



Federal Communications Commission

Enforcement Bureau
Investigations and Hearings Division
45 L Street, NE
Washington, DC 20554

March 20, 2026

DA 26-258

SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Ben Klein
c/o Paul B. Brickfield, Esq.
Brick & Donahue
70 Grand Ave
River Edge, NJ 07661-1935

Re: Notice of Debarment, File No. EB-IHD-24-00036796

Dear Mr. Klein:

The Enforcement Bureau (Bureau) of the Federal Communications Commission (Commission or FCC) hereby notifies you that, pursuant to section 54.8 of the Commission's rules, you are prohibited from participating in activities associated with or related to the federal schools and libraries universal service support mechanism (E-Rate program) and any other program funded by federal universal service support mechanisms for three years, commencing on either the date of your receipt of this Notice of Debarment or of its publication in the Federal Register, whichever comes first (Debarment Date).¹

On April 16, 2025, the Bureau sent you a notice of suspension and initiation of debarment proceeding (*Notice of Suspension*) that was published in the Federal Register on April 29, 2025.² The *Notice of Suspension* suspended you from participating in or receiving any benefit associated with the E-Rate program as well as any other program funded by federal universal service support mechanisms.³ It also described the basis for initiating the debarment proceeding against you, the applicable debarment procedures, and the effect of debarment.⁴

¹ 47 CFR § 54.8 (e), (g); 47 CFR § 0.111 (delegating to the Bureau authority to resolve universal service suspension and debarment proceedings). In 2007, the Commission extended the debarment rules to apply to all federal universal service support mechanisms, including the E-Rate program. See *Comprehensive Review of the Universal Service Fund Management, Administration, & Oversight*, Report and Order, 22 FCC Rcd 16372, 16410–12 (2007) (*Program Management Order*) (renumbering Section 54.521 of the universal service debarment rules as Section 54.8 and amending subsections (a)(1), (a)(5), (c), (d), (e)(2)(i), (e)(3), (e)(4), and (g)).

² Letter from Christopher J. Sova, Acting Chief, Investigations and Hearings Division, FCC Enforcement Bureau, to Ben Klein, Notice of Suspension and Initiation of Debarment Proceeding, 90 Fed. Reg. 17798 (April 29, 2025) (*Notice of Suspension*).

³ *Id.*

⁴ *Id.*

As discussed in the *Notice of Suspension*, on January 24, 2020, you pleaded guilty to a wire fraud conspiracy that involved knowingly and willingly devising a scheme to obtain money from the E-Rate program fraudulently.⁵ This scheme resulted in the fraudulent award of more than \$14 million paid to corporations which in turn paid hundreds of thousands of dollars to you and your co-conspirators for participating in the scheme.⁶ You enriched yourself at the expense of the underprivileged children the program was designed to serve by causing the disbursement of millions of dollars for services and equipment that were not provided.⁷ 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.⁸

In accordance with the Commission's debarment rules, you were required to file with the Commission any opposition to the suspension or its scope, or to the 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.⁹ The Commission received no opposition.

For the above reasons, you are debarred from involvement with the E-Rate program for three years from the Debarment Date.¹⁰ During this debarment period, you are excluded from participating in any activities associated with or related to the E-Rate program and any other program funded by federal universal service support mechanisms, 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.¹¹

Sincerely yours,

Christopher J. Sova
Chief
Investigations and Hearings Division
Enforcement Bureau

cc: Fred Theobald, Universal Service Administrative Company (via e-mail)

⁵ See *United States v. Goldbrener et al.*, Case No. 7:18-cr-00614, Judgment in a Criminal Case (S.D.N.Y., filed Dec. 6, 2022) (detailing Ben Klein's plea agreement with the government); see also *Notice of Suspension*.

⁶ See *United States v. Goldbrener et al.*, Case No. 7:18-cr-00614, Indictment (S.D.N.Y., filed Aug. 27, 2018).

⁷ *Notice of Suspension*.

⁸ 47 CFR § 54.8(c).

⁹ *Id.* § 54.8 (e)(3)–(4). Any opposition had to be filed no later than May 29, 2025.

¹⁰ 47 CFR § 54.8(g).

¹¹ 47 CFR § 54.8(a)(1), (d), (g).