

the processing of complaint log summaries, states and interstate TRS providers are encouraged to submit an additional copy to Attn: Dana Jackson, Federal Communications Commission, Consumer & Governmental Affairs Bureau, 445 12th Street, SW., Washington, DC 20554 or by e-mail at Dana.Jackson@fcc.gov. States and interstate TRS providers should also submit electronic disk copies of their complaint log summaries on a standard 3.5 inch diskette formatted in an IBM compatible format using Word 97 or compatible software. The diskette should be submitted in "read-only" mode and must be clearly labeled with the State or interstate TRS provider name, the filing date and captioned "Complaint Log Summary."

Filings can be sent by hand or messenger delivery, by electronic media, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings or electronic media for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial and electronic media sent by overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Room TW-B204, Washington, DC 20554.

The full text of this document and copies of any subsequently filed documents in this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. This document and copies of subsequently filed documents in this matters may also be purchased from the Commission's duplicating contract, BCPI, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. Customers may contact BCPI,

Inc. at their Web site www.bcpiweb.com or call 1-800-378-3160.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This *Public Notice* can also be downloaded in Word or Portable Document Format (PDF) at: <http://www.fcc.gov/cgb/dro>.

Synopsis

State TRS programs should report all complaints made to the state agency, as well as those made to the state's TRS provider. TRS providers that provide interstate TRS, interstate STS, interstate Spanish relay, interstate captioned telephone relay, VRS, and IP Relay are required to submit complaint log summaries. These logs are intended to provide an early warning system to the Commission of possible service quality problems. Additionally, this information allows the Commission to determine whether a state or interstate TRS provider has appropriately addressed consumer complaints and to spot national trends that may lend themselves to coordinated solutions. This information further enables states to learn how other states are resolving complaints. We note that according to the data presented in the state complaint log summary submissions for 2004, approximately sixteen hundred complaints were reported that alleged a violation of one or more of the Commission's mandatory minimum standards for TRS. Over seventy-seven percent of all complaints alleged violations of the operational mandatory minimum standards and stemmed from the interaction between the calling party and the communications assistant (CA). We therefore remind TRS providers and state administrators that their CAs must, among other things, be knowledgeable of TRS procedures, follow customer's instructions, and continue to keep callers informed about the progress of their call.

Federal Communications Commission.

Jay Keithley,

Deputy Chief, Consumer & Governmental Affairs Bureau.

[FR Doc. 05-13573 Filed 7-12-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[DA 05-1730]

Notice of Debarment

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Enforcement Bureau ("Bureau") debars Mr. Haider Bokhari 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. Haider Bokhari receives the debarment letter or July 13, 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. Bokhari from the schools and libraries universal service support mechanism for a period of three years pursuant to 47 CFR part 521 and 47 CFR 0.111(a)(14). The Commission previously suspended Mr. Bokhari from the schools and libraries universal service support mechanism, pending debarment proceedings. See 70 FR 11972, March 10, 2005. Attached is the debarment letter, Notice of Debarment, DA 05-1730, which was mailed to Mr. Bokhari and released on June 23, 2005, that in turn attached the suspension letter, *Notice of Suspension and of Proposed Debarment*, DA 05-421. 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 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 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 follows:
June 23, 2005.

Via Certified Mail, Return Receipt Requested

Mr. Haider Bokhari (a/k/a Syed Haider Ali Bokhari), c/o Patrick C. Brennan, Esquire, Brennan & Ramirez LLP, 324 E Wisconsin Ave-Suite 1010, Milwaukee, WI 53202-4309

Re: Notice of Debarment, File No. EB-05-IH-0107

Dear Mr. Haider Bokhari: Pursuant to section 54.521 of the rules of the Federal Communications Commission (the "Commission"), by this Notice of Debarment you are hereby debarred from the schools and libraries universal service support mechanism (or "E-Rate program") for a period of three years.¹

On February 16, 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 March 10, 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 January 28, 2005, you were convicted of mail fraud and money laundering offenses involving your participation in the E-Rate program. In connection with the mail fraud, you admitted to conspiring and carrying out, with co-conspirators, the following acts: (1) Illegally inducing certain schools to select your consulting company as their E-Rate service provider by promising school officials that their schools would not have to pay the undiscounted share of their costs under the E-Rate program; (2) taking over those schools' role in completing and submitting E-Rate applications, and causing those schools to enter into unnecessary large contracts for

infrastructure enhancements; (3) submitting materially false and fraudulent invoices and other documents to the program claiming that the schools have been billed for their undiscounted share and that E-Rate goods and services have been provided; and (4) receiving payment from the E-Rate program for goods and services not rendered.⁶ In connection with the money laundering offense, you admitted to conspiring and carrying out, with co-conspirators, an unlawful scheme to transfer the fraudulently obtained E-Rate payments from the United States to Pakistan through the unknowing services of other individuals designed, in whole or in part, to conceal and disguise the nature, location, source, ownership, and control of these monies.⁷ 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.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: Carla Stern, Esq., Assistant United States Attorney, U.S. Department of Justice (E-mail), Kristy Carroll, Esq., USAC (E-mail)
February 16, 2005.

Via Certified Mail, Return Receipt Requested

Mr. Haider Bokhari, (a/k/a Syed Haider Ali Bokhari), c/o Patrick C. Brennan, Esquire, Brennan & Ramirez LLP, 324 E Wisconsin Ave-Suite 1010, Milwaukee, WI 53202-4309

Re: Notice of Suspension and of Proposed Debarment, File No. EB-05-IH-0107

Dear Mr. Haider Bokhari: The Federal Communications Commission ("FCC" or "Commission") has received notice of your January 28, 2005 conviction for mail fraud in violation of 18 U.S.C. 371 and 1341, and for money laundering in violation of the 18 U.S.C. 1956(a) and (h).¹ Consequently,

⁶ See Notice of Suspension, 20 FCC Rcd at 3600-01.

⁷ *Id.* at 3601.

⁸ *Id.* at 3601; 47 CFR 54.521(c).

⁹ Notice of Suspension, 20 FCC Rcd at 3601.

¹⁰ See 47 CFR 54.521(a)(1), 54.521(a)(5), 54.521(d); Notice of Suspension, 20 FCC Rcd at 3602.

¹ *United States v. Bokhari et al*, Case No. 04-CR-0056-RTR, Superceding Indictment (E.D.WI filed September 24, 2004 and entered October 4, 2004) ("Bokhari Superceding Indictment"); *United States v. Haider Bokhari*, Case No. 04-CR-0056-RTR, Judgment (E.D.WI filed January 28, 2005 and entered February 3, 2005).

pursuant to 47 CFR 54.521, this letter constitutes official notice of your suspension from the schools and libraries universal service support mechanism ("E-Rate program"). In addition, the Enforcement Bureau ("Bureau") hereby notifies you that we are commencing debarment proceedings against you.²

I. Notice of Suspension

Pursuant to section 54.521(a)(4) of the Commission's rules,³ 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.⁴ Your suspension becomes effective upon the earlier of your receipt of this letter or publication of notice in the **Federal Register**.⁵

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 it receives this letter or after notice is published in the **Federal Register**, whichever comes first.⁶ Such requests, however, will not ordinarily be granted.⁷ The Bureau may reverse or limit the scope of suspension only upon a finding of extraordinary circumstances.⁸ Absent extraordinary circumstances, the Bureau will decide any request for reversal or modification of suspension within 90 days of its receipt of such request.⁹

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.¹⁰ Based on

² 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).

³ 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").

⁴ 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).

⁵ Second Report and Order, 18 FCC Rcd at 9226, ¶ 69; 47 CFR 54.521(e)(1).

⁶ Second Report and Order, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.521(e)(4).

⁷ Second Report and Order, 18 FCC Rcd at 9226, ¶ 70.

⁸ 47 CFR 54.521(e)(5).

⁹ See Second Report and Order, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.521(e)(5), 54.521(f).

¹⁰ Second Report and Order, 18 FCC Rcd at 9225, ¶ 66. The Commission's debarment rules define a

Continued

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 Haider Bokhari, Notice of Suspension and Proposed Debarment, 20 FCC Rcd 3599 (Inv. & Hearings Div., Enf. Bur. 2005) (Attachment 1).

³ 70 FR 11972 (Mar. 10, 2005).

⁴ See *id.*, 20 FCC Rcd at 3599-3602.

⁵ See 47 CFR 54.521(e)(3) and (4). That date occurred no later than April 9, 2005. See *supra* note 3.

your October 22, 2004 guilty plea, you were convicted, on or about January 28, 2005, of mail fraud and money laundering offenses involving your participation, through a Virginia-based consulting company owned by your brother, Qasim Bokhari, in the E-Rate program with certain schools in Wisconsin and Illinois.¹¹ In connection with the mail fraud offenses, you admitted to conspiring and carrying out, along with Qasim Bokhari and other co-conspirators, the following acts: (1) Illegally inducing certain Wisconsin and Illinois schools to select the consulting company as the schools' E-Rate service provider by promising school officials that their school would not have to pay their undiscounted share of the cost under the E-Rate program; (2) taking over the schools' role in completing and submitting E-Rate applications, and causing those schools to enter into unnecessarily large contracts for infrastructure enhancements under the E-Rate program; (3) submitting materially false and fraudulent invoices and other documents to the E-Rate program claiming that the schools have been billed for their undiscounted share; (4) submitting materially false and fraudulent invoices and other documents to the E-Rate program claiming that certain work had been performed and goods supplied to the schools; and (5) receiving payment from the E-Rate program for goods and services that you fraudulently claimed the consulting company had provided to the schools. In connection with the money laundering offenses, you admitted to conspiring and carrying out, with Qasim Bokhari and other co-conspirators, the unlawful scheme to transfer the fraudulently obtained E-Rate payments from the United States to Pakistan through the unknowing services of other individuals designed, in whole or in part, to conceal and disguise the nature, location, source, ownership, and control of these monies.¹² These actions constitute the conduct or transactions upon which this debarment proceeding is based.¹³ Moreover, your conviction on the basis of these acts falls within the categories of causes for debarment defined in section 54.521(c) of the Commission's rules.¹⁴ Therefore, pursuant to section 54.521(a)(4) of the

"person" as "[a]ny individual, group of individuals, corporation, partnership, association, unit of government or legal entity, however, organized." 47 CFR 54.521(a)(6).

¹¹ See Bokhari Superceding Indictment at 5–13.

¹² See Bokhari Superceding Indictment at 16–19, 21.

¹³ Second Report and Order, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.521(e)(2)(i).

¹⁴ "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).

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**.¹⁵ Absent extraordinary circumstances, the Bureau will debar you.¹⁶ 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.¹⁷ 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**.¹⁸

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.¹⁹ The Bureau may, if necessary to protect the public interest, extend the debarment period.²⁰

Please direct any responses to the following address: Diana Lee, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-C443, 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) 418–0843 or by e-mail at diana.lee@fcc.gov.

Sincerely yours,

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

cc: Carla Stern, Assistant United States Attorney, DOJ (E-mail) Kristy Carroll, Esq., USAC (E-mail).

[FR Doc. 05–13750 Filed 7–12–05; 8:45 am]

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¹⁵ See Second Report and Order, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.521(e)(2)(i), 54.521(e)(3).

¹⁶ Second Report and Order, 18 FCC Rcd at 9227, ¶ 74.

¹⁷ See *id.*, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.521(e)(5).

¹⁸ *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).

¹⁹ Second Report and Order, 18 FCC Rcd at 9225, ¶ 67; 47 CFR 54.521(d), 54.521(g).

²⁰ *Id.*

FEDERAL COMMUNICATIONS COMMISSION

[DA 05–1728]

Notice of Debarment

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Enforcement Bureau ("Bureau") debars Mr. Qasim Bokhari (a/k/a Syed Qasim Ali Bokhari, a/k/a Kasim Bokhari 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. Bokhari receives the debarment letter or July 13, 2005, 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 e-mail at diana.lee@fcc.gov.

SUPPLEMENTARY INFORMATION: The Bureau has debarred Mr. Bokhari 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. Bokhari from the schools and libraries universal service support mechanism, pending debarment proceedings. See 70 FR 9647, February 28, 2005. Attached is the debarment letter, Notice of Debarment, DA 05–1728, which was mailed to Mr. Bokhari and released on June 23, 2005, that in tern attached the suspension letter, Notice of Suspension and of Proposed Debarment, DA 05–422. 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.bcpweb.com>.