

In order to increase the accessibility to Board meetings, persons requiring assistance should make arrangements in advance. The matters to be considered at the meeting are:

#### Open Session

##### A. Approval of Minutes

- January 10, 2008.

##### B. Business Reports

- FCSIC Financial Report.
- Report on Insured Obligations.
- Quarterly Report on Annual Performance Plan.

##### C. New Business

- Presentation of 2007 Audit Results.

#### Closed Session

- FCSIC Report on System Performance.
- Executive Session of the FCSIC Board Audit Committee with the External Auditor.

Dated: March 4, 2008.

**Roland E. Smith,**

*Secretary, Farm Credit System Insurance, Corporation Board.*

[FR Doc. E8-4695 Filed 3-7-08; 8:45 am]

BILLING CODE 6710-01-P

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2853]

### Petitions for Reconsideration of Action in Rulemaking Proceeding

March 4, 2008.

Petitions for Reconsideration have been filed in the Commission's Rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of these documents is available for viewing and copying in Room CY-B402, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-800-378-3160). Oppositions to these petitions must be filed by March 25, 2008. See section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to oppositions must be filed within 10 days after the time for filing oppositions have expired.

*Subject:* In the Matter of Creation of a Low Power Radio Service (MM Docket 99-25).

*Number of Petitions Filed:* 5.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E8-4622 Filed 3-7-08; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

[[DA 08-300]

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

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Enforcement Bureau (the "Bureau") gives notice of Mr. Thomas J. Kennedy III'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. Kennedy, 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 Diana Lee, 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 April 9, 2008. However, an opposition request by the party to be suspended must be received 30 days from the receipt of the suspension letter or April 9, 2008, 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.

#### 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 has suspension and debarment authority pursuant to 47 CFR 54.8 and 47 CFR 0.111. 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 08-300, which was mailed to Mr. Kennedy and released on February

6, 2008. 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 <http://www.bcpweb.com>.

Federal Communications Commission.

**Trent B. Harkrader,**

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

The attached is the Suspension and Initiation of Debarment Letter to Thomas J. Kennedy III.

February 6, 2008.

**DA 08-300**

*VIA Certified Mail*

Return Receipt Requested and Facsimile (203-977-7301)

Mr. Thomas J. Kennedy III, c/o Stanley A. Twardy, Jr., Day Pitney LLP, One Canterbury Green, Stamford, CT 06901-2047, E-mail: [satwardy@daypitney.com](mailto:satwardy@daypitney.com)

Re: Notice of Suspension and Initiation of Debarment Proceedings, File No. EB-08-IH-0285

Dear Mr. Kennedy: The Federal Communications Commission ("FCC" or "Commission") has received notice of your conviction for mail fraud in violation of 18 U.S.C. 1341 in connection with your participation in the 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. In addition, the Enforcement Bureau ("Bureau") hereby notifies you that we are commencing debarment proceedings against you.<sup>2</sup>

<sup>1</sup> Any further reference in this letter to "your conviction" refers to your February 13, 2007 guilty plea and subsequent conviction of mail fraud. *United States v. Thomas J. Kennedy III*, Criminal Docket No. 3:07-CR-186 (RNC), Plea Agreement (D. Conn. filed Aug. 24, 2007 and entered Aug. 27, 2007) ("Kennedy Plea Agreement"), Judgment (D. Conn. filed and entered Jan. 24, 2008) ("Kennedy Judgment").

<sup>2</sup> 47 CFR 54.8; 47 CFR 0.111 (delegating to the Enforcement Bureau authority to resolve universal

Continued

## 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 schools and libraries support mechanism” from receiving the benefits associated with that program.<sup>3</sup> You pled guilty to mail fraud for activities in connection with your participation in the E-Rate program involving telecommunications upgrade projects in four Connecticut school districts.<sup>4</sup> While employed as an account manager for a company that had a partnership arrangement with Southwestern Bell Communications (“SBC”), you participated in a scheme to defraud SBC and the E-Rate program.<sup>5</sup> You and three SBC employees, including Richard E. Brown and Keith J. Madeiros, decided that engineers would be hired for E-Rate funded projects and that the cost of these engineering services would be billed at inflated rates first to SBC and later to a SBC subcontractor.<sup>6</sup> SBC paid

service suspension and debarment proceedings). The Commission adopted debarment rules for the schools and libraries universal service support mechanism 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 section 54.521 to suspend and debar parties from the E-rate program). In 2007, the Commission extended the debarment rules to apply to all of the 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; Lifeline and Link Up; Changes to the Board of Directors for the National Exchange Carrier Association, Inc., Report and Order*, 22 FCC Rcd 16372, 16410–12 (2007) (*Program Management Order*) (renumbering section 54.521 of the universal service debarment rules as section 54.8 and amending subsections (a)(1), (5), (c), (d), (e)(2)(i), (3), (e)(4), and (g)).

<sup>3</sup> See *Second Report and Order*, 18 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>4</sup> See *Kennedy Plea Agreement* at 1; *United States v. Thomas J. Kennedy III*, Criminal Docket No. 3:07–CR–186 (RNC), Information, paras. 7–28 (D. Conn. filed Aug. 24, 2007 and entered Aug. 27, 2007) (“*Kennedy Information*”); <http://www.usdoj.gov/usao/ct/Press2008/20080123-5.html> (last accessed Jan. 25, 2008) (“*DOJ January 23, 2008 Press Release*”).

<sup>5</sup> See *Kennedy Information* at paras. 13–15; *DOJ January 23, 2008 Press Release* at 1.

<sup>6</sup> See *Kennedy Information* at paras. 15–28; *DOJ January 23, 2008 Press Release* at 1. The Bureau has debarred Richard E. Brown from the E-Rate program. See Letter from Hillary S. DeNigro to Richard E. Brown, Notice of Debarment, 22 FCC Rcd 20569 (Enf. Bur., Investigations & Hearings Div., rel. Nov. 27, 2007); 72 FR 73821 (Dec. 28, 2007). The Bureau has suspended Keith J. Madeiros from the E-Rate program and initiated debarment proceedings against him. See Letter from Hillary S.

the invoices and then submitted those invoices to USAC seeking excessive reimbursement from the E-rate funds.<sup>7</sup> The invoices were inflated by more than \$500,000.<sup>8</sup> You admitted that payments for the inflated amount were split primarily among you, Mr. Brown, and Mr. Madeiros and that you received \$249,525.<sup>9</sup>

Pursuant to section 54.8(a)(4) of the Commission’s rules,<sup>10</sup> 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.<sup>11</sup> Your suspension becomes effective upon the earlier of your receipt of this letter or publication of notice in the **Federal Register**.<sup>12</sup>

Suspension is immediate pending the Bureau’s final debarment determination. In accordance with the Commission’s debarment rules, 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.<sup>13</sup> Such requests, however, will not ordinarily be granted.<sup>14</sup> The Bureau may reverse or limit the scope of suspension only upon a finding of extraordinary circumstances.<sup>15</sup> Absent extraordinary circumstances, the Bureau will decide any request for reversal or modification of suspension within 90 days of its receipt of such request.<sup>16</sup>

## II. Initiation of Debarment Proceedings

Your guilty plea to and conviction of criminal conduct in connection with the E-Rate program, in addition to serving as a basis for immediate suspension

from the program, also serves as a basis for the initiation of debarment proceedings against you. Your conviction falls within the categories of causes for debarment defined in section 54.8(c) of the Commission’s rules.<sup>17</sup> Therefore, pursuant to section 54.8(a)(4) of the Commission’s rules, your conviction requires the Bureau to commence debarment proceedings against you.

As with your suspension, 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**.<sup>18</sup> Absent extraordinary circumstances, the Bureau will debar you.<sup>19</sup> 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.<sup>20</sup> 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**.<sup>21</sup>

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 three years from the date of debarment.<sup>22</sup> The Bureau may, if necessary to protect the public interest, extend the debarment period.<sup>23</sup>

Please direct any response, if by messenger or hand delivery, to Marlene

<sup>17</sup> “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, the high-cost support mechanism, the rural healthcare support mechanism, and the low-income support mechanism.” 47 CFR 54.8(c). Such 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.” 47 CFR 54.8(a)(1).

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

<sup>19</sup> *Second Report and Order*, 18 FCC Rcd at 9227, para 74.

<sup>20</sup> See *id.*, 18 FCC Rcd at 9226, para 70; 47 CFR 54.8(e)(5).

<sup>21</sup> *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 54.8(f).

<sup>22</sup> *Second Report and Order*, 18 FCC Rcd at 9225, para 67; 47 CFR 54.8(d), 54.8(g).

<sup>23</sup> *Id.*

DeNigro to Keith J. Madeiros, Notice of Suspension and Initiation of Debarment Proceedings, DA 08–129 (Enf. Bur., Investigations & Hearings Div., rel. Jan. 18, 2008).

<sup>7</sup> See *Kennedy Information* at paras. 21, 26; *DOJ January 23, 2008 Press Release* at 1.

<sup>8</sup> See *id.*

<sup>9</sup> See *id.*

<sup>10</sup> 47 CFR 54.8(a)(4). See *Second Report and Order*, 18 FCC Rcd at 9225–9227, paras. 67–74.

<sup>11</sup> 47 CFR 54.8(a)(1), (d).

<sup>12</sup> *Second Report and Order*, 18 FCC Rcd at 9226, para. 69; 47 CFR 54.8(e)(1).

<sup>13</sup> 47 CFR 54.8(e)(4).

<sup>14</sup> *Id.*

<sup>15</sup> 47 CFR 54.8(e)(5).

<sup>16</sup> See *Second Report and Order*, 18 FCC Rcd at 9226, para 70; 47 CFR 54.8(e)(5), 54.8(f).

H. Dortch, Secretary, Federal Communications Commission, 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002, to the attention of Diana Lee, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, with a copy to Vickie Robinson, Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, Federal Communications Commission. If sent by commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail), the response should be sent to the Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, Maryland 20743. If sent by first-class, Express, or Priority mail, the response should be sent to Diana Lee, 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 Vickie Robinson, Assistant 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 the response via e-mail to [diana.lee@fcc.gov](mailto:diana.lee@fcc.gov) and to [vickie.robinson@fcc.gov](mailto:vickie.robinson@fcc.gov).

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](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).

**Trent B. Harkrader,**  
Deputy Chief, Investigations and Hearings Division, Enforcement Bureau.

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

[FR Doc. E8-4588 Filed 3-7-08; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank

holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than March 25, 2008.

**A. Federal Reserve Bank of St. Louis**  
(Glenda Wilson, Community Affairs Officer) 411 Locust Street, St. Louis, Missouri 63166-2034:

1. *Loreen N. Spragg*, Rogersville, Missouri, individually and as successor trustee of the Revocable Trust of Robert M. Spragg; to retain voting shares of Citizens National Bancorp, Inc., and thereby indirectly retain voting shares of Citizens National Bank of Springfield, both of Springfield, Missouri.

Board of Governors of the Federal Reserve System, March 5, 2008.

**Robert deV. Frierson,**  
Deputy Secretary of the Board.

[FR Doc. E8-4620 Filed 3-7-08; 8:45 am]

BILLING CODE 6210-01-S

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act

(12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 4, 2008.

**A. Federal Reserve Bank of Atlanta**  
(David Tatum, Vice President) 1000 Peachtree Street, N.E., Atlanta, Georgia 30309:

1. *North Alabama Bancshares, Inc.*; to become a bank holding company by acquiring 100 percent of the voting shares of North Alabama Bank, both of Hazel Green, Alabama.

**B. Federal Reserve Bank of St. Louis**  
(Glenda Wilson, Community Affairs Officer) 411 Locust Street, St. Louis, Missouri 63166-2034:

1. *First Community Bancshares, Inc.*, Batesville, Arkansas; to acquire 100 percent of the voting shares of Goodman State Bank, Goodman, Missouri.

**C. Federal Reserve Bank of Dallas**  
(W. Arthur Tribble, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *Commerce Financial Corporation*, Corpus Christi, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of Security State Bancshares, Inc., and thereby indirectly acquire voting shares of Security State Bank, both of Stockdale, Texas.

2. *Red River Bancorp, Inc.*, Gainesville, Texas; to merge with Saint Jo Bancshares, Inc., and thereby indirectly acquire voting shares of First National Bank of Saint Jo, both of Saint Jo, Texas, and First Financial Company of Saint Jo, Dover, Delaware.

Board of Governors of the Federal Reserve System, March 5, 2008.

**Robert deV. Frierson,**  
Deputy Secretary of the Board.

[FR Doc. E8-4619 Filed 3-7-08; 8:45 am]

BILLING CODE 6210-01-S

## FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

### Sunshine Act; Notice of Meeting

**TIME AND DATE:** 9 a.m. (Eastern Time), March 17, 2008.

**PLACE:** 4th Floor Conference Room, 1250 H Street, NW., Washington, DC 20005.

**STATUS:** Parts will be open to the public and parts closed to the public.