

Protection Zones described in Appendix B. Exchange of information during execution of these coordination agreements may be facilitated by use of the DoD Portal described in section IV above.

#### *B. Federal Coordination With All Affected AWS-3 Licensees*

49. Federal incumbents must successfully coordinate required, reasonable modifications of these Federal satellite earth stations in 1755–1780 MHz beyond their current authorizations or the addition of new earth station locations with all affected AWS-3 licensees. 47 CFR 2.106 footnote US91(b)(3). The modification or new station must be required, reasonable, and authorized by NTIA. The details of the coordination must be filed with NTIA and the Commission. *Id.* Prior NTIA authorization is required for any such modifications or new stations and NTIA will coordinate any such requests with the Commission so that the AWS-3 licensees affected by a proposed modification or new station can be determined on a case-by-case basis. For any affected AWS-3 licenses in the Commission's inventory at the time of the request, the Federal incumbent must successfully coordinate the request with the Commission. Appendices to this public notice are formatted tables, images, and a sample coordination agreement that are available online at: [www.ntia.doc.gov/category/aws-3-transition](http://www.ntia.doc.gov/category/aws-3-transition) and [https://apps.fcc.gov/edocs\\_public/attachmatch/DA-14-1023A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DA-14-1023A1.pdf).

#### **Karl D. Nebbia,**

*Associate Administrator, Office of Spectrum Management, National Telecommunications and Information Administration.*

#### **Roger E. Sherman,**

*Chief, Wireless Telecommunications Bureau, Federal Communications Commission.*

[FR Doc. 2014-21748 Filed 9-11-14; 8:45 am]

**BILLING CODE 6712-01-P**

## **FEDERAL COMMUNICATIONS COMMISSION**

[DA 14-1230]

### **Notice of Suspension and Commencement of Proposed Debarment Proceedings; Schools and Libraries Universal Service Support Mechanism**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Enforcement Bureau (the "Bureau") gives notice of Marvin M.

Freeman's suspension from the schools and libraries universal service support mechanism (or "E-Rate Program"). Additionally, the Bureau gives notice that debarment proceedings are commencing against him. Mr. Freeman, or any person who has an existing contract with or intends to contract with him to provide or receive services in matters arising out of activities associated with or related to the schools and libraries support, may respond by filing an opposition request, supported by documentation to Joy Ragsdale, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-C330, 445 12th Street SW., Washington, DC 20554.

**DATES:** Opposition requests must be received by 30 days from the receipt of the suspension letter or September 12, 2014, whichever comes first. The Bureau will decide any opposition request for reversal or modification of suspension or debarment within 90 days of its receipt of such requests.

**ADDRESSES:** Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-C330, 445 12th Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Joy Ragsdale, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-C330, 445 12th Street SW., Washington, DC 20554. Joy Ragsdale may be contacted by phone at (202) 418-1697 or email at [Joy.Ragsdale@fcc.gov](mailto:Joy.Ragsdale@fcc.gov). If Ms. Ragsdale is unavailable, you may contact Ms. Theresa Cavanaugh, Chief, Investigations and Hearings Division, by telephone at (202) 418-1420 and by email at [Terry.Cavanaugh@fcc.gov](mailto:Terry.Cavanaugh@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Bureau has suspension and debarment authority pursuant to 47 CFR 54.8 and 47 CFR 0.111(a)(14). Suspension will help to ensure that the party to be suspended cannot continue to benefit from the schools and libraries mechanism pending resolution of the debarment process. Attached is the suspension letter, DA 14-1230, which was mailed to Mr. Freeman and released on August 26, 2014. The complete text of the Notice of suspension and initiation of debarment proceedings 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 email <http://www.bcpweb.com>.

Federal Communications Commission.

#### **Theresa Z. Cavanaugh,**

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

August 26, 2014

DA 14-1230

*SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED*

Mr. Marvin Mitch Freeman, 1408 Northhill Street, Selma, CA 93662

Re: Notice of Suspension and Initiation of Debarment Proceeding File No. EB-IHD-14-00015659

Dear Mr. Freeman: The Federal Communications Commission (Commission) has received notice of your conviction of conspiracy to commit mail fraud in violation of 18 U.S.C 371, a conviction that arose out of activities associated with the federal schools and libraries universal service support mechanism (E-Rate program).<sup>1</sup> Consequently, pursuant to 47 CFR 54.8, this letter constitutes official notice of your suspension from the E-Rate program.<sup>2</sup> In addition, the Enforcement Bureau (Bureau) hereby notifies you that the Bureau will commence debarment proceedings against you.<sup>3</sup>

#### **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 or related to the [E-Rate program]" from

<sup>1</sup> Any further reference in this letter to "your conviction" refers to your guilty plea and subsequent sentencing for conspiring to defraud the United States in *United States v. Freeman*, Criminal Docket No. 1:06-CR-00013-LJO-2, Plea Agreement at 3 (E.D. Cal. filed Oct. 22, 2010) (*Plea Agreement*).

<sup>2</sup> 47 CFR 54.8.

<sup>3</sup> *Id.* 0.111 (delegating to the Enforcement Bureau authority to resolve universal service suspension and debarment proceedings). The Commission adopted debarment rules for the E-Rate program 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 § 54.521 to suspend and debar parties from the E-Rate program). In 2007 the Commission extended the debarment rules to apply to all 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; Rural Health Care 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, App. C at 16410-12 (2007) (*Program Management Order*) (renumbering § 54.521 of the universal service debarment rules as § 54.8 and amending paragraphs (a)(1), (a)(5), (c), (d), (e)(2)(i), (e)(3), (e)(4), and (g)).

receiving the benefits associated with that program.<sup>4</sup> The statutory provisions and Commission rules relating to the E-Rate program are designed to ensure that all E-Rate funds are used for their intended purpose.<sup>5</sup> Sections 54.503 and 54.511 of the Commission's rules require that solicitations for E-Rate services be based on a fair and open competitive bidding process that is free from conflicts of interest.<sup>6</sup>

On November 1, 2010, you pled guilty to conspiring with others to defraud the E-Rate program. During the course of that conspiracy, you used your silk screening business, Twisted Head Design, as a shell company to circumvent the E-Rate program's competitive bidding rules.<sup>7</sup> Specifically, you conspired with Gregory Paul Styles, the Management Information Systems Director for the Chowchilla Elementary School District (CESD), to use Twisted Head Design to bid on CESD's E-Rate contracts.<sup>8</sup> Mr. Styles then selected Twisted Head Design's bids knowing that the company was unqualified to perform E-Rate work, performed the work himself or through his subcontractors, and billed USAC for the work.<sup>9</sup> As a result of your fraudulent scheme, USAC disbursed \$787,950 to you, a substantial portion of which you forwarded to Mr. Styles, who deposited it in his bank account.<sup>10</sup>

On March 17, 2011, the United States District Court for the Eastern District of

California sentenced you to 36 months of probation with conditions, including 200 hours of community service.<sup>11</sup> The court also ordered you to pay \$40,000 in restitution to CESD and a \$100 special assessment.<sup>12</sup>

Pursuant to § 54.8(b) of the Commission's rules,<sup>13</sup> upon your conviction for theft of E-Rate funds, the Bureau is required to suspend you from participating in any activities associated with or related to the E-Rate program, including receiving funds or discounted services through the E-Rate program, or consulting with, assisting, or advising applicants or service providers regarding the E-Rate program.<sup>14</sup> Your suspension becomes effective upon either your receipt of this letter or its publication in the **Federal Register**, whichever comes first.<sup>15</sup>

In accordance with the Commission's suspension and debarment rules, you may contest this suspension or the scope of this suspension by filing arguments, with any relevant documents, within thirty (30) calendar days of your receipt of this letter or its publication in the **Federal Register**, whichever comes first.<sup>16</sup> Such requests, however, will not ordinarily be granted.<sup>17</sup> The Bureau may reverse or limit the scope of a suspension only upon a finding of extraordinary circumstances.<sup>18</sup> The Bureau will decide any request to reverse or modify a suspension within ninety (90) calendar days of its receipt of such request.<sup>19</sup>

## II. Initiation of Debarment Proceedings

In addition to requiring your immediate suspension from the E-Rate program, your conviction is cause for debarment as defined in § 54.8(c) of the Commission's rules.<sup>20</sup> Therefore, pursuant to § 54.8(b) of the Commission's rules, your conviction requires the Bureau to commence debarment proceedings against you.<sup>21</sup>

<sup>11</sup> *United States v. Freeman*, Criminal Docket No. 1:06-CR-00013-002, Judgment 1-4 (E.D. Cal. filed Mar. 17, 2011) (*Judgment*).

<sup>12</sup> *Judgment* at 3, 5. The court ordered Messrs. Styles and Freeman to pay this restitution joint and severally. *Id.* at 5.

<sup>13</sup> 47 CFR 54.8(a)(4); see *Second Report and Order*, 18 FCC Rcd at 9225-27, paras. 67-74.

<sup>14</sup> 47 CFR 54.8(a)(1), (d).

<sup>15</sup> *Second Report and Order*, 18 FCC Rcd at 9226, para. 69; 47 CFR 54.8(e)(1).

<sup>16</sup> 47 CFR 54.8(e)(4).

<sup>17</sup> *Id.*

<sup>18</sup> 47 CFR 54.8(f).

<sup>19</sup> *Second Report and Order*, 18 FCC Rcd at 9226, para. 70; 47 CFR 54.8(e)(5), (f).

<sup>20</sup> "Causes for suspension and debarment are 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). Associated 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." *Id.* 54.8(a)(1).

<sup>21</sup> *Id.* 54.8(b).

As with the suspension process, you may contest the proposed debarment or the scope of the proposed debarment by filing arguments and any relevant documentation within thirty (30) calendar days of receipt of this letter or its publication in the **Federal Register**, whichever comes first.<sup>22</sup> The Bureau, in the absence of extraordinary circumstances, will notify you of its decision to debar within ninety (90) calendar days of receiving any information you may have filed.<sup>23</sup> If the Bureau decides to debar you, its decision will become effective upon either your receipt of a debarment notice or publication of the decision in the **Federal Register**, whichever comes first.<sup>24</sup>

If and when your debarment becomes effective, you will be prohibited from participating in activities associated with or related to the E-Rate program for three years from the date of debarment.<sup>25</sup> The Bureau may set a longer debarment period or extend an existing debarment period if necessary to protect the public interest.<sup>26</sup>

Please direct any response, if sent by messenger or hand delivery, to Marlene H. Dortch, Secretary, Federal Communications Commission, 445 12th Street SW., Room TW-A325, Washington, DC 20554 and to the attention of Joy M. Ragsdale, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554 with a copy to Theresa Z. Cavanaugh, Division Chief, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554. All messenger or hand delivery filings must be submitted without envelopes.<sup>27</sup> If sent by commercial overnight mail (other than U.S. Postal Service (USPS) Express Mail and Priority Mail), the response must be sent to the Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, Maryland 20743. If sent by USPS First Class, Express Mail, or Priority Mail, the response should be addressed to Joy Ragsdale, 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 Theresa Z. Cavanaugh, 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 your response via email to Joy M. Ragsdale,

<sup>22</sup> *Second Report and Order*, 18 FCC Rcd at 9226, para. 70; 47 CFR 54.8(e)(3).

<sup>23</sup> *Second Report and Order*, 18 FCC Rcd at 9226, para. 70; 47 CFR 54.8(e)(5).

<sup>24</sup> 47 CFR 54.8(e)(5). 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. *Id.* 54.8(f).

<sup>25</sup> *Second Report and Order*, 18 FCC Rcd at 9225, para. 67; 47 CFR 54.8(d) and, (g).

<sup>26</sup> 47 CFR 54.8(g).

<sup>27</sup> See FCC Public Notice, DA 09-2529 for further filing instructions (rel. Dec. 3, 2009).

<sup>4</sup> *Second Report and Order*, 118 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).

<sup>5</sup> *NEC-Business Network Solutions, Inc.*, Notice of Debarment and Order Denying Waiver Petition, 21 FCC Rcd 7491, 7493, para. 7 (2006).

<sup>6</sup> 47 CFR 54.503, 54.511(a); see *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9078-80, paras. 480-81 (1997) (subsequent history omitted) (finding that without competitive bidding requirements, the applicant may not receive the most cost-effective services); *Lazo Technologies, Inc.*, Order on Reconsideration, 26 FCC Rcd 16661, 16664, para. 7 (2011) (explaining that a service provider may not be involved in the competitive bidding process other than as a bidder) (*Lazo Recon. Order*); see also USAC's Web site description of an Open and Fair Competitive Bidding Process, Step 2 available at <http://www.universalservice.org/sl/applicants/step02/competitive-bidding.aspx> (last visited June 9, 2014).

<sup>7</sup> *Plea Agreement* at 10-12; *United States v. Styles*, Criminal Docket No. 1:06-CR-00013-001, Indictment at 2 (E.D. Cal. filed Jan. 19, 2006) (*Indictment*); see also United States Attorney's Office, Eastern District of California, Press Releases, *Two Plead Guilty in Scheme to Defraud the Chowchilla Elementary School District*, Nov. 1, 2010, available at <http://www.fbi.gov/sacramento/press-releases/2010/sc110110.html>.

<sup>8</sup> *Plea Agreement* at 11; see *Indictment* at 6. The Bureau is also serving a notice of suspension and initiation of debarment proceedings on Mr. Styles. See Letter from Theresa Z. Cavanaugh, Chief, Investigations and Hearings Division, FCC Enforcement Bureau, to Gregory Paul Styles, Notice of Suspension and Initiation of Debarment Proceedings, DA 14-1229 (Enf. Bur. Aug. 26, 2014).

<sup>9</sup> *Plea Agreement* at 11; see *Indictment* at 6.

<sup>10</sup> *Plea Agreement* at 12; see *Indictment* at 9, 12.

Joy.Ragsdale@fcc.gov, and to Theresa Z. Cavanaugh, Terry.Cavanaugh@fcc.gov.

If you have any questions, please contact Ms. Ragsdale via U.S. postal mail, email, or by telephone at (202) 418-1697. You may contact me at (202) 418-1553 or at the email address noted above if Ms. Ragsdale is unavailable.

Sincerely yours,  
Theresa Z. Cavanaugh,  
Chief.

Investigations and Hearings Division,  
Enforcement Bureau.

cc: Johnnay Schrieber, Universal Service  
Administrative Company (via email);  
Rashann Duvall, Universal Service  
Administrative Company (via email);  
Mark J. McKeon, United States Attorney's  
Office, Eastern District of California (via  
email)

[FR Doc. 2014-21831 Filed 9-11-14; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL ELECTION COMMISSION

### Sunshine Act Meeting

**AGENCY:** Federal Election Commission  
**DATE AND TIME:** Tuesday, September 16,  
2014 at 10:00 a.m.

**PLACE:** 999 E Street NW., Washington,  
DC.

**STATUS:** This meeting will be closed to  
the public.

### Items To Be Discussed

Compliance matters pursuant to 2  
U.S.C. 437g.

Matters concerning participation in  
civil actions or proceedings or  
arbitration.

Information the premature disclosure  
of which would be likely to have a  
considerable adverse effect on the  
implementation of a proposed  
Commission action.

\* \* \* \* \*

*Person to Contact for Information:*  
Judith Ingram, Press Officer, Telephone:  
(202) 694-1220.

**Shawn Woodhead Werth,**

*Secretary and Clerk of the Commission.*

[FR Doc. 2014-21860 Filed 9-10-14; 8:45 am]

BILLING CODE 6715-01-P

## FEDERAL RESERVE SYSTEM

### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Board of Governors of the  
Federal Reserve System.

**SUMMARY:** On June 15, 1984, the Office  
of Management and Budget (OMB)  
delegated to the Board of Governors of

the Federal Reserve System (Board) its approval authority under the Paperwork Reduction Act (PRA), pursuant to 5 CFR 1320.16, to approve of and assign OMB control numbers to collection of information requests and requirements conducted or sponsored by the Board under conditions set forth in 5 CFR part 1320 Appendix A.1. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the Paperwork Reduction Act Submission, supporting statements and approved collection of information instruments are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

**DATES:** Comments must be submitted on or before November 12, 2014.

**ADDRESSES:** You may submit comments, identified by *FR 2070*; or *FR 2081a,b,c*; by any of the following methods:

- *Agency Web site:* <http://www.federalreserve.gov>. Follow the instructions for submitting comments at <http://www.federalreserve.gov/apps/foia/proposedregs.aspx>.

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Email:* [regs.comments@federalreserve.gov](mailto:regs.comments@federalreserve.gov). Include OMB number in the subject line of the message.

- *Fax:* (202) 452-3819 or (202) 452-3102.

- *Mail:* Robert deV. Frierson, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW., Washington, DC 20551.

All public comments are available from the Board's Web site at <http://www.federalreserve.gov/apps/foia/proposedregs.aspx> as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper form in Room MP-500 of the Board's Martin Building (20th and C Streets NW.) between 9:00 a.m. and 5:00 p.m. on weekdays.

Additionally, commenters may send a copy of their comments to the OMB Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235 725 17th Street NW., Washington, DC 20503 or by fax to (202) 395-6974.

**FOR FURTHER INFORMATION CONTACT:** A copy of the PRA OMB submission, including the proposed reporting form and instructions, supporting statement, and other documentation will be placed into OMB's public docket files, once approved. These documents will also be made available on the Federal Reserve Board's public Web site at: <http://www.federalreserve.gov/apps/reportforms/review.aspx> or may be requested from the agency clearance officer, whose name appears below.

Federal Reserve Board Acting Clearance Officer—John Schmidt—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202) 452-3829. Telecommunications Device for the Deaf (TDD) users may contact (202) 263-4869, Board of Governors of the Federal Reserve System, Washington, DC 20551.

### SUPPLEMENTARY INFORMATION:

#### Request for Comment on Information Collection Proposals

The following information collections, which are being handled under this delegated authority, have received initial Board approval and are hereby published for comment. At the end of the comment period, the proposed information collections, along with an analysis of comments and recommendations received, will be submitted to the Board for final approval under OMB delegated authority. Comments are invited on the following:

- a. Whether the proposed collection of information is necessary for the proper performance of the Federal Reserve's functions; including whether the information has practical utility;

- b. The accuracy of the Federal Reserve's estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;

- c. Ways to enhance the quality, utility, and clarity of the information to be collected;

- d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

- e. Estimates of capital or start up costs and costs of operation, maintenance, and purchase of services to provide information.

#### Proposal To Approve Under OMB Delegated Authority the Extension for Three Years, Without Revision, of the Following Reports

1. *Report title:* Interagency Bank Merger Act Application.