCC or Commission) has entered into a Compliance Plan with Global UC Inc (Global) to resolve Global’s deficient Robocall Mitigation Database certification. As part of the Commission’s multi-pronged approach to combatting illegal robocalls, the Commission has mandated adoption of the Secure Telephony Identity Revisited/Signature-based Handling of Asserted Information using toKENS (STIR/SHAKEN) caller ID authentication framework. All voice service providers are required to file certifications with the Commission stating whether their traffic is authenticated with STIR/SHAKEN or, alternatively, is subject to a robocall mitigation program. Voice service providers whose traffic is subject to a robocall mitigation program must detail in their certifications the specific reasonable steps that they have taken to avoid originating illegal robocall traffic. These certifications and robocall mitigation plans are publicly available in the Robocall Mitigation Database.

2. On October 4, 2022, the Bureau issued an order finding that Global had filed a deficient certification and directing Global to demonstrate why we should not remove Global’s certification from

1 See generally 47 CFR §§ 64.6300-64.6308; Call Authentication Trust Anchor, Implementation of TRACED Act Section 6(a)—Knowledge of Customers by Entities with Access to Numbering Resources, WC Docket Nos. 17-97 and 20-67, Report and Order and Further Notice of Proposed Rulemaking, 35 FCC Rcd 3241 (Mar. 31, 2020) (First Caller ID Authentication Report and Order and Further Notice).

2 47 CFR § 64.6305(c)(1); Second Caller ID Authentication Order, WC Docket No. 17-97, Second Report and Order, 36 FCC Rcd 1859, 1902, para. 82 (2020) (Second Caller ID Authentication Order). This obligation was formerly codified at section 64.6305(b). The Commission has also applied similar requirements to gateway providers. See 47 CFR § 64.6305(d); Advanced Methods to Target and Eliminate Unlawful Robocalls, Call Authentication Trust Anchor, CG Docket No. 17-59, WC Docket No. 17-97, Sixth Report and Order in CG Docket No. 17-59, Fifth Report and Order in WC Docket No. 17-97, Order on Reconsideration in WC Docket No. 17-97, Order, Seventh Further Notice of Proposed Rulemaking in CG Docket No. 17-59, and Fifth Further Notice of Proposed Rulemaking in WC Docket No. 17-97, FCC 22-37, paras. 34-43 (2022) (Gateway Provider Order) (requiring gateway providers to implement STIR/SHAKEN for calls carrying a U.S. number in the caller ID field, “take ‘reasonable steps’ to mitigate robocall traffic regardless of whether they have fully implemented STIR/SHAKEN,” and “submit a certification and mitigation plan to the Robocall Mitigation Database”).

3 47 CFR § 64.6305(c)(2)(ii); Second Caller ID Authentication Order, 36 FCC Rcd at 1902, para. 82 (quotations omitted). See also 47 CFR § 64.6305(d)(2)(ii) (applying similar obligation to gateway providers); Gateway Provider Order, FCC 22-37, at paras. 36-37 (same).

4 Fed. Comm’n Comm’n, Robocall Mitigation Database, https://fccprod.servicenowservices.com/rmd?id=rmd_welcome (last visited July 20, 2023).

the Robocall Mitigation Database.⁵ We determined that Global's certification did not include a robocall mitigation plan that described any specific reasonable steps it was taking to avoid the origination of illegal robocall traffic.⁶ The order notified Global that it was required to cure the deficiencies in its robocall mitigation program or submit an explanation as to why the certification was not deficient and imposed a deadline of October 18, 2022, for a response.⁷ Global did not cure its deficient certification, and we removed Global's certification from the Robocall Mitigation Database on November 22, 2022, pursuant to the Removal Order we issued that same day.⁸

3. Global responded to the Removal Order and requested that it be reinstated to the Robocall Mitigation Database.⁹ We have determined that Global has subsequently cured the deficiencies in its certification that were described in the Removal Order. Given Global's repeated failures to understand and comply with the Commission's rules and the Bureau's orders, we have required Global to implement a robust compliance plan.

4. Accordingly, **IT IS ORDERED** that, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 227b, 251(e), 403, and the authority delegated by sections 0.111 and 0.311 of the Commission's rules, 47 CFR §§ 0.111, 0.311, 1.102(b)(1), 64.6305, the attached Compliance Program **IS ADOPTED** and its terms incorporated by reference.

5. **IT IS FURTHER ORDERED** that pursuant to sections 4(i), 4(j), 227b, 251(e), and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 227b, 251(e), 403, sections 0.111, 0.311, 1.102(b)(1), and 64.6305 of the Commission's rules, 47 CFR §§ 0.111, 0.311, 1.102(b)(1), 64.6305, and the *Second Caller ID Authentication Order*,¹⁰ Global is **REINSTATED** to the Robocall Mitigation Database as of October 16, 2023

6. **IT IS FURTHER ORDERED** that copies of this Order shall be sent by email and registered mail, return receipt requested, to: Ricky Perez, Manager, Global UC Inc, 5273 Dillon Circle, Fort Worth, TX 76137 and rick@globaltelelinks.com and Robert H. Jackson, Marashlian & Donahue, PLLC, The CommLaw Group, 1430 Spring Hill Road, Suite 310, Tysons, VA 22102 and rhj@commllawgroup.com.

FEDERAL COMMUNICATIONS COMMISSION

Loyaan A. Egal
Chief
Enforcement Bureau

⁵ *Global UC Inc*, Order, DA 22-1037, paras. 6-7 (EB Oct. 3, 2022).

⁶ *Id.* at para. 5.

⁷ *Id.* at paras. 1, 7.

⁸ *Global UC Inc*, Removal Order, DA 22-1219, para 1 (EB Nov. 22, 2022).

⁹ Email from Robert Jackson, Counsel for Global UC, Marashlian & Donahue, PLLC, to Daniel Stepanicich, Assistant Division Chief, Telecommunications Consumers Division, FCC Enforcement Bureau (Feb. 13, 2023, 13:31 ET).

¹⁰ *Second Caller ID Authentication Order*, 36 FCC Rcd at 1902, 1903, paras. 81, 83.

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COMPLIANCE PROGRAM

1. The Enforcement Bureau of the Federal Communications Commission and Global UC Inc, by their authorized representatives, hereby enter into this Compliance Program in connection with Global’s request to be reinstated into the Robocall Mitigation Database .

I. DEFINITIONS

- 2. For the purposes of this Program, the following definitions shall apply:
 - (a) “Act” means the Communications Act of 1934, as amended.¹
 - (b) “Adopting Order” means an order of the Bureau adopting the terms of this Plan without change, addition, deletion, or modification.
 - (c) “Bureau” means the Enforcement Bureau of the Federal Communications Commission.
 - (d) “Caller ID Authentication and Robocall Mitigation Rules” mean the Commission’s rules codified in 47 CFR Subpart HH.
 - (e) “Commission” and “FCC” mean the Federal Communications Commission and all of its bureaus and offices.
 - (f) “Communications Laws” means collectively, the Act, the Rules, and the published and promulgated orders and decisions of the Commission to which Global is subject by virtue of its business activities, including but not limited to sections 64.6300-64.6308 of the Rules.
 - (g) “Company” and “Global” means Global UC Inc, and includes its affiliates, subsidiaries, predecessors-in-interest, and successors-in-interest.
 - (h) “Compliance Plan” means the compliance obligations, program, and procedures described in this Consent Decree at paragraphs 5-6.
 - (i) “Compliance Program” means the document describing Global’s Caller ID Authentication and Robocall Mitigation Rules compliance obligations agreed to by the Bureau and Global.
 - (j) “Covered Employees” means all employees and agents of Global who perform, supervise, oversee, or manage the performance of, duties that relate to Global’s responsibilities under the Communications Laws, including the Caller ID Authentication and Robocall Mitigation Rules.
 - (k) “Effective Date” means the date by which both the Bureau and Global have signed the Consent Decree and the Bureau has released an Adopting Order.

¹ 47 U.S.C. § 151 *et seq.*

- (l) “Operating Procedures” means the standard internal operating procedures and compliance policies established by Global to implement the Compliance Plan.
- (m) “Parties” means Global and the Bureau, each of which is a “Party.”
- (n) “Robocall Mitigation Database” means the Commission database where all voice service providers and gateway providers must file certifications providing detailed information regarding their implementation of the Caller ID Authentication and Robocall Mitigation Rules.²
- (o) “Rules” means the Commission’s regulations found in Title 47 of the Code of Federal Regulations.

II. COMPLIANCE OFFICER

3. Global will appoint Ricky Perez as the Compliance Officer within five (5) days of the Bureau’s release of an order adopting this Compliance Program (Effective Date).³ In that role, Ricky Perez will be responsible for developing, implementing, and administering the Compliance Plan and ensuring that Global complies with the terms and conditions of the Compliance Plan. Global affirms that Ricky Perez has general knowledge of the Communications Laws necessary to discharge his duties under this Compliance Program and has specific knowledge of the Caller ID Authentication Rules and Robocall Mitigation Rules prior to assuming his duties. Further, Global affirms that Ricky Perez, with consultation of counsel, has continued to educate himself concerning the FCC’s Caller ID Authentication Rules, as it exists on the date of this Plan and as may be modified by the Commission in the future.

4. In the event that Ricky Perez ends his employment with Global before the termination of this Compliance Program, Global shall designate a new senior corporate manager with the requisite corporate and organizational authority to serve as a Compliance Officer and to discharge the duties set forth below within thirty (30) days of Ricky Perez’s departure.

III. COMPLIANCE PLAN

5. Within sixty (60) days after the Effective Date, Global will develop and implement a Compliance Plan designed to ensure future compliance with the Caller ID Authentication and Robocall Mitigation Rules. The Compliance Plan will incorporate telecommunications industry best practices (Best Practices) that reasonably fit Global’s network and operations. As part of that Compliance Plan, Global will adopt and implement a compliance policy that provides that compliance with the Caller ID Authentication and Robocall Mitigation Rules is of utmost importance to Global, and that employees who are determined by Global to have violated the Compliance Plan shall be subject to appropriate disciplinary action, up to and including dismissal where warranted.

6. The Compliance Plan will, at a minimum, include the following procedures:
- a) **Operating Procedures.** Within thirty (30) days after the Effective Date, the Compliance Officer will develop Operating Procedures for Global that all Covered Employees are required to follow to help ensure Global’s compliance with the Caller ID Authentication and Robocall Mitigation Rules and those Best Practices. Those Operating Procedures shall include detailed instructions regarding compliance with the Caller ID Authentication Rules and those Best Practices adopted by Global. Operating Procedures also address officer and employee disciplinary action in the event of noncompliance with the Operating Procedures. Global will update its Operating Procedures as appropriate. Global’s Compliance Officer is responsible for the creation and periodic updating of Global’s Operating Procedures.

² See Fed. Comm’n Comm’n, Robocall Mitigation Database, https://fccprod.servicenowservices.com/rmd?id=rmd_welcome (last visited July 20, 2023).

³ Ricky Perez is the Telecom Manager for Global.

- b) **Compliance Manual.** Within sixty (60) days after the Effective Date, Global's Compliance Officer will develop and distribute a Compliance Manual to all Covered Employees. The Compliance Manual shall contain a copy of Global's Operating Procedures and a summary of the Caller ID Authentication and Robocall Mitigation Rules. The Compliance Manual will be provided to new Covered Employees within seven (7) days of employment. Global will continue to update the Compliance Manual as necessary to ensure that the information set forth therein remains current and complete and will continue to promptly distribute revisions to all Covered Employees. Global's Compliance Officer is responsible for the creation and periodic updating of Global's Compliance Manual.
- c) **Compliance Training.** Within ninety (90) days after the Effective Date, Global will establish and implement a Compliance Training Program. The Compliance Training Program will require all Covered Employees be trained on the Operating Procedures and Caller ID Authentication and Robocall Mitigation Rules. It also requires that Covered Employees be advised of Global's obligation to report to the Bureau any noncompliance with the Caller ID Authentication and Robocall Mitigation Rules and instructed on how to disclose noncompliance to the Compliance Officer. Global's Compliance Officer is responsible for the establishment and implementation of the Compliance Training Program.
- d) Global's Compliance Training Program shall also provide that any person who becomes a Covered Employee at any time after the initial employees training session(s) will be trained within thirty (30) calendar days of the date such person becomes a Covered Employee.
- e) Global will repeat its compliance training on an annual basis and shall periodically review and revise the Compliance Training Program as necessary to ensure that it remains current and complete and to enhance its effectiveness. Global's Compliance Officer shall be responsible for conducting this ongoing training and reviewing and revising the Compliance Training Program, as necessary.

IV. REPORTING NONCOMPLIANCE

7. Global will report to the Bureau any noncompliance with the Caller ID Authentication and Robocall Mitigation Rules within fifteen (15) calendar days after discovery of such noncompliance. As part of its Compliance Training Program, Global's Compliance Officer shall advise Covered Employees of this reporting obligation, and the procedures for reporting instances of noncompliance to the Compliance Officer.

8. All reports of noncompliance shall be submitted electronically to the Chief, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission, at EnforcementBureauTCD@fcc.gov and to Daniel Stepanicich, Assistant Division Chief, Telecommunications Consumers Division, Enforcement Bureau, at daniel.stepanicich@fcc.gov.

V. COMPLIANCE REPORTS

9. Global shall file compliance reports (Compliance Report) with the Commission ninety (90) calendar days after the Effective Date, twelve (12) months after the Effective Date, twenty-four (24) months after the Effective Date, and thirty-six (36) months after the Effective Date.

- a) Each Compliance Report shall include a detailed description of Global's efforts during the relevant period to comply with the Caller ID Authentication and Robocall Mitigation Rules. In addition, each Compliance Report shall include a certification by the Compliance Officer, as an agent of and on behalf of Global, stating that the Compliance Officer has personal knowledge that Global:
 - i. has established and implemented the Compliance Plan;
 - ii. has utilized the Operating Procedures since the implementation of the Compliance Plan; and

- iii. is not aware of any instances of noncompliance with the Caller ID Authentication and Robocall Mitigation Rules or this Plan, including the reporting obligations set forth in section IV of this Plan.
- b) The Compliance Officer’s certification shall be accompanied by a statement explaining the basis for such certification and shall comply with section 1.16 of the Rules and be subscribed to as true under penalty of perjury in substantially the form set forth therein.⁴
- c) If the Compliance Officer cannot provide the requisite certification, the Compliance Officer, as an agent of and on behalf of Global, shall provide the Commission with a detailed explanation of the reason(s) why and describe fully:
 - i. each instance of noncompliance;
 - ii. the steps that Global has taken or will take to remedy such noncompliance, including the schedule on which proposed remedial actions will be taken; and
 - iii. the steps that Global has taken or will take to prevent the recurrence of any such noncompliance, including the schedule on which such preventive action will be taken.
- d) All Compliance Reports shall be submitted to the Chief, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission, 45 L Street, NE, Washington, D.C. 20554, with a copy submitted electronically to the Chief, Telecommunications Consumers Division, at EnforcementBureauTCD@fcc.gov, and to Daniel Stepanicich, Assistant Chief (Unwanted Communications), Telecommunications Consumers Division, Enforcement Bureau at daniel.stepanicich@fcc.gov.

VI. TERMINATION

10. Unless stated otherwise, the requirements set forth in paragraphs 3 through 9 of this Compliance Plan shall expire thirty-six (36) months after the Effective Date.

Loyaan A. Egal
 Chief
 Enforcement Bureau

Date

Ricky Perez
 Manager
 Global UC Inc

Date

⁴ 47 CFR § 1.16.