

In the Matter of  
GOVERNMENTWIDE DEBARMENT  
FROM  
FEDERAL NONPROCUREMENT TRANSACTIONS  
RIMONA FRIEDBERG  
Docket No. 94-42-DA

**DECISION**

This **DECISION** is issued by the United States Department of Education (Department) pursuant to 34 C.F.R. § 85.314. I have jurisdiction to act in this matter by virtue of a Delegation of Authority from the Secretary to me to act as the Department's Designated Deciding Debarment and Suspension Official. The regulations, 34 C.F.R. Part 85, and the Nonprocurement Debarment and Suspension Procedures mailed to Rimona Friedberg govern this debarment.

On January 27, 1994, Rimona Friedberg, of Villanova, Pennsylvania, was issued a "Notice of Proposed Governmentwide Debarment from Federal Nonprocurement Transactions" pursuant to 34 C.F.R. § 85.312. The notice informed her that the proposed debarment was based upon her conviction by the United States District Court for the Eastern District of Pennsylvania of two income tax offenses of filing false personal and corporate income tax returns, in violation of 26 U.S.C. §§ 7201, 7206(2) and 18 U.S.C. § 1001 and 2. She was also informed that she had the right to submit information and argument in opposition to the proposed debarment.

On February 24, 1994, Mr. Richard Friedberg, Rimona Friedberg's husband, submitted a letter, with attachments, in which he argued, in effect, that debarment against him and Rimona Friedberg should be denied because they are no longer involved in the Title IV Program.

On March 9, 1994, Counsel for the Notice Official submitted a Response in which she stated that the "voluntary suspension" of Mr. and Mrs. Friedberg is insufficient to fully protect the federal interest, and it does not act to mitigate the seriousness of the offenses of which they were convicted.

First, I find that there is no dispute as to material facts. Next, pursuant to 34 C.F.R. § 85.300, I must consider the seriousness of the person's acts or omissions and any mitigating factors in determining whether to debar an individual, recognizing that it is the policy of the Federal Government to conduct business only with responsible persons. In light of the foregoing, I find that debarment is warranted based on Mrs. Friedberg's conviction of offenses directly connected to her trustworthiness to administer the Federal student financial assistance programs and that these offenses directly and adversely relate to whether she is a responsible person for purposes of administering any Federal funds.

Under 34 C.F.R. § 85.320, the period of debarment is to be commensurate with the seriousness of the cause(s) of debarment, generally not to exceed three years. Based on the facts and circumstances herein, I have determined that the period of debarment in this case will be three years.

I order that Rimona Friedberg be DEBARRED from initiating, conducting, or otherwise participating in any covered transaction under the nonprocurement programs and activities of any Federal agency. As a result, she is not eligible to receive Federal financial and nonfinancial assistance or benefits from any Federal agency under nonprocurement programs and activities. Also, she may not act as a principal, as defined in 34 C.F.R. § 85.105(p), on behalf of any person in connection with any covered transaction. This debarment is effective for all covered transactions unless an agency head or authorized designee grants an exception for a particular transaction in accordance with 34 C.F.R. § 85.215.

**SO ORDERED**

ERNEST C. CANELLOS,  
Deciding Debarment and  
Suspension Official

Dated: April 18, 1994