



Federal Communications Commission  
Washington, D.C. 20554

September 25, 2015

DA 15-1075

**SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Mr. Wes Yui Chew  
c/o Daniel G. Webber, Jr.  
Ryan Whaley Coldiron Shandy PLLC  
119 N. Robinson Avenue, Suite 900  
Oklahoma City, OK 73102

Re: Notice of Debarment, File No. EB-IHD-15-00019046

Dear Mr. Chew:

The Federal Communications Commission (Commission) 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 low-income support mechanism (Lifeline 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 comes first (Debarment Date).<sup>1</sup>

On May 26, 2015, the Commission's Enforcement Bureau (Bureau) sent you a Notice of suspension and initiation of debarment proceeding (*Notice of Suspension*) that was published in the Federal Register on June 18, 2015.<sup>2</sup> The *Notice of Suspension* suspended you from participating in any activities associated with or related to the Lifeline program, including receiving funds or discounted services through the Lifeline program, or consulting with, assisting, or advising applicants or service providers regarding the Lifeline program.<sup>3</sup> 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*, on June 12, 2014, you were convicted of money laundering in violation of 18 U.S.C. § 1957(a), in connection with fraudulent claims against the federal Lifeline program.<sup>4</sup> You were the sole owner and president of Icon Telecom, Inc. (Icon), a participant in

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<sup>1</sup> 47 C.F.R. § 54.8 (e), (g); 47 C.F.R. § 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 Lifeline 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)).

<sup>2</sup> Letter from Jeffrey J. Gee, Chief, Investigations and Hearings Division, FCC Enforcement Bureau, to Wes Yui Chew, Notice of suspension and initiation of debarment proceeding, 30 FCC Rcd 5006 (Enf. Bur. 2015); 80 Fed. Reg. 34906-01 (June 18, 2015).

<sup>3</sup> 47 C.F.R. §§ 54.8(a)(1), (d).

<sup>4</sup> Any further reference in this letter to "your conviction" refers to your guilty plea and subsequent sentencing in *United States v. Chew*, Criminal Docket No. 5:14-cr-00170-D, Plea Agreement (W.D. Okla. filed June 12, 2014) (*Plea Agreement*). *See also Lifeline & Link Up Reform & Modernization*, WC Docket No. 11-42, CC Docket No.

the Lifeline program from July 2011 until September 2013.<sup>5</sup> Specifically, you pled guilty to one count of money laundering for transferring \$20,455,829.10 from an Icon bank account to a personal bank account, despite knowing that Icon had thousands fewer customers than it had reported to the Commission.<sup>6</sup> Pursuant to Section 54.8(c) of the Commission's rules, your conviction of criminal conduct in connection with the Lifeline program is the basis for this debarment.<sup>7</sup>

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.<sup>8</sup> The Commission received no opposition from you.

For the foregoing reasons, you are debarred from involvement with the Lifeline program for three years from the Debarment Date.<sup>9</sup> During this debarment period, you are excluded from participating in any activities associated with or related to the Lifeline program, including the receipt of funds or discounted services through the Lifeline program, or consulting with, assisting, or advising applicants or service providers regarding the Lifeline program.<sup>10</sup>

Sincerely yours,

Jeffrey J. Gee  
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)  
Chris M. Stevens, United States Attorney's Office, Western District of Oklahoma (via e-mail)  
Scott E. Williams, United States Attorney's Office, Western District of Oklahoma (via e-mail)

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96-45, WC Docket No. 03-109, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656 (2012) (*Lifeline Reform Order*).

<sup>5</sup> *United States v. Chew*, Criminal Docket No. 5:14-cr-00170-D, Information at 4 (W.D. Okla. filed June 3, 2014).

<sup>6</sup> *Id.* at 7-8; Plea Agreement at 2; see also UNITED STATES ATTORNEY'S OFFICE, WESTERN DISTRICT OF OKLAHOMA, Press Release, Icon Telecom and Its Owner Plead Guilty And Agree To Forfeit More Than \$27 Million In Connection With Federal Wireless Telephone Subsidy Program, June 12, 2014, available at <http://www.justice.gov/usao-wdok/pr/icon-telecom-and-its-owner-plead-guilty-and-agree-forfeit-more-27-million-connection>.

<sup>7</sup> 47 C.F.R. § 54.8(c).

<sup>8</sup> *Id.* § 54.8 (e)(3)-(4). Any opposition had to be filed no later than July 1, 2015.

<sup>9</sup> 47 C.F.R. § 54.8(g).

<sup>10</sup> 47 C.F.R. §§ 54.8(a)(1), (d), (g).