FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Submitted for Review to the Office of Management and Budget

September 28, 2005.

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 (PRA) 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: Written Paperwork Reduction Act (PRA) comments should be submitted on or before November 4, 2005. If you anticipate that you will be submitting PRA 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 Paperwork Reduction Act (PRA) comments to Judith B. Herman, Federal Communications Commission, Room 1–C804, 445 12th Street, SW., DC 20554 or via the Internet to *Judith-B.Herman@fcc.gov.* If you would like to obtain or view a copy of this new or revised information collection, you may do so by visiting the FCC PRA Web page at: *http://www.fcc.gov/omd/pra.*

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Judith B. Herman at (202) 418–0214 or via the Internet at *Judith-B.Herman@fcc.gov.*

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060–1070.

Title: Allocations and Service Rules for 71–76 GHz, 81–86 GHz, and 92–95 GHz Bands.

Form No.: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit, not-for-profit institutions and state, local and tribal government.

Number of Respondents: 1,000.

Estimated Time Per Response: 0.5 hours—1.5 hours.

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

Total Annual Burden: 12,000 hours.

Total Annual Cost: $1,830,000.

Privacy Act Impact Assessment: N/A.

Needs and Uses: The Commission adopted a Memorandum Opinion and Order, WT Docket No. 02–146, FCC 05–45, which revises the rules to require licensees, as part of the link registration process, to submit to the Database Manager (DM) an analysis under the interference protection criteria for the 70–80 GHz bands that demonstrates that the proposed link will neither cause nor receive harmful interference relative to previously registered non-government links. This requirement will apply to link registrations (new or modified) that are first submitted to a database manager on or after the effective date of this new requirement. The database managers will accept all interference analyses submitted during the link registration process and retain them electronically for subsequent review by the public. It is important for the ''first-in-time'' determination, and for adjudicating complaints filed with the Commission, that the interference analysis captures the exact snapshot in time (*i.e.*, conditions at the time-of-link registration) that will be dispositive in a dispute. Without the benefit of an interference analysis on file, it would be much more difficult for registrants to recreate conditions accurately after the fact.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05–19991 Filed 10–4–05; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[DA 05–2349]

Notice of Debarment; Schools and Libraries Universal Service Support Mechanism

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Enforcement Bureau (Bureau) gives notice of Mr. Ronald R. Morrett's debarment from the schools and libraries universal service support mechanism (or ''E-Rate program'') for a period of three years.

DATES: Debarment commences on the date Mr. Weaver receives the debarment letter or October 5, 2005, 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.*

SUPPLEMENTARY INFORMATION: The Bureau has debarred Mr. Morrett from the schools and libraries universal service support mechanism for a period of three year pursuant to 47 CFR parts 521 and 47 CFR 0.111(a)(14). The Commission previously suspended Mr. Morrett from the schools and libraries mechanism, pending debarment proceedings. See 70 FR 40360, July 13, 2005. Attached is the debarment letter, Notice of Debarment, DA 05–2349, which was mailed to Mr. Morrett and released on August 30, 2005, that in turn attached the suspension letter, *Notice of Suspension and of Proposed Debarment*, DA 05–1729. The complete text of the debarment letter, including attachment 1 the suspension letter, 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 test is available on the FCC's Web site at *http://www.fcc.gov.* The text may also be purchased from the Commission's duplicating 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.bcpiweb.com.*

Federal Communications Commission.

William H. Davenport,

Chief, Investigations and Hearings Division, Enforcement Bureau.

The notice of debarment and suspension letters follow:

August 30, 2005.

[DA 05–2349]

Via Certified Mail

Return Receipt Requested

Mr. Ronald R. Morrett, Jr., 1809 Holly Drive, Harrisburg, PA 17110.

Re: Notice of Debarment, File No. EB–03–IH–0615

Dear Mr. Morrett:

Pursuant to § 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.[1]

On June 23, 2005, the Enforcement Bureau (the ''Bureau'') sent you a Notice of Suspension and Proposed Debarment (the ''Notice of Suspension'').[2] That Notice of Suspension was published in the **Federal Register** on July 13, 2005.[3] The Notice of Suspension suspended you from the schools and libraries universal service support mechanism and described the basis for your proposed debarment, 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, on or about May 16, 2005, you were convicted based on your guilty plea to a felony information charging you with conspiracy to corruptly give, offer, and agree to give things of value with the intent to influence an agent of the Harrisburg (Pennsylvania) School District, in violation of 18 U.S.C. 371.[6] You pled guilty to conspiring with John H. Weaver and others to make and subsequently making kick-back payments of more than $1.9 million to Weaver while he, as Information Technology Officer of the district, processed work-completed certifications that were essential to you in obtaining E-Rate payments under the multi-million dollar E-Rate contract awarded by the district to your company, EMO Communications, Inc.[7] Such conduct constitutes the basis for your debarment, and your conviction falls within the categories of causes for debarment under § 54.521(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]

Sincerely,

William H. Davenport
Chief, Investigations and Hearings Division, Enforcement Bureau.

cc: Brian Perry, Esq., Nealson & Gover, Kristy Carroll, Esq., USAC (E-mail), Marty Carlson, Esq., Assistant United States Attorney, Middle District of Pennsylvania (E-mail).

June 23, 2005.

[DA 05–1729]

Via Certified Mail

Return Receipt Requested

Mr. Ronald R. Morrett, Jr., 1809 Holly Drive, Harrisburg, PA 17110.

Re: Notice of Suspension and of Proposed Debarment File No. EB–03–IH–0615

Dear Mr. Morrett:

The Federal Communications Commission (''FCC'' or ''Commission'') has received notice of your May 16, 2005 conviction for conspiracy to engage in bribery in a federally funded program, in violation of 18 U.S.C. 371.[11] Consequently, pursuant to 47 CFR 54.521, this letter constitutes official notice of your suspension from the schools and libraries universal service support mechanism (or ''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

Pursuant to § 54.521(a)(4) of the Commission's rules,[13] your conviction requires the Bureau to suspend you from participating in any 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.[14] Your suspension becomes effective upon the earlier of your receipt of this letter or publication of notice in the **Federal Register**.[15]

Suspension is immediate pending the Bureau's final debarment determination. 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.[16] Such requests, however, will not ordinarily be granted.[17] The Bureau may reverse or limit the scope of suspension only upon a finding of extraordinary circumstances.[18] Absent extraordinary circumstances, the Bureau will decide any request for reversal or modification of suspension within 90 days of its receipt of such request.[19]

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[1] See 47 CFR 0.111(a)(14), 54.521.

[2] Letter from William H. Davenport, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, to Mr. Ronald R. Morrett, Jr., Notice of Suspension and Proposed Debarment, 20 FCC Rcd 10888 (Inv. & Hearings Div., Enf. Bur. 2005) (Attachment 1).

[3] 70 FR 40360 (July 13, 2005).

[4] See Notice of Suspension, 20 FCC Rcd at 10888–91.

[5] See 47 CFR 54.521(e)(3) and (4). That date occurred no later than August 12, 2005. See supra note 3.

[6] Notice of Suspension, 20 FCC Rcd at 10888–90 (''Morrett Plea Agreement''); *United States* v. *Morrett,* Criminal Docket No. 03–337, Judgment (M.D.Pa. filed May 16, 2005 and entered May 18, 2005).

[7] Notice of Suspension, 20 FCC Rcd at 10889–90.

[8] Id. at 10890; 47 CFR 54.521(c).

[9] See Notice of Suspension, 20 FCC Rcd at 10890.

[10] See 47 CFR 54.521(a)(1), 54.521(a)(5), 54.521(d); Notice of Suspension, 20 FCC Rcd at 10890–91.

[11] Any further reference in this letter to ''your conviction'' refers to your December 8, 2003 guilty plea for conspiracy and conviction therefor. *See United States* v. *Morrett*, Criminal Docket No. 03–337, Information at 4 (M.D.Pa. filed December 8, 2003) (''Morrett Information''); *United States* v. *Morrett,* Criminal Docket No. 03–337, Plea Agreement at 1–2 (M.D.Pa. filed Dec. 8, 2003)

[12] 47 CFR 54.521; 47 CFR 0.111(a)(14) (delegating to the Enforcement Bureau authority to resolve universal service suspension and debarment proceedings pursuant to 47 CFR 54.521).

[13] 47 CFR 54.521(a)(4). See Schools and Libraries Universal Service Support Mechanism, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202, 9225–9227, ¶¶ 67–74 (2003) (''Second Report and Order'').

[14] Second Report and Order, 18 FCC Rcd at 9225, ¶ 67; 47 U.S.C. 254; 47 CFR 54.502–54.503; 47 CFR 54.521(a)(4).

[15] Second Report and Order, 18 FCC Rcd at 9226, ¶ 69; 47 CFR 54.521(e)(1).

[16] Second Report and Order, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.521(e)(4).

[17] Second Report and Order, 18 FCC Rcd at 9226, ¶ 70.

[18] 47 CFR 54.521(f).

[19] See Second Report and Order, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.521(e)(5), 54.521(f).

II. Notice of Proposed Debarment

A. Reasons for and Cause of Debarment

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 schools and libraries support mechanism'' from receiving the benefits associated with that program.[20] As provided by your December 8, 2003 plea agreement upon which your conviction is based, you pleaded guilty to a felony information charging you with conspiracy in violation of 18 U.S.C. 371.[21] The felony information alleges that in 2000, the Harrisburg (Pennsylvania) School District awarded a multi-million dollar E-Rate contract to you and EMO Communications, Inc. (''EMO'') for the development and installation of an educational technology system for the school district; that a grant from the E-Rate program funded a substantial portion of the cost of this contract; that you and EMO received payments from the E-Rate program only after John Weaver, Information Technology Director for the school district, certified that you and EMO had performed specified work under the contract; and that you agreed to make kickback payments of more than $1.9 million to Weaver while he processed certifications that were essential to you in obtaining E-Rate funded payments on the contract.[22] The felony information charges you, Weaver, and others with conspiring to corruptly give, offer, and agree to give things of value with the intent to influence an agent of the Harrisburg School District and in furtherance of that conspiracy, causing more than $1.9 million in payments to be made to Weaver.[23] Pursuant to your plea agreement, you have pleaded guilty to the charge of conspiracy set forth in the felony information. These actions constitute the conduct or transactions upon which this debarment proceeding is based.[24] Moreover, your conviction on the basis of these acts falls within the categories of causes for debarment defined in § 54.521(c) of the Commission's rules.[25] Therefore, pursuant to § 54.521(a)(4) of the Commission's rules, your conviction requires the Bureau to commence debarment proceedings against you.

B. Debarment Procedures

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**.[26] Absent extraordinary circumstances, the Bureau will debar you.[27] Within 90 days of receipt of any opposition to your suspension and proposed debarment, the Bureau, in the absence of extraordinary circumstances, will provide you with notice of its decision to debar.[28] 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**.[29]

C. Effect of Debarment

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 at least three years from the date of debarment.[30] The Bureau may, if necessary to protect the public interest, extend the debarment period.[31]

Please direct any responses to the following address:

Diana Lee, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4C–330, 445 12th Street, SW., Washington, DC 20554.

If you submit your response via hand-delivery or non-United States Postal Service delivery (*e.g.*, Federal Express, DHL, etc.), please send the response to Ms. Lee at the following address: Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, MD 20743.

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 Eric Bash by telephone at (202) 418–1420 and by e-mail at *eric.bash@fcc.gov.*

Sincerely yours,
William H. Davenport,
Chief, Investigations and Hearings Division, Enforcement Bureau.

cc: Brian Perry, Esq., Nealson & Gover,Kristy Carroll, Esq., USAC (E-mail),Marty Carlson, Esq., Assistant United States Attorney, Middle District of Pennsylvania, (E-mail).

[FR Doc. 05–19989 Filed 10–4–05; 8:45 am]

BILLING CODE 6712–01–P

[20] Second Report and Order, 18 FCC Rcd at 9225, ¶ 66.

[21] See Morrett Plea Agreement at 1.

[22] Morrett Information at 2–3.

[23] Morrett Information at 4–5.

[24] Second Report and Order, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.521(e)(2)(i).

[25] ''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.'' 47 CFR 54.521(c). Such activities ''include 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 schools and libraries support mechanism described in this section (47 CFR 54.500 *et seq.*).'' 47 CFR 54.521(a)(1).

[26] See Second Report and Order, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.521(e)(2(i), 54.521(e)(3).

[27] Second Report and Order, 18 FCC Rcd at 9227, ¶ 74.

[28] See Id., 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.521(e)(5).

[29] 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 54.521(f).

[30] Second Report and Order, 18 FCC Rcd at 9225, ¶ 67; 47 CFR 54.521(d), 54.521(g).

[31] Id.

FEDERAL COMMUNICATIONS COMMISSION

Technological Advisory Council

AGENCY: Federal Communications Commission.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, this notice advises interested persons of the second meeting of the Technological Advisory Council (''Council'') under its charter renewed as of November 19, 2004.

DATES: October 27, 2005 at 10 a.m. to 3 p.m.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Commission Meeting Room (TW–C305), Washington, DC.

FOR FURTHER INFORMATION CONTACT: Jeffery Goldthorp, (202) 418–1096 (voice), (202) 418–2989 (TTY), or email: *Jeffery.Goldthorp@fcc.gov.*

SUPPLEMENTARY INFORMATION: Increasing innovation and rapid advances in technology have accelerated changes in the ways that telecommunications services are provided to, and accessed by, users of communications services. The Federal Communications Commission must remain abreast of new developments in technologies and related communications to fulfill its responsibilities under the Communications Act. At this third meeting under the Council's new charter, the Council will consider ways that emerging technologies can improve communications resiliency. The Federal Communications Commission will attempt to accommodate as many persons as possible. Admittance,