

amendment containing supplemental information such as the following: (1) The area and population within the proposed 2 mV/m and 0.5 mV/m contours; (2) the number of stations licensed to the proposed community of license; (3) the number of stations providing protected service to the proposed community of license; (4) the population (according to the latest Census data) of the proposed community of license; (5) a description of the civic, cultural, religious, social or commercial attributes of the proposed community of license; and (6) any other information determined relevant. The Commission will dismiss, without further processing, the previously filed AM auction filing window application and technical proposal of any applicant that fails to file an amendment addressing the Section 307(b) criteria, where required. Mutually exclusive AM applicants may not use this as an opportunity to change the technical proposal specified in the AM auction filing window application. The Section 307(b) amendment must be based on the technical proposal as specified in the AM auction filing window application.

Non-mutually exclusive applicants proposing a change in community of license must provide Section 307(b) information, demonstrating the merits of locating the station in the new community, as opposed to the former community of license.

In addition, certain mutually exclusive application groups containing major modification applications are permitted to resolve their mutual exclusivities through settlement agreements. These agreements must comply with 47 CFR 73.3525, Agreements for Removing Application Conflicts (approved under OMB 3060-0213). To facilitate processing, eligible applicants who intend to settle should promptly notify the Commission in writing that a pre-auction settlement is forthcoming.

Federal Communications Commission.

**Marlene H. Dortch,**

Secretary.

[FR Doc. E7-25228 Filed 12-27-07; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission for Extension Under Delegated Authority, Comments Requested

December 20, 2007.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Persons wishing to comment on this information collection should submit comments February 26, 2008. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Nicholas A. Fraser, Office of Management and Budget (OMB), (202) 395-5887, or via fax at 202-395-5167, or via the Internet at [Nicholas\\_A.\\_Fraser@omb.eop.gov](mailto:Nicholas_A._Fraser@omb.eop.gov) and to [Judith-B.Herman@fcc.gov](mailto:Judith-B.Herman@fcc.gov), Federal Communications Commission (FCC). To submit your comments by email send them to: [PRA@fcc.gov](mailto:PRA@fcc.gov). If you would like to obtain or view a copy of this information collection after the 60 day comment period, you may do so by visiting the OMB ROCIS Web site at: <http://www.reginfo.gov/public/PRAMain>.

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection(s) send an e-mail to [PRA@fcc.gov](mailto:PRA@fcc.gov) or contact Judith B. Herman at 202-418-0214.

#### SUPPLEMENTARY INFORMATION:

*OMB Control No.:* 3060-0713.

*Title:* Alternative Broadcast Inspection Program (ABIP) Compliance Notification.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit, and not-for-profit institutions.

*Number of Respondents:* 53 respondents; 2,650 responses.

*Estimated Time Per Response:* .084 hours (5 minutes).

*Frequency of Response:* On occasion reporting requirement and third party disclosure requirement.

*Obligation to Respond:* Voluntary.

*Total Annual Burden:* 223 hours.

*Annual Cost Burden:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Nature and Extent of Confidentiality:* There is no need for confidentiality.

*Needs and Uses:* This collection will be submitted as an extension (no change in reporting or third party disclosure requirements) after this 60 day comment period to Office of Management and Budget (OMB) in order to obtain the full three year clearance. The total annual burden hours have been adjusted slightly due to a change in the estimated time per response (from .083 to .084 hours).

The Alternative Broadcast Inspection Program (ABIP) is an agreement between the FCC's Enforcement Bureau and an entity, usually a state broadcast association, in which the entity arranges for the inspection of the broadcast station to determine compliance with FCC regulations. The inspections are conducted on a voluntary basis and the entities notify the local FCC District Office or Resident Agent office, in writing via letter of those stations that pass the ABIP inspection and have been granted a Certificate of Compliance. The FCC's Enforcement Bureau (EB) standardized the existing ABIP in 2003 to establish a specific, uniform arrangement for the inspection of broadcast stations.

This information will be used by FCC to determine which broadcast stations are in compliance with FCC rules and will not be subject to routine inspections conducted by the FCC's District Offices. Without this information, the FCC would not be able to determine which stations should be exempt from random inspections.

Federal Communications Commission.  
**Marlene H. Dortch,**  
*Secretary.*  
 [FR Doc. E7-25239 Filed 12-27-07; 8:45 am]  
 BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

[DA 07-4732]

### Notice of Debarment; Schools and Libraries Universal Service Support Mechanism

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Enforcement Bureau (the "Bureau") debars Mr. Brown from the schools and libraries universal service support mechanism (or "E-Rate Program") for a period of three years based on his conviction of mail fraud in connection with his 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. Richard E. Brown receives the debarment letter or December 28, 2007, whichever date comes 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 e-mail at [diana.lee@fcc.gov](mailto: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](mailto:vickie.robinson@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Bureau debarred Mr. Brown from the schools and libraries universal service support mechanism for a period of three years pursuant to 47 CFR 54.521 and 47 CFR 0.111(a)(14). Attached is the debarment letter, DA 07-4732, which was mailed to Mr. Brown and released on November 27, 2007. 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 at <http://www.bcpweb.com>.

Federal Communications Commission.

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

The debarment letter, which attached the suspension letter, follows:

November 27, 2007

**DA 07-4732**

### VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED AND E-MAIL

Mr. Richard E. Brown, c/o Douglas McNabb, Esq., McNabb Associates PC., JP Morgan Chase Tower, 600 Travis Street, Suite 7070, Houston, TX 77002.

**Re: Notice of Debarment, File No. EB-07-IH-5369**

Dear Mr. Brown:

Pursuant to section 54.521 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.<sup>1</sup>

On September 25, 2007, the Enforcement Bureau (the "Bureau") sent you a Notice of Suspension and Initiation of Debarment Proceedings (the "Notice of Suspension").<sup>2</sup> That Notice of Suspension was published in the **Federal Register** on October 10, 2007.<sup>3</sup> 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.<sup>4</sup>

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**.<sup>5</sup> The Commission did not receive any such opposition.

As discussed in the Notice of Suspension, you pled guilty to and were convicted of three counts of mail fraud, in violation of 18 U.S.C. 1341, for activities in connection with your participation in the E-Rate program involving telecommunications upgrade projects in four Connecticut school districts.<sup>6</sup> You admitted to participating in schemes to defraud the E-Rate program where fictitious bills for upgrades that were never performed and inflated bills for engineering upgrade projects totaling approximately \$956,203 were ultimately submitted to the Universal Service Administrative Company for reimbursement from the E-Rate fund.<sup>7</sup> Such conduct constitutes the basis for your debarment, and your conviction falls within the categories of causes for debarment under section 54.521(c) of the Commission's rules.<sup>8</sup> 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**.<sup>9</sup> 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."<sup>10</sup>

Sincerely,

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

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

September 25, 2007

**DA 07-4036**

### VIA CERTIFIED MAIL

### RETURN RECEIPT REQUESTED AND E-MAIL

Mr. Richard E. Brown, c/o Douglas McNabb, Esq., McNabb Associates PC,

<sup>5</sup> See 47 CFR 54.521(e)(3) and (4). That date occurred no later than November 9, 2007. See supra note 3.

<sup>6</sup> See Notice of Suspension, 22 FCC Rcd at 17342.

<sup>7</sup> See id.

<sup>8</sup> Id. at 17343; 47 CFR 54.521(c).

<sup>9</sup> See Notice of Suspension, 22 FCC Rcd at 17343-44.

<sup>10</sup> See 47 CFR 54.521(a)(1), 54.521(a)(5), 54.521(d); Notice of Suspension, 22 FCC Rcd at 17344.

<sup>1</sup> See 47 CFR 0.111(a)(14), 54.521.

<sup>2</sup> Letter from Hillary S. DeNigro, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, to Mr. Scott A. Federowicz, Notice of Suspension and Initiation of Debarment Proceedings, 22 FCC Rcd 17341 (Inv. & Hearings Div., Enf. Bur. 2007) (Attachment 1).

<sup>3</sup> 72 FR 57574 (October 10, 2007).

<sup>4</sup> See Notice of Suspension, 22 FCC Rcd at 17343.