



Enforcement Bureau
Investigations and Hearings
Division

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, DC 20554

March 15, 2012

DA 12-409

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

Dr. Dennis L. Bruno
c/o Mr. Arthur T. McQuillan
McQuillan Law Offices
206 Main Street
Johnstown, PA 15901

**Re: Notice of Debarment
File No. EB-11-IH-1582**

Dear Dr. Bruno:

The Federal Communications Commission (Commission) hereby notifies you that, pursuant to Section 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).¹

On November 18, 2011, the Commission's Enforcement Bureau (Bureau) sent you a Notice of Suspension and Initiation of Debarment Proceeding (Notice of Suspension)² that was published in the Federal Register on November 30, 2011.³ The Notice of Suspension suspended you from participating in activities associated with or relating to the E-Rate program and 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, on May 9, 2011, you pled guilty to intentionally misappropriating approximately \$49,600 in federal education funds from the

¹ 47 C.F.R. § 54.8(g). *See also* 47 C.F.R. § 0.111 (delegating authority to the Enforcement Bureau to resolve universal service suspension and debarment proceedings).

² Letter from Theresa Z. Cavanaugh, Acting Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, to Dr. Dennis L. Bruno, Notice of Suspension and Initiation of Debarment Proceeding, 26 FCC Red 16006 (Enf. Bur. 2011) (Attachment 1).

³ 76 Fed. Reg. 74058 (Nov. 30, 2011).

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Department of Education's Fund for the Improvement of Education program in your capacity as Superintendent of the Glendale School District.⁴ Additionally, you admitted and stipulated in a plea agreement that you had conspired with others to fraudulently obtain \$414,421.92 from the E-Rate program.⁵ Pursuant to Section 54.8(c) of the Commission's rules, your conviction of criminal conduct in connection with the E-Rate program is the basis for your debarment.⁶

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.⁷ 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.⁸ During this debarment 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.⁹

Sincerely,

Theresa Z. Cavanaugh
Acting Chief
Investigations and Hearings Division
Enforcement Bureau

cc: Johnnay Schrieber, Universal Service Administrative Company (via e-mail)
Rashann Duvall, Universal Service Administrative Company (via e-mail)
Stephanie L. Haines, United States Attorney's Office, Western Pennsylvania (via e-mail)

⁴ *United States v. Dennis L. Bruno*, Criminal Docket No. 11-15 J, Arraignment Plea; UNITED STATES ATTORNEY'S OFFICE, WESTERN DISTRICT OF PENNSYLVANIA, News, Former Superintendent Pleads Guilty to Federal Program Theft, May 9, 2011, at http://www.justice.gov/usao/paw/news/2011/2011_may/2011_05_09_05.html (Press Release).

⁵ Press Release at 1.

⁶ 47 C.F.R. § 54.8(c).

⁷ 47 C.F.R. §§ 54.8 (e)(3), (4). Any opposition had to be filed no later than December 30, 2011.

⁸ *Id.* §§ 54.8(e)(5), (g).

⁹ *Id.* §§ 54.8(a)(1), (5), (d).