

**Title:** Hearing Aid Compatibility Status Report and Section 20.19, Hearing Aid-Compatible Mobile Handsets (Hearing Aid Compatibility Act).

**Form Number:** FCC Form 655.

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

**Respondents:** Business or other for-profit entities.

**Number of Respondents:** 925 respondents; 925 responses.

**Estimated Time per Response:** 13.041081 hours per response (average).

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

**Obligation to Respond:** Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. Sections 151, 154(i), 157, 160, 201, 202, 214, 301, 303, 308, 309(j), 310 and 610 of the Communications Act of 1934, as amended.

**Total Annual Burden:** 12,063 hours.

**Total Annual Cost:** N/A.

**Privacy Impact Assessment:** N/A.

**Nature and Extent of Confidentiality:** Information requested in the reports may include confidential information. However, covered entities are allowed to request that such materials submitted to the Commission be withheld from public inspection.

**Needs and Uses:** The Commission will submit this information collection to the Office of Management and Budget (OMB) as a revision after this comment period to obtain the three year clearance from them.

The Commission is modifying the FCC Form 655 to collect information that is relevant to the newly effective provision of the rule and to clarify and streamline existing fields. Specifically, manufacturers and service providers will be asked to provide new or different responses on the FCC Form 655 in the following areas:

(1) The FCC Form 655 currently collects information on which version of the ANSI standard was used to test the handsets offered during a reporting period. The 2011 ANSI standard will be added as an option on the Handset Model Information portion of FCC Form 655. In addition, the order of the questions has been changed so that manufacturers will only have to specify once what version of the ANSI standard was used for each handset.

(2) The *de minimis* exception section will be expanded by adding questions necessary to determine whether a filer is eligible under the new version of the exception that becomes effective on September 8, 2012. These questions will address whether a filer is a small entity

and how long it has been offering handsets. In addition, the text of the existing question will be modified to make clear that manufacturers must report all handsets that they offer in the United States.

(3) The Air Interfaces and Frequency Bands fields on the Handset Model Information portion of FCC Form 655 will be expanded to add "LTE", "Wi-Fi", "WiMax", "2.4 GHz", and "2.5 GHz". In addition, the question whether the handset operates over additional air interfaces and frequency bands will be eliminated as no longer necessary.

(4) A new question will be added to the Handset Model Information portion of FCC Form 655 asking whether the handset meets the criteria for a M3 rating for operations over GSM at 1900 MHz by enabling the user optionally to reduce the maximum power at which the handset will operate by no more than 2.5 decibels, except for emergency calls to 911. This information will help the Commission ensure that such handsets are counted correctly, as well as to monitor compliance with related disclosure requirements.

(5) In order to determine whether a filer is fully in compliance with the disclosure requirements, the Product Labeling portion of FCC Form 655 will be expanded. New questions will be added to determine whether appropriate disclosure/labeling was met for any handsets that let the consumer reduce maximum transmit power for GSM operations in the 1900 MHz band by up to 2.5 decibels, any handsets that a manufacturer may have tested under the 2011 version of the ANSI standard and found not to meet hearing aid compatibility criteria for those operations, and any handsets that were certified for inductive coupling under the 2011 ANSI standard without testing VoLTE transmissions.

Federal Communications Commission.

**Bulah P. Wheeler,**

*Deputy Manager, Office of the Secretary, Office of Managing Director.*

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**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[DA 12-1171]

### Notice of Debarment

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Enforcement Bureau (the "Bureau") debar Ms. Gloria F. Harper

from the schools and libraries universal service support mechanism (or "E-Rate Program") for a period of three years. The Bureau takes this action to protect the E-Rate Program from waste, fraud, and abuse.

**DATES:** Debarment commences on the date Ms. Gloria F. Harper receives the debarment letter or August 29, 2012, whichever date comes first, for a period of three years.

**FOR FURTHER INFORMATION CONTACT:** Joy M. Ragsdale, Attorney Advisor, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-C330, 445 12th Street SW., Washington, DC 20554. Joy Ragsdale may be contacted by telephone at (202) 418-1697 or by email at [Joy.Ragsdale@fcc.gov](mailto:Joy.Ragsdale@fcc.gov). If Ms. Ragsdale is unavailable, you may contact Ms. Theresa Cavanaugh, Chief, Investigations and Hearings Division, by telephone at (202) 418-1420 and by email at [Theresa.Cavanaugh@fcc.gov](mailto:Theresa.Cavanaugh@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Bureau debarred Ms. Gloria F. Harper from the schools and libraries service support mechanism for a period of three years pursuant to 47 CFR 54.8. Attached is the debarment letter, DA 12-1171, which was mailed to Ms. Harper and released on July 20, 2012. 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 email <http://www.bcpweb.com>.

Federal Communications Commission.

**Theresa Z. Cavanaugh,**

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

July 20, 2012

DA 12-1171

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED AND EMAIL

Ms. Gloria F. Harper, c/o Ms. Cynthia Marie Cimino, Federal Public Defender, Hale Boggs Federal Building, 500 Poydras Street, Room 318, New Orleans, LA 70130.

Re: Notice of Debarment, File No. EB-12-IH-0400

Dear Ms. Harper: The Federal Communications Commission (Commission)

hereby notifies you that, pursuant to § 54.8 of its rules, you are prohibited from participating in 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).<sup>1</sup>

On March 22, 2012, the Commission's Enforcement Bureau (Bureau) sent you a Notice of Suspension and Initiation of Debarment Proceeding (Notice of Suspension)<sup>2</sup> that was published in the **Federal Register** on April 23, 2012.<sup>3</sup> 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 June 2011 you pled guilty to conspiring with others to fraudulently obtain \$4.5

million in E-Rate contracts through your companies, Computer Training and Associates and Global Networking Technologies.<sup>4</sup> In addition, you admitted to bribing school officials in exchange for control of the E-Rate application and competitive bidding process.<sup>5</sup> Your fraudulent scheme adversely affected 20 schools and school districts located throughout six states.<sup>6</sup> Pursuant to § 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.<sup>7</sup>

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.<sup>8</sup> The Commission did not receive any such opposition.

For the foregoing reasons, you are debarred from participating in the E-Rate program for three years from the Debarment Date.<sup>9</sup> During this 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.<sup>10</sup>

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)  
Juan Rodriguez, Antitrust Division, United  
States Department of Justice (via email)  
Stephanie Toussaint, Antitrust Division,  
United States Department of Justice (via  
email)

## APPENDIX

Schools and School Districts <sup>11</sup>	City and State
All Saints School .....	New Orleans, LA.
St. Augustine High School .....	New Orleans, LA.
St. David School .....	New Orleans, LA.
St. Monica School .....	New Orleans, LA.
Gould Public School District .....	Gould, AR.
Holly Grove Public School District .....	Holly Grove, AR.
Antioch Center—St. Stephen's Lutheran Church .....	Antioch, IL.
Fairfield Center .....	Round Lake Beach, IL.
Ingleside Center—Ingleside United Methodist Church .....	Ingleside, IL.
St. Mary's Center—Libertyville Covenant Church .....	Libertyville, IL.
Waukegan Center .....	Waukegan, IL.
Zion Center—Zion Benton High School .....	Zion, IL.
Niles Terrace Center .....	Waukegan IL.
Wilmer—Hutchins Independent School District .....	Dallas, TX.
Innovation Child Development Center .....	Tallahassee, FL.
Innovation School of Excellence .....	Tallahassee, FL.
Capital City School (also known as Covenant Academy Preparatory School) .....	Tallahassee, FL.
Whole Word Christian Academy .....	Miami, FL.
Twin Buttes Elementary School .....	Halliday, ND.
White Shield School .....	Roseglén, ND.

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BILLING CODE 6712-01-P

<sup>1</sup> 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).

<sup>2</sup> Letter from Theresa Z. Cavanaugh, Acting Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, to Ms. Gloria F. Harper, Notice of Suspension and

Initiation of Debarment Proceeding, 27 FCC Rcd 2888 (Enf. Bur. 2012) (Attachment 1).

<sup>3</sup> 77 Fed Reg 24202 (Apr. 23, 2012).

<sup>4</sup> *United States v. Gloria F. Harper*, Criminal Docket No. 2:10-cr-00326-CJB-ALC, Plea Agreement at 3-5 (E.D. La. entered June 6, 2011).

<sup>5</sup> *Id.* at 4.

<sup>6</sup> *Id.* at 5. *See* Appendix.

<sup>7</sup> 47 CFR 54.8(c).

<sup>8</sup> 47 CFR 54.8(e)(3), (4). Any opposition had to be filed no later than April 21, 2012.

<sup>9</sup> *Id.* 54.8(e)(5), (g).

<sup>10</sup> *Id.* 54.8(a)(1), (5), (d).

<sup>11</sup> *United States v. Gloria F. Harper*, Criminal Docket No. 2:10-cr-00326-CJB-ALC, Factual Basis at 2-3.