



**Federal Communications Commission
Enforcement Bureau
Investigations and Hearings Division
445 12th Street, SW, Suite 4-C330
Washington, D.C. 20554**

September 24, 2007

DA 07-4015

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

Mr. Scott A. Federowicz
c/o Paul H.D. Stoughton
Conway & Stoughton, LLP
818 Farmington Ave.
West Hartford, CT 06119

Re: Notice of Debarment, File No. EB-07-IH-5171

Dear Mr. Federowicz:

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.¹

On June 27, 2007, the Enforcement Bureau (the "Bureau") sent you a Notice of Suspension and Initiation of Debarment Proceedings (the "Notice of Suspension").² That Notice of Suspension was published in the Federal Register on July 18, 2007.³ 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.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

¹ See 47 C.F.R. §§ 0.111(a)(14), 54.521.

² 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 11569 (Inv. & Hearings Div., Enf. Bur. 2007) (Attachment 1).

³ 72 Fed. Reg. 39425 (Jul. 18, 2007).

⁴ See Notice of Suspension, 22 FCC Rcd at 11571.

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 May 9, 2007, you were convicted based on your guilty plea to a felony information charging you with mail fraud, in violation of 18 U.S.C. § 1341.⁶ You pled guilty to approving approximately \$452,203 of fictitious expenses for non-existent E-Rate work that ultimately were submitted to the Universal Service Administrative Company for reimbursement from the E-Rate funds.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,

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)

⁵ See 47 C.F.R. § 54.521(e)(3) and (4). That date occurred no later than August 17, 2007. See *supra* note 3.

⁶ Notice of Suspension, 22 FCC Rcd at 11570.

⁷ Notice of Suspension, 22 FCC Rcd at 11570.

⁸ *Id.* at 11571; 47 C.F.R. § 54.521(c).

⁹ See Notice of Suspension, 22 FCC Rcd at 11571.

¹⁰ See 47 C.F.R. §§ 54.521(a)(1), 54.521(a)(5), 54.521(d); Notice of Suspension, 22 FCC Rcd at 11571.