

Dear Mr. Lanham:

The Federal Communications Commission (Commission) hereby notifies you that, pursuant to Section 54.8 of its rules, you are prohibited from participating in activities associated with or relating to the schools and libraries universal service support mechanism (E-Rate 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 is earlier in time (Debarment Date).¹

On July 27, 2012, the Commission's Enforcement Bureau (Bureau) sent you a Notice of Suspension and Initiation of Debarment Proceeding (Notice of Suspension)² that was published in the **Federal Register** on August 13, 2012.³ The Notice of Suspension suspended you from participating in activities associated with or relating to the E-Rate program. 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, in March 2012 you were convicted of one count of theft of federal funds and three counts of mail fraud in connection with your activities as a consultant for the New York City Department of Education (DOE), which included managing Project Connect, an E-Rate funded project.⁴ As a DOE consultant, you defrauded the E-Rate program by, among other things, inflating consultant fees and bundling those charges with eligible services on invoices billed to DOE for work unrelated to Project Connect.⁵ As a result of your scheme, DOE was fraudulently billed more than \$3.6 million for Project Connect between 2002 and 2008, of which you profited approximately \$1.7 million.⁶ Pursuant to Section 54.8(c) of the Commission's rules, your conviction of criminal conduct in connection with the E-Rate program is the basis for this debarment.⁷

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.⁸ The Commission did not receive any such opposition from you.

For the foregoing reasons, you are debarred from participating in activities associated

with or related to the E-Rate program for three years from the Debarment Date.⁹ During this debarment period, you are excluded from participating in any activities associated with or related to the E-Rate program, including the receipt of funds or discounted services through the E-Rate program, or consulting with, assisting, or advising applicants or service providers regarding the E-Rate program.¹⁰

Sincerely,

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), Brian A. Jacobs, U. S. Attorney's Office, Southern District of New York (via email), Alvin L. Bragg, Jr., U. S. Attorney's Office, Southern District of New York (via email), Paul M. Krieger, U. S. Attorney's Office, Southern District of New York (via email)

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FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10:29 a.m. on Tuesday, December 11, 2012, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters related to the Corporation's supervision, corporate, and resolution activities.

In calling the meeting, the Board determined, on motion of Vice Chairman Thomas M. Hoenig, seconded by Director Jeremiah O. Norton (Appointive), concurred in by Paul M. Nash, acting in the place and stead of Director Thomas J. Curry (Comptroller of the Currency), Director Richard Cordray (Director, Consumer Financial Protection Bureau), and Chairman Martin J. Gruenberg, that Corporation business required its consideration of the matters which were to be the subject of this meeting on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5

U.S.C. 552b(c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10)).

The meeting was held in the Board Room of the FDIC Building located at 550-17th Street NW., Washington, DC.

Dated: December 11, 2012.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2012-30247 Filed 12-11-12; 4:15 pm]

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FEDERAL ELECTION COMMISSION

Sunshine Act Meeting Notice

AGENCY: Federal Election Commission.

DATE AND TIME: *Tuesday, December 18, 2012 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.

Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and Title 26, U.S.C. Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

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PERSON TO CONTACT FOR INFORMATION:

Judith Ingram, Press Officer, Telephone: (202) 694-1220.

Shelley E. Garr,

Deputy Secretary of the Commission.

[FR Doc. 2012-30209 Filed 12-11-12; 4:15 pm]

BILLING CODE 6715-01-P

FEDERAL MARITIME COMMISSION

Ocean Transportation Intermediary License Applicants

The Commission gives notice that the following applicants have filed an application for an Ocean Transportation Intermediary (OTI) license as a Non-Vessel-Operating Common Carrier (NVO) and/or Ocean Freight Forwarder (OFF) pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. 40101). Notice is also given of the filing of applications to amend an existing OTI license or the Qualifying Individual (QI) for a licensee.

Interested persons may contact the Office of Ocean Transportation Intermediaries, Federal Maritime Commission, Washington, DC 20573, by

¹ 47 CFR 54.8(g); *see also* 47 CFR 0.111 (delegating authority to the Enforcement Bureau to resolve universal service suspension and debarment proceedings).

² Letter from Theresa Z. Cavanaugh, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission to Willard Ross Lanham, Notice of Suspension and Initiation of Debarment Proceeding, 27 FCC Rcd 8384 (Enf. Bur. 2012) (Attachment 1).

³ 77 Fed. Reg. 48154 (Aug. 13, 2012).

⁴ *Supra* n. 2 at 2.

⁵ *Id.* at 3.

⁶ *Id.*

⁷ 47 CFR 54.8(c).

⁸ 47 CFR 54.8 (e)(3), (4). Any opposition had to be filed no later than August 26, 2012.

⁹ *Id.* 54.8(e)(5), (g).

¹⁰ *Id.* 54.8(a)(1), (5), (d).