

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

In the Matter of	)	
	)	
Stealth Communications Services, LLC	)	File No.: EB-FD-26-00040466
	)	NAL/Acct. No.: 202632200001
	)	FRN: 0021929807

**NOTICE OF APPARENT LIABILITY FOR FORFEITURE**

**Adopted: May 21, 2026**

**Released: May 21, 2026**

By the Chief, Enforcement Bureau:

**I. INTRODUCTION**

1. In this Notice of Apparent Liability for Forfeiture (NAL), we propose a penalty of \$14,000 against Stealth Communications Services, LLC (Stealth or Company) for apparently failing to permit two compliance inspections in violation of the requirements of the Secure and Trusted Communications Networks Reimbursement Program (Reimbursement Program or Program). The Reimbursement Program funds the removal, replacement, and disposal of certain communications equipment or services that have been deemed to pose an unacceptable risk to the national security of the United States or the security and safety of United States persons. The Federal Communications Commission (the Commission) must take all necessary steps to prevent waste, fraud, and abuse with respect to the Program. Participants in the Program, such as Stealth, are subject to audits, inspections, and investigations to evaluate their compliance with the statutory and regulatory requirements of the Program. Program participants must permit any representative appointed by the Commission to enter their premises to conduct compliance inspections. Stealth refused the Commission access to conduct compliance inspections at two of the Company’s equipment premises. Such conduct obstructs the Commission’s ability to ensure the Company’s compliance with Program requirements and hinders the Commission’s mandate to combat waste, fraud, and abuse in the Reimbursement Program.

## II. BACKGROUND

### A. Legal Framework

2. On March 12, 2020, Congress enacted the Secure and Trusted Communications Networks Act of 2019 (Secure Networks Act) in order to, among other purposes, mitigate national security risks posed by certain communications equipment and services.<sup>1</sup> The Secure Networks Act imposed various mandates upon the Commission. Section 2 required the Commission to publish a list of “covered communications equipment or services” that are determined to pose an “unacceptable risk” to national security, otherwise known as the Covered List.<sup>2</sup> Section 4 directed the Commission to establish the Reimbursement Program to facilitate the removal, replacement, and disposal of covered communications equipment and services, complete with reporting and certification requirements.<sup>3</sup> Section 7 tasked the Commission with enforcing the Secure Networks Act,<sup>4</sup> and required certain additional penalties beyond those otherwise mandated in the Communications Act of 1934, as amended (the Act),<sup>5</sup> for violations of the Reimbursement Program requirements.<sup>6</sup>

3. On December 11, 2020, the Commission established the Reimbursement Program to reimburse costs reasonably incurred by participating providers in the course of permanently removing, replacing, and disposing of covered communications equipment and services from their networks.<sup>7</sup> Ernst & Young LLP was selected as the Reimbursement Program Fund Administrator (Fund Administrator).<sup>8</sup>

---

<sup>1</sup> Secure and Trusted Communications Networks Act of 2019, Pub. L. No. 116-124, 133 Stat. 158 (2020) (codified, as amended, at 47 U.S.C. §§ 1601-1609) (Secure Networks Act); *see also* Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, 134 Stat. 1182, § 901 (2020) (amending the Secure Networks Act) (CAA).

<sup>2</sup> *See* Secure Networks Act, § 2; *see also* 47 U.S.C. § 1601(a); Federal Communications Commission, “List of Equipment and Services Covered by Section 2 of The Secure Networks Act,” <https://www.fcc.gov/supplychain/coveredlist> (April 22, 2026) (Covered List).

<sup>3</sup> *See* Secure Networks Act, § 4; *see also* 47 U.S.C. § 1603; *Protecting Against Nat’l Sec. Threats to the Commc’ns Supply Chain Through FCC Programs*, WC Docket No. 18-89, Second Report and Order, 35 FCC Rcd 14284, 14289, para. 13 (2020) (*Supply Chain Second Report and Order*).

<sup>4</sup> *See* 47 U.S.C. § 1606(a).

<sup>5</sup> *Id.* § 151 *et seq.*

<sup>6</sup> *See* 47 U.S.C. § 1606(b); *see also* 47 CFR § 1.5005 (implementing 47 U.S.C. § 1606).

<sup>7</sup> *Supply Chain Second Report and Order*, 35 FCC Rcd at 14331, para. 108. The Commission implemented the Reimbursement Program through section 1.50004 of its rules. *See* 47 CFR § 1.50004. At the time the Program was established, Congress allocated \$1.9 billion in funding. *See* CAA, § 906. Subsequently, Congress allocated an additional \$3.08 billion to the Program. *See* Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025, H.R. 5009, 118th Cong. (2024); *see also* *Wireline Competition Bureau Updates Frequently Asked Questions & User Guides for the Rip-&-Replace Program*, WC Docket No. 18-89, Public Notice, 40 FCC Rcd 6115, 6117 (WCB 2025) (*2025 Rip-and-Replace FAQs*).

<sup>8</sup> *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs*, WC Docket No. 18-89, Public Notice, 34 FCC Rcd 11423 (2021). The Fund Administrator assists WCB in managing the Reimbursement Program and among its other duties, is “responsible for reviewing requests submitted by Reimbursement Program participants and providing recommendations on funding decisions to [WCB].” *Id.*; *see also* *2025 Rip-and-Replace FAQs*, 40 FCC Rcd at 6119 (noting that WCB and the Fund Administrator “[c]onfirm[s] equipment and/or service removal, replacement, and disposal, perform audit, and close out activities” with participants).

To become a Program participant,<sup>9</sup> a provider needed to apply<sup>10</sup> and be accepted by the Wireline Competition Bureau (WCB) into the Program.<sup>11</sup> To be found eligible for the Program, an applicant must be a provider of advanced communications service with 10 million or fewer customers and make all necessary certifications when applying for a reimbursement under the Program.<sup>12</sup> If accepted into the Program, recipients of reimbursement funds must ensure the removal, replacement, and disposal of such equipment and services from their network and operations environments.<sup>13</sup> The equipment and services eligible for reimbursement are limited to communications equipment and services produced or provided by Huawei Technologies Company and ZTE Corporation.<sup>14</sup>

4. Congress directed the Commission to take “all necessary steps” to combat waste, fraud, and abuse in the Reimbursement Program.<sup>15</sup> In particular, Congress directed the Commission to require the submission of spending reports from Program recipients,<sup>16</sup> to conduct regular audits and reviews of reimbursements to confirm that participants are in compliance with the requirements of the Program,<sup>17</sup> and to conduct random field investigations to ensure that participants are performing the work required, including the permanent removal, replacement, and disposal of covered communications equipment or services.<sup>18</sup> Under our implementing rules, participants must also permit any representative appointed by the Commission, including the Fund Administrator, to enter their premises to conduct compliance inspections.<sup>19</sup> Participants have an ongoing obligation to cooperate with such audits, reviews, and

---

<sup>9</sup> The term “participant” as used in this NAL has the same meaning as “recipient” under the Commission’s rules and the Secure Networks Act. *See* 47 CFR § 1.50001(h); *see also* 47 U.S.C. § 1608(11) (“ . . . any provider of advanced communications service the application of which for a reimbursement under the Program has been approved by the Commission, regardless of whether the provider has received reimbursement funds”).

<sup>10</sup> *See* 47 U.S.C. § 1603(d)(2); 47 CFR §§ 1.50004(a)(3)(i), (b), and (c).

<sup>11</sup> *See* 47 U.S.C. § 1603(d)(3); 47 CFR § 1.50004(d); *see also* 47 U.S.C. § 1603(d)(5)(C) (describing priority for allocations); 47 CFR § 1.50004(f), Tbl. 1 to paragraph (f) (describing prioritization of support).

<sup>12</sup> *See* 47 CFR § 1.50004(a); 47 U.S.C. §§ 1603(b), (d)(4); *see also Supply Chain Second Report and Order, supra* note 3, at 14331-14334, paras. 108-116.

<sup>13</sup> *Supply Chain Second Report and Order, supra* note 3, at 14291, para. 18. In this context, the definition of “recipient” includes providers that have “requested via application and been approved for funding in the Reimbursement Program, regardless of whether the provider has received reimbursement funds.” *See* 47 CFR § 1.50001(h); *see also* 47 U.S.C. § 1608(11).

<sup>14</sup> *Protecting Against Nat’l Sec. Threats to the Commc’ns Supply Chain Through FCC Programs*, WC Docket No. 18-89, Third Report and Order, 36 FCC Rcd 11958, 11965, para. 18 (2021).

<sup>15</sup> 47 U.S.C. § 1603(e)(1). *See also Supply Chain Second Report and Order, supra* note 3, at 14358-59 (citing Secure Networks Act, § 4(e)).

<sup>16</sup> *See* 47 U.S.C. § 1603(e)(2); 47 CFR § 1.50004(l).

<sup>17</sup> *See* 47 U.S.C. § 1603(e)(3)(A); *see also* 47 CFR § 1.50004(o).

<sup>18</sup> 47 U.S.C. § 1603(e)(3)(B).

<sup>19</sup> 47 CFR § 1.50004(o) (“Recipients shall permit any representative (including any auditor) appointed by the Commission to enter their premises to conduct compliance inspections.”); *see also Supply Chain Second Report and Order, supra* note 3, at 14362, para. 193 (“Recipients must also allow any representative appointed by the Commission to enter the premises of the recipient to conduct compliance inspections.”). The Commission has consistently advised recipients of this obligation from the inception of the Reimbursement Program. *See 2025 Rip-and-Replace FAQs*, 40 FCC Rcd , at 6155 (stating that participants “may be subject to a variety of audits, site visits, and proof of payment requests to assist the FCC and Fund Administrator in assessing whether Providers are complying with the requirements of the Secure Networks Act, the Commission’s rules, and program procedures and guard the Reimbursement Program against fraud, waste, and abuse.”); *Wireline Competition Bureau Updates*

investigations.<sup>20</sup> The Commission directed the Enforcement Bureau (Bureau) to “take all steps necessary to initiate enforcement actions against Reimbursement Program violators and to recover any outstanding repayment amounts once a violation of the Reimbursement Program is referred by the Wireline Competition Bureau to the Enforcement Bureau.”<sup>21</sup>

## B. Factual Background

5. Stealth is a limited liability corporation that, as of January 2022, provided commercial broadband services to fewer than two million customers in the State of New York.<sup>22</sup> Founded in 1995, Stealth began offering commercial data services in 1996.<sup>23</sup> By 2013, Stealth had begun developing a fiber network to deliver data service to customers in New York City, which it later expanded to other parts of New York state.<sup>24</sup> As of 2022, Stealth identifies as a “local/regional provider, with speeds topping over 7.5 Gbps.”<sup>25</sup>

6. Stealth used covered equipment in its fiber network.<sup>26</sup> The Company applied to the Reimbursement Program in January 2022, with amendments filed through April 2022.<sup>27</sup> On July 15, 2022, Stealth was accepted into the Reimbursement Program.<sup>28</sup> By November 18, 2025, Stealth had

---

*Frequently Asked Questions for the Secure & Trusted Commc’ns Networks Reimbursement Program*, WC Docket No. 18-89, Public Notice, 36 FCC Rcd 16645, 16658 (WCB 2021) (same); *see also Enforcement Bureau and Wireline Competition Bureau Joint Enforcement Advisory for Rip-and-Replace Program; Including Enhanced Oversight Mechanisms*, WC Docket No. 18-89, Public Notice, DA 26-252, at 4 (WCB & EB Mar. 17, 2026).

<sup>20</sup> *2025 Rip-and-Replace FAQs*, *supra* note 7, at 6155.

<sup>21</sup> *Supply Chain Second Report and Order*, *supra* note 3, at 14363, para. 196.

<sup>22</sup> Information on file in EB-FD-26-00040466.

<sup>23</sup> *See* Stealth Communications, *About Us*, <https://stealth.net/about> (last visited May 5, 2026).

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> Information on file in EB-FD-26-00040466.

<sup>27</sup> *Id.* Entities were required to submit an application, via the FCC Form 5640 Part C, to participate in the Reimbursement Program. 47 CFR § 1.50004(c). Amendments revising an application may be made to, among other things, make routine, non-material changes such as updating contact information; to revise cost estimate(s); to update removal, replacement, and disposal timelines and plans; and to update location information for covered equipment and replacement equipment. *See 2025 Rip-and-Replace FAQs*, *supra* note 7, at \*15; Federal Communications Commission, “Secure and Trusted Communications Networks Reimbursement Program FCC Form 5640 Part G and Modifications of FCC Form 5640 Part C User Guide,” at 6137, <https://www.fcc.gov/sites/default/files/broadband-g-user-guide-082025.pdf> (Aug. 19, 2025); *Wireline Competition Bureau Finalizes Application Filings, Procs., Cost Catalog, & Replacement List for the Secure & Trusted Commc’ns Networks Reimbursement Program*, WC Docket No. 18-89, Public Notice, 36 FCC Rcd 12190, 12206, 12208, paras. 46, 52-54 (WCB 2021).

<sup>28</sup> *Wireline Competition Bureau Announces the Grant of Applications for the Secure and Trusted Communications Networks Reimbursement Program*, WC Docket No. 18-89, Public Notice, 37 FCC Rcd 8590, 8601, Appx. A (WCB 2022). The certifications include a statement, under penalty of perjury, that “The Applicant will comply with the statute, rules, and orders governing the Reimbursement Program, . . . .” *See Wireline Competition Bureau Announces Best Practices for Equipment Disposal and Revises FCC Form 5640 Certifications for the Secure and Trusted Communications Networks Reimbursement Program*, WC Docket No. 18-89, Public Notice, 36 FCC Rcd 14061, 14083, Appx. B (2021) (Revised Certifications for FCC Form 5640: SCRP Application Request for Funding Allocation, Section 1.50004(c) (Part C)).

made over 170 Reimbursement Program filings, including various status updates and spending reports.<sup>29</sup> Stealth's filings included removal, replacement, and disposal plans.<sup>30</sup> To date, Stealth has received \$38,049,156.77 in reimbursement claims through the Program.<sup>31</sup>

7. On November 18, 2025, the Commission sent the Fund Administrator to conduct scheduled on-site compliance inspections of six premises where Stealth either still had or previously had covered equipment, subject to the requirements of the Reimbursement Program.<sup>32</sup> Stealth permitted access to four of the premises for compliance inspections, but refused to allow access to two of the premises.<sup>33</sup> According to written submissions filed by the Company, the sites where Stealth denied access to the inspectors collectively held 67 pieces of covered equipment and 81 pieces of replacement equipment.<sup>34</sup>

8. On April 9, 2026, WCB sent a letter notifying Stealth that its refusal to allow a site visit at the two premises prevented the Commission from determining if the Company is in compliance with the requirements of the Reimbursement Program, and that this conduct could subject the Company to enforcement activity and penalties under section 1.50005 of the Commission's rules.<sup>35</sup> WCB directed Stealth to provide a written response identifying the steps it has or will take to remediate WCB's findings within 30 days of the date of the letter.<sup>36</sup>

9. On the same date, Stealth responded to WCB's letter.<sup>37</sup> The Company stated that  
 {[  
 ]}.<sup>38</sup> Stealth further asserted that it {[  
 ]}.<sup>39</sup> Stealth thus claimed that its {[  
 ]}.<sup>40</sup> The  
 Company did not offer evidence to support its statements above, and the Bureau has not been able to confirm the information Stealth provided.<sup>41</sup> As of the date of this NAL, the Company {[

<sup>29</sup> Information on file in EB-FD-26-00040466.

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> See Letter from Brian Cruikshank, Attorney Advisor, Wireline Competition Bureau, FCC, to Shrihari Pandit, Chief Executive Officer, Stealth Communications (Apr. 9, 2026) (WCB Letter); see also 47 CFR § 1.50005.

<sup>36</sup> See WCB Letter.

<sup>37</sup> See information on file in EB-FD-26-00040466.

<sup>38</sup> {[ ]}. Material that is set off by double brackets {[ ]} is confidential and is redacted from the public version of this document.

<sup>39</sup> {[ ]}.

<sup>40</sup> {[ ]}.

<sup>41</sup> The Bureau has confirmed, however, that the statements are in line with prior conversations Stealth had with WCB and representatives from Ernst & Young LLP. See *id.*

}},<sup>42</sup> {{ }} has not provided access to the two premises at issue for compliance inspections.

### III. DISCUSSION

10. We find that Stealth apparently willfully and repeatedly violated section 1.50004(o) of the Commission's rules. Denying the Fund Administrator access, with respect to two different premises, to conduct compliance inspections obstructs the Commission's ability to ensure the Company's compliance with all the requirements of the Reimbursement Program and impedes the Commission's mandate to ensure the national security of U.S. critical communications infrastructure. In-person inspections are critical for the Commission to ensure that Program participants are removing, replacing, and disposing of covered equipment and services that pose an unacceptable risk to the national security of the United States or the security and safety of United States persons.<sup>43</sup>

#### A. Stealth Apparently Violated Section 1.50004(o) of the Commission's Rules

11. We conclude that Stealth apparently willfully and repeatedly violated section 1.50004(o) of the Commission's rules by failing to permit compliance inspections at two equipment premises on November 18, 2025.<sup>44</sup> By denying the Fund Administrator access to these premises, the Company engaged in two separate violations of section 1.50004(o). In the Company's April 9, 2026 letter, Stealth {{  
}}.<sup>45</sup>

12. Through Stealth's various filings submitted to the Program, the Fund Administrator had a record of the equipment at these premises and Stealth's plan for the removal, replacement, and disposal thereof. WCB, with the assistance of the Fund Administrator, is responsible for verifying that covered equipment has been removed, replaced, and disposed of in a manner consistent with Stealth's plan and the Program's requirements.<sup>46</sup> By denying the Fund Administrator access to the premises at issue, Stealth impeded the Fund Administrator's ability to verify the Company's Program compliance. Without these compliance inspections, the Commission is significantly impeded in verifying whether Program participants have actually removed, replaced, or disposed of covered equipment in accordance with their filings, and in determining whether Program participants used funding consistent with the Secure Networks Act and the Commission's rules.<sup>47</sup> This underscores the importance of permitting compliance inspections at the time and place requested by the Fund Administrator or person authorized by the Commission.

13. Stealth asserts {{  
}}.<sup>48</sup> It contends {{

---

<sup>42</sup> {{  
}}.

<sup>43</sup> See *supra* note 19; see also 47 CFR § 1.50002(b); *Supply Chain Second Report and Order*, *supra* note 3, at 14411, para. 62.

<sup>44</sup> 47 CFR § 1.50004(o).

<sup>45</sup> {{  
}}.

<sup>46</sup> See *generally* note 8; see also 47 CFR § 1.50004(o); WCB Letter.

<sup>47</sup> 47 U.S.C. § 1603(c)(1)-(2); 47 CFR § 1.50004(h)-(j).

<sup>48</sup> {{  
}}.

}}.<sup>49</sup> The Company’s assertions do not mitigate the forfeiture nor absolve the Company’s failure to comply with section 1.50004(o) of the Commission’s rules. As an initial matter, the Company did not offer evidence to support its statements, and the Bureau has not otherwise been able to confirm the information Stealth provided.<sup>50</sup> Further, Stealth had an obligation to allow inspections from the time it first applied to the Program.<sup>51</sup> Once compliance inspections were set, the Company was obligated to provide the Commission access notwithstanding other factors.<sup>52</sup> Even if the Company permits access in the future, its actions would not nullify the violations at issue.<sup>53</sup> Notably, the Company knew when the compliance inspections were scheduled, which gave it time to address its claimed access issues by {[

}}.<sup>54</sup> Despite its assertions, these circumstances do not excuse Stealth’s non-compliance with the requirements of the Reimbursement Program.

14. The evidence shows that Stealth apparently willfully and repeatedly violated section 1.50004(o) of the Commission’s rules when it denied the Fund Administrator access to conduct compliance inspections at each of two separate premises. The Company’s misconduct obstructed the Commission’s ability to ensure compliance with the Reimbursement Program requirements, and hindered the Commission’s mandate to prevent fraud, waste, and abuse in the Program.

#### **B. Proposed Forfeiture**

15. A violation of the Secure Networks Act or a regulation adopted pursuant to the statute is treated as a violation of the Act.<sup>55</sup> Accordingly, the Commission’s authority to impose penalties pursuant to section 503 of the Act<sup>56</sup> and section 1.80 of the Commission’s rules<sup>57</sup> applies equally to violations of

---

<sup>49</sup> {[ ]}.

<sup>50</sup> See *Affordable Enterprises of Arizona, LLC*, Forfeiture Order, 35 FCC Rcd 12142, 12152, para. 27 (2020) (rejecting the company’s argument because there was no evidence to counter the record and finding it “significant that [the company], as the party in possession of records relevant to the issue at hand, provided none.”); *Adrian Abramovich. Marketing Strategy Leaders, Inc., and Marketing Leaders, Inc.*, Forfeiture Order, 33 FCC Rcd 4663, 4663, para. 42 (2018) (rejecting assertions that had no record evidence).

<sup>51</sup> See *Supply Chain Second Report and Order*, *supra* note 3, at 14362, para. 193. The *Supply Chain Second Report and Order* was released December 11, 2020, and Stealth’s application was first submitted in January 2022. See information on file in investigation EB-FD-26-00040466.

<sup>52</sup> See, e.g., *D.T.V., LLC*, Forfeiture Order, 31 FCC Rcd 2650, 2653, paras. 9-12 (2016) (rejecting a broadcast licensee’s assertion that it did not “willfully refuse access to [its] [s]tation” due to external conditions because the relevant rules, among other things, required that licensees permit inspections); *Christopher H. Bennett Broad. of Washington, Inc.*, Forfeiture Order, 23 FCC Rcd 11285, 11288, para. 14 (EB 2008) (rejecting a company’s assertion that it had to take security measures due to 9/11 in restricting access to its main studio because the Commission’s rules required that the location be publicly accessible).

<sup>53</sup> See *Cumulus Licensing Corp. Owner of Antenna Structures #1052722 & #1052724 Near Savannah, Georgia*, Memorandum Opinion and Order, 23 FCC Rcd 5286, 5290, para. 11 (2008) (“It is well established that ‘corrective action taken to come into compliance with Commission rules or policy is expected, and does not nullify or mitigate any prior forfeitures or violations.’”).

<sup>54</sup> {[ ]}.

<sup>55</sup> See 47 U.S.C. § 1606(a); *Supply Chain Second Report and Order*, *supra* note 3, at 14362, para. 194.

<sup>56</sup> 47 U.S.C. § 503.

<sup>57</sup> 47 CFR § 1.80.

the Secure Networks Act and any Commission regulation adopted pursuant to the statute.<sup>58</sup> Section 503(b) of the Act authorizes the Commission to impose a forfeiture against any entity that “willfully or repeatedly fail[s] to comply with any of the provisions of [the Act] or of any rule, regulation, or order issued by the Commission[.]”<sup>59</sup> Section 503(b)(2)(D) of the Act authorizes the Commission to assess a forfeiture against Stealth, which is not a common carrier or a broadcaster,<sup>60</sup> of up to \$25,132 for each day of a continuing violation and up to a statutory maximum of \$188,491 for a single act or failure to act.<sup>61</sup> In exercising our forfeiture authority, we must consider the “nature, circumstances, extent, and gravity of the violation and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require.”<sup>62</sup> In addition, the Commission has established forfeiture guidelines; they establish base penalties for certain violations and identify criteria that we consider when determining the appropriate penalty in any given case.<sup>63</sup> Under these guidelines, we may adjust a forfeiture upward for violations that are egregious, intentional, or repeated, or that cause substantial harm or generate substantial economic gain for the violator.<sup>64</sup>

16. Section 1.80(b) of the Commission’s rules sets a base forfeiture of \$7,000 for “[f]ailure to permit inspection” for each violation or each day of a continuing violation.<sup>65</sup> We have discretion, however, to depart from these guidelines, considering the particular facts of each individual case.<sup>66</sup>

17. Here, Stealth denied the Fund Administrator access to conduct compliance inspections at two different premises that had or previously had covered equipment and replacement equipment within the jurisdiction of the Reimbursement Program. Each failure to permit access to a premises subject to a compliance inspection constitutes a separate violation of section 1.50004(o) of the Commission’s rules.<sup>67</sup> We will apply the base forfeiture of \$7,000 for failure to permit a compliance inspection at each of the two premises at issue. In applying the applicable factors, we consider whether there is any basis for an upward or a downward adjustment of the proposed forfeiture. After considering the facts here, we find that none of the upward or downward adjustment factors apply in this instance. Accordingly, we propose

---

<sup>58</sup> See 47 U.S.C. § 1606(a); *Supply Chain Second Report and Order*, *supra* note 3, at 14362, para. 194 & n.547.

<sup>59</sup> 47 U.S.C. § 503(b).

<sup>60</sup> Information on file in investigation EB-FD-26-00040466 (noting that the Company’s application to the Reimbursement Program stated that they are not an Eligible Telecommunications Carrier).

<sup>61</sup> See 47 U.S.C. § 503(b)(2)(D); 47 CFR § 1.80(b)(10). See *Amendment of Section 1.80(b) of the Commission’s Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation*, Order, DA 25-5, 40 FCC Rcd 25 (EB 2025); see also *Annual Adjustment of Civil Monetary Penalties to Reflect Inflation*, 90 Fed. Reg. 3710 (Jan. 15, 2025) (setting January 15, 2025 as the effective date for the increases).

<sup>62</sup> 47 U.S.C. § 503(b)(2)(E).

<sup>63</sup> 47 CFR § 1.80(b)(11), Tbl. 1 to paragraph (b)(11).

<sup>64</sup> *Id.*, Tbl. 3 to paragraph (b)(11).

<sup>65</sup> *Id.* § 1.80(b).

<sup>66</sup> *The Commission’s Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines*, Report and Order, 12 FCC Rcd 17087, 17098–99, para. 22 (1997) (noting that “[a]lthough we have adopted the base forfeiture amounts as guidelines to provide a measure of predictability to the forfeiture process, we retain our discretion to depart from the guidelines

and issue forfeitures on a case-by-case basis, under our general forfeiture authority contained in Section 503 of the Act”) (*Forfeiture Policy Statement*), *recons. denied*, Memorandum Opinion and Order, 15 FCC Rcd 303 (1999).

<sup>67</sup> 47 CFR § 1.50004(o).

a total forfeiture of \$14,000. However, we warn all Reimbursement Program participants that higher forfeitures may be imposed for each such violation, up to the statutory maximum forfeiture authorized under section 503(b) of the Act, depending on the facts of each case.<sup>68</sup>

18. Therefore, after applying the *Forfeiture Policy Statement*, section 1.80 of the Commission's rules, and the statutory factors, we propose a total forfeiture of \$14,000 for which Stealth is apparently liable.<sup>69</sup>

#### IV. CONCLUSION

19. We have determined that Stealth apparently willfully and repeatedly violated section 1.50004(o) of the Commission's rules. As such, Stealth is apparently liable for a forfeiture of \$14,000.

#### V. ORDERING CLAUSES

20. Accordingly, **IT IS ORDERED** that, pursuant to section 503(b) of the Act, 47 U.S.C. § 503(b), section 7 of the Secure Networks Act, codified at 47 U.S.C. § 1606(a), and section 1.80 of the Commission's rules, 47 CFR § 1.80, Stealth Communications Services, LLC is hereby **NOTIFIED** of this **APPARENT LIABILITY FOR A FORFEITURE** in the amount of fourteen thousand dollars (\$14,000) for willful and repeated violations of section 1.50004(o) of the Commission's rules, 47 CFR § 1.50004(o).

21. **IT IS FURTHER ORDERED** that, pursuant to section 1.80 of the Commission's rules, 47 CFR § 1.80, within thirty (30) calendar days of the release date of this Notice of Apparent Liability for Forfeiture, Stealth Communications Services, LLC **SHALL PAY** the full amount of the proposed forfeiture or **SHALL FILE** a written statement seeking reduction or cancellation of the proposed forfeiture consistent with paragraph 22 below.

22. In order for Stealth Communications Services, LLC to pay the proposed forfeiture, Stealth Communications Services, LLC shall notify [frauddivision@fcc.gov](mailto:frauddivision@fcc.gov) of its intent to pay, whereupon an invoice will be posted in the Commission's Registration System (CORES) at <https://apps.fcc.gov/cores/userLogin.do>. Upon payment, Stealth Communications Services, LLC shall send electronic notification of payment to [frauddivision@fcc.gov](mailto:frauddivision@fcc.gov) on the date said payment is made. Payment of the forfeiture must be made by credit card using CORES at <https://apps.fcc.gov/cores/userLogin.do>, ACH (Automated Clearing House) debit from a bank account, or by wire transfer from a bank account. The Commission no longer accepts forfeiture payments by check

---

<sup>68</sup> 47 U.S.C. § 503(b); *see also* 47 CFR § 1.80(b)(11), Note 2 to paragraph (b)(11); *Forfeiture Policy Statement*, 12 FCC Rcd at 17100-01, para. 27 (“[A]lthough the base amount is the starting point in assessing a forfeiture, the forfeiture may be decreased below the base amount or increased to the statutory maximum when the adjustment criteria are considered based on the facts of the case.”). Reimbursement Program participants may also be subject to additional penalties as set forth in section § 1.50005(a)(1)-(4) of the Commission's rules. *See* 47 CFR 1.50005(a)(1)-(4). As such, the proposed forfeiture discussed herein does not foreclose the Commission, or any other governmental entity, from taking additional enforcement action, recovering reimbursement funds, and imposing additional penalties for the Company's apparent violations of the Reimbursement Program rules.

<sup>69</sup> Any entity that is a “Small Business Concern” as defined in the Small Business Act (Pub. L. 85-536, as amended) may avail itself of rights set forth in that Act, including rights set forth in 15 U.S.C. § 657, “Oversight of Regulatory Enforcement,” in addition to other rights set forth herein.

or money order. Below are instructions that payors should follow based on the form of payment selected.<sup>70</sup>

- Payment by wire transfer must be made to ABA Number 021030004, receiving bank TREAS/NYC, and Account Number 27000001. In the OBI field, enter the FRN(s) captioned above and the letters “FORF”. In addition, a completed Form 159<sup>71</sup> or printed CORES form<sup>72</sup> must be faxed to the Federal Communications Commission at 202-418-2843 or e-mailed to [RROGWireFaxes@fcc.gov](mailto:RROGWireFaxes@fcc.gov) on the same business day the wire transfer is initiated. Failure to provide all required information in Form 159 or CORES may result in payment not being recognized as having been received. When completing FCC Form 159 or CORES, enter the Account Number in block number 23A (call sign/other ID), enter the letters “FORF” in block number 24A (payment type code), and enter in block number 11 the FRN(s) captioned above (Payor FRN).<sup>73</sup> For additional detail and wire transfer instructions, go to <https://www.fcc.gov/licensing-databases/fees/wire-transfer>.
- Payment by credit card must be made by using CORES at <https://apps.fcc.gov/cores/userLogin.do>. To pay by credit card, log-in using the FCC Username associated to the FRN captioned above. If payment must be split across FRNs, complete this process for each FRN. Next, select “Manage Existing FRNs | FRN Financial | Bills & Fees” from the CORES Menu, then select FRN Financial and the view/make payments option next to the FRN. Select the “Open Bills” tab and find the bill number associated with the NAL Acct. No. The bill number is the NAL Acct. No. with the first two digits excluded (e.g., NAL 1912345678 would be associated with FCC Bill Number 12345678). After selecting the bill for payment, choose the “Pay by Credit Card” option. Please note that there is a \$24,999.99 limit on credit card transactions.
- Payment by ACH must be made by using CORES at <https://apps.fcc.gov/cores/userLogin.do>. To pay by ACH, log in using the FCC Username associated to the FRN captioned above. If payment must be split across FRNs, complete this process for each FRN. Next, select “Manage Existing FRNs | FRN Financial | Bills & Fees” on the CORES Menu, then select FRN Financial and the view/make payments option next to the FRN. Select the “Open Bills” tab and find the bill number associated with the NAL Acct. No. The bill number is the NAL Acct. No. with the first two digits excluded (e.g., NAL 1912345678 would be associated with FCC Bill Number 12345678). Finally, choose the “Pay from Bank Account” option. Please contact the appropriate financial institution to confirm the correct Routing Number and the correct account number from which payment will be made and verify with that financial institution that the designated account has authorization to accept ACH transactions.

23. Any request for making full payment over time under an installment plan should be sent to: Chief Financial Officer—Financial Operations, Federal Communications Commission, 45 L Street,

---

<sup>70</sup> For questions regarding payment procedures, please contact the Financial Operations Group Help Desk by phone at 1-877-480-3201 (option #6).

<sup>71</sup> FCC Form 159 is accessible at <https://www.fcc.gov/licensing-databases/fees/fcc-remittance-advice-form-159>.

<sup>72</sup> Information completed using the Commission’s Registration System (CORES) does not require the submission of an FCC Form 159. CORES is accessible at <https://apps.fcc.gov/cores/userLogin.do>.

<sup>73</sup> Instructions for completing the form may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>.

NE, Washington, D.C. 20554.<sup>74</sup> Questions regarding payment procedures should be directed to the Financial Operations Group Help Desk by phone, 1-877-480-3201, or by e-mail, [ARINQUIRIES@fcc.gov](mailto:ARINQUIRIES@fcc.gov).

24. The written statement seeking reduction or cancellation of the proposed forfeiture, if any, must include a detailed factual statement supported by appropriate documentation and affidavits pursuant to sections 1.16 and 1.80(g)(3) of the Commission's rules.<sup>75</sup> The written statement must be mailed to the Office of the Secretary, Federal Communications Commission, 45 L Street, NE, Washington, D.C. 20554, ATTN: Enforcement Bureau – Fraud Division, and must include the NAL/Account Number referenced in the caption. The statement must also be e-mailed to [frauddivision@fcc.gov](mailto:frauddivision@fcc.gov).

25. The Commission will not consider reducing or canceling a forfeiture in response to a claim of inability to pay unless the petitioner submits the following documentation: (1) federal tax returns for the past three years; (2) financial statements for the past three years prepared according to generally accepted accounting practices; or (3) some other reliable and objective documentation that accurately reflects the petitioner's current financial status.<sup>76</sup> Any claim of inability to pay must specifically identify the basis for the claim by reference to the financial documentation. Inability to pay, however, is only one of several factors that the Commission will consider in determining the appropriate forfeiture, and we retain the discretion to decline reducing or canceling the forfeiture if other prongs of 47 U.S.C. § 503(b)(2)(E) support that result.<sup>77</sup>

---

<sup>74</sup> See 47 CFR § 1.1914.

<sup>75</sup> *Id.* §§ 1.16, 1.80(g)(3).

<sup>76</sup> 47 U.S.C. § 503(b)(2)(E).

<sup>77</sup> See, e.g., *Ocean Adrian Hinson, Surry County, North Carolina*, Forfeiture Order, 34 FCC Rcd 7619, 7621, para. 9 & n.21 (2019); *Vearl Pennington and Michael Williamson*, Forfeiture Order, 34 FCC Rcd 770, paras. 18-21 (2019); *Fabrice Polynice, Harold Sido and Veronise Sido, North Miami, Florida*, Forfeiture Order, 33 FCC Rcd 6852, 6860-62, paras. 21-25 (2018); *Adrian Abramovich, Marketing Strategy Leaders, Inc., and Marketing Leaders, Inc.*, Forfeiture Order, 33 FCC Rcd 4663, 4678-79, paras. 44-45 (2018); *Purple Communications, Inc.*, Forfeiture Order, 30 FCC Rcd 14892, 14903-04, paras. 32-33 (2015); *TV Max, Inc., et al.*, Forfeiture Order, 29 FCC Rcd 8648, 8661, para. 25 (2014).

26. **IT IS FURTHER ORDERED** that a copy of this Notice of Apparent Liability for Forfeiture shall be sent by first class mail and certified mail, return receipt requested, to Shrihari Pandit, President and Chief Executive Officer, Stealth Communications Services, LLC, 209 West 29th Street, Suite 6308, New York, NY 10001. A courtesy copy will be sent to Stealth Communications Services, LLC via email at [spandit@stealth.net](mailto:spandit@stealth.net).

FEDERAL COMMUNICATIONS COMMISSION

Patrick Webre  
Chief  
Enforcement Bureau