

Please direct any response, if by messenger or hand delivery, to Marlene H. Dorch, Secretary, Federal Communications Commission, 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002, to the attention of Diana Lee, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, with a copy to Vickie Robinson, Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, Federal Communications Commission. If sent by commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail), the response should be sent to the Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, Maryland 20743. If sent by first-class, Express, or Priority mail, the response should be sent to Diana Lee, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, SW., Room 4-C330, Washington, DC 20554, with a copy to Vickie Robinson, Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 4-C330, Washington, DC 20554. You shall also transmit a copy of the response via e-mail to diana.lee@fcc.gov and to vickie.robinson@fcc.gov.

If you have any questions, please contact Ms. Lee via mail, by telephone at (202) 418-1420 or by e-mail at diana.lee@fcc.gov. If Ms. Lee is unavailable, you may contact Ms. Vickie Robinson, Assistant Chief, Investigations and Hearings Division, by telephone at (202) 418-1420 and by e-mail at vickie.robinson@fcc.gov.

Sincerely yours,

Trent B. Harkrader,
Deputy Chief, Investigations and Hearings
Division, Enforcement Bureau.

cc: Kristy Carroll, Esq., Universal Service
Administrative Company (via e-mail).
Anthony E. Kaplan, Esq., Supervisory
Assistant United States Attorney.
Calvin B. Kurimai, Esq., Assistant United
States Attorney.

[FR Doc. E8-13893 Filed 6-18-08; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[DA 08-1177]

Notice of Debarment; Schools and Libraries Universal Service Support Mechanism

AGENCY: Federal Communications
Commission.

ACTION: Notice.

SUMMARY: The Enforcement Bureau debar Mr. Keith J. Madeiros from the schools and libraries universal service support mechanism (or "E-Rate Program") for a period of three years based on your conviction of mail fraud in connection with your participation in

the program. The Bureau takes this action in order to protect the E-Rate Program from waste, fraud and abuse.

DATES: Debarment commences on the date Mr. Keith J. Madeiros receives the debarment letter or August 18, 2008, whichever date come first, for a period of three years.

FOR FURTHER INFORMATION CONTACT: Diana Lee, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-C330, 445 12th Street, SW., Washington, DC 20554. Diana Lee may be contacted by phone at (202) 418-0843 or by e-mail at diana.lee@fcc.gov. If Ms. Lee is unavailable, you may contact Ms. Vickie Robinson, Assistant Chief, Investigations and Hearings Division, by telephone at (202) 418-1420 and by e-mail at vickie.robinson@fcc.gov.

SUPPLEMENTARY INFORMATION: The Bureau debarred Mr. Keith J. Madeiros from the schools and libraries universal service support mechanism for a period of three years pursuant to 47 CFR 54.8 and 47 CFR 0.111(a). Attached is the debarment letter, DA 08-1177, which was mailed to Mr. Keith J. Madeiros and released on May 16, 2008. The complete text of the notice of debarment is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portal II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. In addition, the complete text is available on the FCC's Web site at <http://www.fcc.gov>. The text may also be purchased from the Commission's duplicating inspection and copying during regular business hours at the contractor, Best Copy and Printing, Inc., Portal II, 445 12th Street, SW., Room CY-B420, Washington, DC 20554, telephone (202) 488-5300 or (800) 378-3160, facsimile (202) 488-5563, or via e-mail <http://www.bcpweb.com>.

Federal Communications Commission.

Hillary S. DeNigro,

*Chief, Investigations and Hearings Division,
Enforcement Bureau.*

The debarment letter follows:

May 16, 2008.

DA 08-1177

Via Certified Mail; Return Receipt Requested
and Facsimile (404-872-1622).

Mr. Keith J. Madeiros, c/o Richard R. Brown,
Esq., Brown Paindiris & Scott, LLP, 100
Pearl Street, Suite 1100, Hartford, CT
06103. E-Mail: rbrown@bplawyers.com.

**Re: Notice of Debarment, File No. EB-07-IH-
9550**

Dear Mr. Madeiros: Pursuant to section 54.8 of the rules of the Federal Communications Commission (the

"Commission"), by this Notice of Debarment you are debarred from the schools and libraries universal service support mechanism (or "E-Rate program") for a period of three years.¹

On January 18, 2008, the Enforcement Bureau (the "Bureau") sent you a Notice of Suspension and Initiation of Debarment Proceedings (the "Notice of Suspension").² That Notice of Suspension was published in the **Federal Register** on April 7, 2008.³ The Notice of Suspension suspended you from the schools and libraries universal service support mechanism and described the basis for initiation of debarment proceedings against you, the applicable debarment procedures, and the effect of debarment.⁴

Pursuant to the Commission's rules, any opposition to your suspension or its scope or to your proposed debarment or its scope had to be filed with the Commission no later than thirty (30) calendar days from the earlier date of your receipt of the Notice of Suspension or publication of the Notice of Suspension in the **Federal Register**.⁵ The Commission did not receive any such opposition.

As discussed in the Notice of Suspension, you pled guilty to and were convicted of mail fraud, in violation of 18 U.S.C. 341, for activities in connection with your participation in the E-Rate program.⁶ You admitted to participating in a scheme to defraud the E-Rate program by, among other things, creating a sham company and submitting fictitious invoices totaling \$452,203 that were ultimately submitted to the Universal Service Administrative Company for reimbursement from the E-Rate program.⁷ Such conduct constitutes the basis for your debarment, and your conviction falls within the categories of causes for debarment under section 54.8(c) of the Commission's rules.⁸ For the foregoing reasons, you are hereby debarred for a period of three years from the debarment date, i.e., the earlier date of your receipt of this Notice of Debarment or its publication date in the **Federal Register**.⁹ Debarment excludes you, for the debarment period, from activities "associated with or related to the schools and libraries support mechanism," including "the receipt of funds or discounted services through the schools and libraries support mechanism, or consulting with, assisting, or advising applicants or service providers regarding the schools and libraries support mechanism."¹⁰

¹ See 47 CFR 0.111(a), 54.8.

² Letter from Hillary S. DeNigro, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, to Mr. Keith J. Madeiros, Notice of Suspension and Initiation of Debarment Proceedings, 23 FCC Rcd 465 (Inv. & Hearings Div., Enf. Bur. 2008) (Attachment 1).

³ 73 FR 18797 (April 7, 2008).

⁴ See Notice of Suspension, 23 FCC Rcd at 466-68.

⁵ See 47 CFR 54.8(e)(3) and (4). That date occurred no later than May 6, 2008. See *supra* note 3.

⁶ See Notice of Suspension, 23 FCC Rcd at 466.

⁷ See *id.*

⁸ *Id.* at 466; 47 CFR 54.8(c).

⁹ See Notice of Suspension, 23 FCC Rcd at 468.

¹⁰ See 47 CFR 54.8(a)(1), 54.8(a)(5), 54.8(d); Notice of Suspension, 23 FCC Rcd at 468.

Sincerely,
Hillary S. DeNigro,
Chief, Investigations and Hearings Division,
Enforcement Bureau.

cc: Kristy Carroll, Esq., Universal Service
Administrative Company (via e-mail).
Anthony E. Kaplan, Esq., Supervisory
Assistant United States Attorney.
Calvin B. Kurimai, Esq., Assistant United
States Attorney.

January 18, 2008.

DA 08-129

Via Certified Mail; Return Receipt Requested
and Facsimile (860-522-2490).

Mr. Keith J. Madeiros, c/o Richard R. Brown,
Esq., Brown Paindiris & Scott, LLP, 100
Pearl Street, Suite 1100, Hartford, CT
06103, E-Mail: rbrown@bplawyers.com.

**Re: Notice of Suspension and Initiation of
Debarment Proceedings, File No. EB-07-IH-
9550**

Dear Mr. Madeiros: The Federal
Communications Commission ("FCC" or
"Commission") has received notice of your
conviction for mail fraud in violation of 18
U.S.C. 1341 in connection with your
participation in the schools and libraries
universal service support mechanism ("E-
Rate program").¹¹ Consequently, pursuant to
47 CFR 54.8, this letter constitutes official
notice of your suspension from the E-Rate
program. In addition, the Enforcement
Bureau ("Bureau") hereby notifies you that
we are commencing debarment proceedings
against you.¹²

I. Notice of Suspension

The Commission has established
procedures to prevent persons who have
"defrauded the government or engaged in
similar acts through activities associated with

¹¹ Any further reference in this letter to "your
conviction" refers to your February 13, 2007 guilty
plea and subsequent conviction of mail fraud.
United States v. Keith J. Madeiros, Criminal Docket
No. 3:07-CR-29-RNC-2, Plea Agreement (D. Conn.
filed Feb. 13, 2007 and entered Feb. 15, 2007)
("Madeiros Plea Agreement"); *United States v.
Keith J. Madeiros*, 3:07-CR-29-RNC-2, Judgment
(D. Conn. filed and entered Dec. 10, 2007)
("Madeiros Judgment").

¹² 47 CFR 54.8; 47 CFR 0.111 (delegating to the
Enforcement Bureau authority to resolve universal
service suspension and debarment proceedings).
The Commission adopted debarment rules for the
schools and libraries universal service support
mechanism in 2003. *See Schools and Libraries
Universal Service Support Mechanism*, Second
Report and Order and Further Notice of Proposed
Rulemaking, 18 FCC Rcd 9202 (2003) ("Second
Report and Order") (adopting section 54.521 to
suspend and debar parties from the E-rate program).
In 2007, the Commission extended the debarment
rules to apply to all of the Federal universal service
support mechanisms. *Comprehensive Review of the
Universal Service Fund Management,
Administration, and Oversight; Federal-State Joint
Board on Universal Service; Schools and Libraries
Universal Service Support Mechanism; Lifeline and
Link Up; Changes to the Board of Directors for the
National Exchange Carrier Association, Inc.*, 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), (5),
(c), (d), (e)(2)(i), (3), (e)(4), and (g)).

or related to the schools and libraries support
mechanism" from receiving the benefits
associated with that program.¹³ You pled
guilty to mail fraud for activities in
connection with your participation in the E-
Rate program involving telecommunications
upgrade projects in four Connecticut school
districts.¹⁴ While employed at Southwestern
Bell Communications ("SBC"), you and
Richard E. Brown, both SBC account
managers, recommended subcontractors to
perform telecommunications upgrades for the
school districts.¹⁵ In addition, you and Mr.
Brown reviewed invoices submitted by
subcontractors to SBC for payment, which
SBC then submitted to the Universal Service
Administrative Company ("USAC") for
reimbursement from the E-Rate fund.¹⁶ You
admitted to participating in a scheme with
Brown and Scott A. Federowicz, a manager
of an SBC first-tier subcontractor, to defraud
USAC.¹⁷ You and Mr. Brown each created a
sham company and submitted fictitious
invoices totaling approximately \$452,203 to
Mr. Federowicz, who approved those
invoices for payment on behalf of the SBC
subcontractor.¹⁸ The SBC subcontractor,
unaware that no work had been performed,
in turn billed SBC and SBC ultimately sought
from USAC reimbursement for those
fictitious expenses from the E-Rate
program.¹⁹

Pursuant to section 54.8(a)(4) of the
Commission's rules,²⁰ your conviction
requires the Bureau to suspend you from
participating in any activities associated with
or related to the schools and libraries fund
mechanism, including the receipt of funds or
discounted services through the schools and
libraries fund mechanism, or consulting
with, assisting, or advising applicants or
service providers regarding the schools and
libraries support mechanism.²¹ Your

¹³ *See Second Report and Order*, 18 FCC Rcd at
9225, para. 66; *Program Management Order*, 22 FCC
Rcd at 16387, para. 32. The Commission's
debarment rules define a "person" as "[a]ny
individual, group of individuals, corporation,
partnership, association, unit of government or legal
entity, however, organized." 47 CFR 54.8(a)(6).

¹⁴ *See Madeiros Plea Agreement* at 1; *United
States v. Richard E. Brown and Keith J. Madeiros.*,
Criminal Docket No. 3:07-CR-29-RNC-2,
Information, paras. 1-21 (D. Conn. filed Feb. 13,
2007 and entered Feb. 14, 2007) ("Madeiros/Brown
Information").

¹⁵ *See Madeiros/Brown Information* at paras. 8-9;
[http://newhaven.fbi.gov/dojpressrel/2007/
nh120707.htm](http://newhaven.fbi.gov/dojpressrel/2007/nh120707.htm) (last accessed Dec. 11, 2007) ("DOJ
December 7 Press Release"). The Bureau has
debarred Richard E. Brown from the E-Rate
program. *See Letter* from Hillary S. DeNigro to
Richard E. Brown, Notice of Debarment, DA 07-
4732 (Enf. Bur., Investigations & Hearings Div., rel.
Nov. 27, 2007).

¹⁶ *See Madeiros/Brown Information* at para. 9;
DOJ December 7 Press Release at 1.

¹⁷ *See Madeiros/Brown Information* at paras. 11-
21. The Bureau also has debarred Scott A.
Federowicz from the E-Rate program. *See Letter*
from Hillary S. DeNigro to Scott A. Federowicz,
Notice of Debarment, 22 FCC Rcd 17258 (Enf. Bur.,
Investigations & Hearings Div., rel. Sept. 24, 2007).

¹⁸ *See Madeiros/Brown Information* at paras. 11-
21; *DOJ December 7 Press Release* at 1.

¹⁹ *See DOJ December 7 Press Release* at 1.

²⁰ 47 CFR 54.8(a)(4). *See Second Report and
Order*, 18 FCC Rcd at 9225-9227, paras. 67-74.

²¹ 47 CFR 54.8(a)(1), (d).

suspension becomes effective upon the
earlier of your receipt of this letter or
publication of notice in the **Federal
Register**.²²

Suspension is immediate pending the
Bureau's final debarment determination. In
accordance with the Commission's
debarment rules, you may contest this
suspension or the scope of this suspension by
filing arguments in opposition to the
suspension, with any relevant
documentation. Your request must be
received within 30 days after you receive this
letter or after notice is published in the
Federal Register, whichever comes first.²³
Such requests, however, will not ordinarily
be granted.²⁴ The Bureau may reverse or
limit the scope of suspension only upon a
finding of extraordinary circumstances.²⁵
Absent extraordinary circumstances, the
Bureau will decide any request for reversal
or modification of suspension within 90 days
of its receipt of such request.²⁶

II. Initiation of Debarment Proceedings

Your guilty plea to and conviction of
criminal conduct in connection with the E-
Rate program, in addition to serving as a
basis for immediate suspension from the
program, also serves as a basis for the
initiation of debarment proceedings against
you. Your conviction falls within the
categories of causes for debarment defined in
section 54.8(c) of the Commission's rules.²⁷
Therefore, pursuant to section 54.8(a)(4) of
the Commission's rules, your conviction
requires the Bureau to commence debarment
proceedings against you.

As with your suspension, you may contest
debarment or the scope of the proposed
debarment by filing arguments and any
relevant documentation within 30 calendar
days of the earlier of the receipt of this letter
or of publication in the **Federal Register**.²⁸
Absent extraordinary circumstances, the
Bureau will debar you.²⁹ Within 90 days of
receipt of any opposition to your suspension
and proposed debarment, the Bureau, in the
absence of extraordinary circumstances, will

²² *Second Report and Order*, 18 FCC Rcd at 9226,
para. 69; 47 CFR 54.8(e)(1).

²³ 47 CFR 54.8(e)(4).

²⁴ *Id.*

²⁵ 47 CFR 54.8(e)(5).

²⁶ *See Second Report and Order*, 18 FCC Rcd at
9226, para. 70; 47 CFR 54.8(e)(5), 54.8(f).

²⁷ "Causes for suspension and debarment are the
conviction of or civil judgment for attempt or
commission of criminal fraud, theft, embezzlement,
forgery, bribery, falsification or destruction of
records, making false statements, receiving stolen
property, making false claims, obstruction of justice
and other fraud or criminal offense arising out of
activities associated with or related to the schools
and libraries support mechanism, the high-cost
support mechanism, the rural healthcare support
mechanism, and the low-income support
mechanism." 47 CFR 54.8(c). Such activities
"include the receipt of funds or discounted services
through [the Federal universal service] support
mechanisms, or consulting with, assisting, or
advising applicants or service providers regarding
[the Federal universal service] support
mechanisms." 47 CFR. 54.8(a)(1).

²⁸ *See Second Report and Order*, 18 FCC Rcd at
9226, para. 70; 47 CFR 54.8(e)(3).

²⁹ *Second Report and Order*, 18 FCC Rcd at 9227,
para. 74.

provide you with notice of its decision to debar.³⁰ If the Bureau decides to debar you, its decision will become effective upon the earlier of your receipt of a debarment notice or publication of the decision in the **Federal Register**.³¹

If and when your debarment becomes effective, you will be prohibited from participating in activities associated with or related to the schools and libraries support mechanism for three years from the date of debarment.³² The Bureau may, if necessary to protect the public interest, extend the debarment period.³³

Please direct any response, if by messenger or hand delivery, to Marlene H. Dortch, Secretary, Federal Communications Commission, 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002, to the attention of Diana Lee, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, with a copy to Vickie Robinson, Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, Federal Communications Commission. If sent by commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail), the response should be sent to the Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, Maryland 20743. If sent by first-class, Express, or Priority mail, the response should be sent to Diana Lee, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, SW., Room 4-C330, Washington, DC 20554, with a copy to Vickie Robinson, Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, SW., Room 4-C330, Washington, DC 20554. You shall also transmit a copy of the response via e-mail to diana.lee@fcc.gov and to vickie.robinson@fcc.gov.

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Sincerely yours,
Hillary S. DeNigro,

³⁰ See *id.*, 18 FCC Rcd at 9226, para. 70; 47 CFR 54.8(e)(5).

³¹ *Id.* The Commission may reverse a debarment, or may limit the scope or period of debarment upon a finding of extraordinary circumstances, following the filing of a petition by you or an interested party or upon motion by the Commission. 47 CFR 54.8(f).

³² *Second Report and Order*, 18 FCC Rcd at 9225, para. 67; 47 CFR 54.8(d), 54.8(g).

³³ *Id.*

Chief, Investigations and Hearings Division, Enforcement Bureau.

cc: Kristy Carroll, Esq., Universal Service Administrative Company (via e-mail).
Anthony E. Kaplan, Esq., Supervisory Assistant United States Attorney.
Calvin B. Kurimai, Esq., Assistant United States Attorney.

[FR Doc. E8-13897 Filed 6-18-08; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice of information collections to be submitted to the Office of Management and Budget (OMB) for review and approval under the Paperwork Reduction Act of 1995.

SUMMARY: In accordance with requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the FDIC hereby gives notice that it is submitting to OMB a request for review and approval of the following collections of information: "Flood Insurance," OMB No. 3064-0120, and "Forms Relating to Processing Deposit Insurance Claims," OMB No. 3064-0143.

DATES: Comments must be submitted on or before July 21, 2008.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC. All comments should refer to the name of the collection. Comments may be submitted by any of the following methods:

- <http://www.FDIC.gov/regulations/laws/federal/propose.html>.

- E-mail: comments@fdic.gov.

Include the name and number of the collection in the subject line of the message.

- Mail: Leneta G. Gregorie (202.898.3719), Counsel, Federal Deposit Insurance Corporation, Room F-1064, 550 17th Street, NW., Washington, DC 20429.

- Hand Delivery: Comments may be hand-delivered to the guard station at the rear of the 550 17th Street Building

(located on F Street), on business days between 7 a.m. and 5 p.m.

A copy of the comments should also be submitted to the OMB Desk Officer for the FDIC, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT:

Leneta G. Gregorie at the address identified above.

SUPPLEMENTARY INFORMATION:

Proposal To Renew the Following Currently Approved Collection of Information

1. *Title:* Flood Insurance.
OMB Number: 3064-0120.
Frequency of Response: On occasion.
Affected Public: Any depository institution that makes one or more loans to be secured by a building located on property in a special flood hazard area.
Estimated Number of Respondents/Recordkeepers: 5,272.
Estimated Number of Transactions: 180,000.

Estimated Reporting Hours: .05 hours × 180,000 = 9,000.

Estimated Recordkeeping Hours: 1 hour × 5,272 hours = 5,272 hours.

Estimated Total Annual Reporting and Recordkeeping Burden Hours: 5,272 + 9,000 = 14,272 hours.

General Description of Collection: Each supervised lending institution is currently required to provide a notice of special flood hazards to each borrower with a loan secured by a building or mobile home located or to be located in an area identified by the Director of the Federal Emergency Management Agency as being subject to special flood hazards. The Riegle Community Development Act requires that each institution must also provide a copy of the notice to the servicer of the loan (if different from the originating lender).

2. *Title:* Forms Relating to Processing Deposit Insurance Claims.

OMB Number: 3064-0143.

Frequency of Response: On occasion.

Affected Public: Deposit brokers and depositors of failed insured institutions.

Estimated Number of Respondents: 5,095 (see chart below).

Total Annual Burden: 2,875 hours (see chart below).