

1 A Until we tried it.

2 Q All right---

3 A Remember that from the point of view of education,
4 it's not a net. It's a net that has to comply with the
5 project in education and you had that at that time there
6 still is valid CIPA, the initials for Children, Internet and
7 Protection Act and we can't furnish and facilitate and access
8 the Internet through our schools without being in compliance
9 with CIPA.

10 Q I understand that.

11 A So that means that for that, we have to set up the
12 profiles and the profiles had to be achieved by the active
13 directory and the active directory requested the servers to
14 be in use as the interface for any user to get into the net.

15 Q I understand that, but the Internet access is live
16 and available at least in most cases right there on the
17 connection of the walls?

18 A That's the information that the suppliers were
19 telling us since the beginning.

20 Q Right.

21 A But that is not what I found when I started the
22 validation and connecting our schools.

23 Q Well, we talked about the validation that you were
24 doing and you had a system there that relied on whether or
25 not the people turned the computer on and etcetera---

1 A But also when they were installing the first day
2 that we started connecting and making the connection, there
3 were schools that in no way didn't connect and DRC called
4 PRTC and PRTC blamed on DRC and that is one of the main
5 reasons I started at that time thinking "I think just one
6 single supplier responding to me."

7 Q According to you, there were some connections that
8 were not operating properly. In most cases the plug at the
9 wall was live and if I had a computer, a properly equipped
10 laptop, I could plug into that line and I could have
11 connected into the Internet.

12 A The one that might have that information is Adonay
13 Ramírez.

14 Q Okay. And for the fourth year, the service that
15 DRC was providing was as an Internet access provider. Is
16 that not right?

17 A For Phase 2.

18 Q For Phase 2, that's right.

19 A Yes.

20 Q So for the fourth year DRC was providing a service
21 which consisted of making sure that that plug in the wall was
22 live and it provided access on indication and Internet
23 services.

24 A Assuming that all those stages that proceeded that
25 were okay, that was supposed to happen.

1 Q In other words, this equipment that you claim that
2 was not operating properly within the schools at some point,
3 that is equipment that had been supplied to the schools in
4 the prior years in years 3 and 2 and 1?

5 A Yes.

6 Q Right.

7 A Some were connected even in the prior years 1, 2
8 and 3.

9 Q Right. But for year 4 what we are talking about is
10 the Internet access and the---

11 A Connectivity.

12 Q And the connectivity. Nothing else?

13 A As far as I remember. I have to check in the
14 contracts.

15 Q That's correct, right?

16 A As far as I remember.

17 Q All right. Now, when you made your reports in
18 October did you recommend that the services that DRC was
19 providing at the time, which we have now identified for that
20 period of time of the fourth year, be canceled?

21 A In October?

22 Q Yes.

23 A No, in October no. In October I was telling both
24 of them that one of the risks if the problem doesn't work is
25 that either one or both of them can be canceled and the

1 project became to a halt and that recommendation was at that
2 time I wanted to bring USAC to the table. I wanted USAC to
3 know what is going on.

4 Q Who is one of both? Who are you talking about?

5 A PRT or DRC. Those were the only ones I had.

6 Q Well PRT was doing the Phase 1, right?

7 A Um-jum.

8 Q And DRC was doing the Phase 2?

9 A Phase 2.

10 Q All right. Now, you made that recommendation in
11 October let's go talk to USAC.

12 A Um-jum.

13 Q Did you hear back from your superiors about your
14 recommendation "yes, let's do or no, we don't want to do it"?

15 A Well, we kept on with the validation and we tried
16 to have more evidence for USAC to show them that the project
17 was recoverable and that they should give me the okay so I
18 had the funds available to keep on with the project. So we
19 double phased with whatever we were doing to make the project
20 workable. That's where I was going to, remember I
21 told you, the phases B1, B2 and at that time I told the
22 suppliers "hey people, connect every single school that you
23 can."

24 I switched for having the whole schools connected.
25 I switched and said "okay, at least 2 computers in the school

1 that can connect I can prove that I have connectivity so I
2 can request for the waiver because the project is going on."
3 The project is moving on.

4 Q Who did you ask for those computers?

5 A Excuse me?

6 Q Who did you ask to give you the computers?

7 MR. A.J. BENNAZAR: Objection. He didn't say he
8 asked anybody to give him computers.

9 MR. CAMILO SALAS: All right.

10 BY MR. CAMILO SALAS:

11 Q You wanted to connect the schools and have at least
12 2 computers in each school?

13 A At least 2 computers and any computer in the
14 school.

15 Q All right.

16 A At that time I remember that I said that even we
17 might have to explore the possibility of using computers with
18 Windows 98.

19 Q Now, let me go back to my original questions first
20 and then we talk about what you were just talking.

21 A Um-jum.

22 Q First of all when you made your recommendation in
23 October to your superiors, did they come back to you and said
24 to you "yes, let's go talk to USAC or no, we don't want to
25 talk to USAC" or some other version?

1 A No. What I best remember is that they didn't
2 object to call USAC and give the whole information.

3 Q So you got the okay to go to USAC?

4 A No, but the impression I had is that they didn't
5 oppose to that but they wanted me to have all the information
6 and to try to have the project in the best shape so USAC can
7 come here and even visit the schools.

8 Q You wanted to go to USAC and say "look, we have
9 some problems but we have most of it done."

10 A We are recovering it.

11 Q Most of it is done, it looks good, we might have
12 some problems and we are going to fix it?

13 A We waived badly.

14 Q Huh?

15 A I was planning to ask for a waiver because I didn't
16 want the project to stop.

17 Q At the time you knew that you did not have the
18 computers?

19 A I didn't have all the computers. More than that, I
20 didn't know what I had in the schools.

21 Q All right.

22 A All what I had that I know the most, was the ones
23 that we selected and that at that time I was already working
24 with OGP with the people that we were going to be requesting
25 because I wanted to know what do we have in the schools.

1 I discovered that I didn't have all the resources
2 to visit all the schools in a single swept so I needed
3 resources and technicians from all the agencies of the
4 government to help me with that.

5 At that time, I don't know the exact date but I am
6 sure that we had already talked with Bene Díaz (sic) from OGP
7 to have a taste of how he feels about convoking everybody to
8 do that work.

9 Q But again, at the time you knew that the Department
10 of Education had represented to USAC that the Department of
11 Education had the computers to make this project accessible
12 to the children in the schools when it applied for the funds,
13 right?

14 A Yes. That is one of the presumptions in 470.

15 Q Right. And you knew that whoever signed the 470
16 when in the years '98, '99 and 2000 had represented in there
17 that the computers were available?

18 A Yes, because as far as I remember that 470 came up
19 in the switch of government and the prior applications were
20 done by Dr. Fajardo's staff and then Dr. Rey came into the
21 chair and they took for granted whatever was being received
22 from Dr. Fajardo's administration and they went for that.

23 And even though it was signed in Dr. Rey's
24 administration, the facts and the application was gotten in
25 the previous administration of Dr. Fajardo.

1 Q So you are telling me that Dr. Rey when he was
2 signing that certification that he had 100,000 computers he
3 didn't bother to check and said "where are the computers"?

4 A At that time I think that I was there. But at that
5 time I think that the Court had not decided yet on the famous
6 bidding process that I told you before and that they were
7 still halted and still being considered if the bids went or
8 not.

9 Q And you knew about that, right?

10 A I wasn't there.

11 Q You weren't there?

12 A At that time I was retired at home and I wasn't
13 even considering to go back to business in the Department of
14 Education.

15 Q I understand. Here you are now back in business in
16 October or November of 2001. You want to get the system in
17 shape, talk to USAC to recover the project. What were you
18 going to tell USAC about the computers?

19 A The truth, nothing else.

20 Q What is the truth? Tell me now.

21 A The truth at that time is that I think that who
22 ever filed the...

23 Q The 470.

24 A The 470 was counting on those computers that were
25 not bid or were awarded so whatever computers are going to be

1 there, those computers went out of the game until a new bid
2 can be done and it can be awarded again and in terms of the
3 computers already in the schools, I didn't have the evidence.
4 I didn't have the inventory but I was doing my best to get
5 that inventory using all the resources of the government of
6 Puerto Rico into a swept among all the schools in Puerto Rico
7 to have a real idea of what is going on in there.

8 After that, well I would be in a better position to
9 let them know of all of this we have, this can be used or
10 this cannot be used. At the time I didn't know and also the
11 recommendation I had at that time concerning the new bidding
12 for the new computers was get the best computers you can and
13 try to get the whole lab that doesn't depend on whatever is
14 done. Just a unit that you can plug into a drop and the
15 whole system will work. That is how we were working and
16 other than that, I told you before with the training and
17 doing whatever we had to do.

18 Q Had the Department of Education set aside the money
19 to buy that 100,000 computers at that time?

20 A I had... No, the Department of Education had at
21 that time assigned some money from the "Fideicomiso del Niño"
22 which I don't remember the exact figure but there was some
23 money from that funding to pay for the computers that were
24 going to be bought. For those 3,000 computers and over 500
25 labs, money for them came out of that fund, Fideicomiso del

1 Niño.

2 Q Wasn't there some fight about whether or not the
3 money for the computers should come from the cigarette
4 settlements?

5 A From the what?

6 Q The settlement of the suit against the tobacco
7 companies?

8 A When I arrived to that position, that was a
9 decision already taken.

10 Q What was the decision?

11 A That there was money assigned from that fund to buy
12 computers for the schools.

13 Q From the cigarette settlement fund?

14 A Yes.

15 Q And what happened to that money?

16 A Well, I remember that all the information that was
17 sent to USAC was in terms of the money available for the
18 projects that the Department of Education was informing USAC
19 that were either performed, underperformed or to be performed
20 and one of the parts was stating from where the money would
21 come and that is the document that USAC had.

22 Q The Department of Education represented to USAC
23 that money from the cigarette settlement fund was going to be
24 used to buy the computers for the schools?

25 A From wherever they decided that there was a

1 commitment of the Department of Education to buy such an
2 amount of computers.

3 Q Now, you are in the position now and you are going
4 to buy 3,000 computers. Why did you not get the money from
5 the cigarette settlement fund?

6 A I did.

7 Q To buy the computers?

8 A I did.

9 Q That's where you got the money?

10 A Yes.

11 Q I thought you said you got it from the
12 Children's---

13 A Fideicomiso del Niño. Another name from the same
14 fund.

15 Q That's the fund?

16 A Yes. The name from which I used is the "Fondo de
17 Fideicomiso del Niño."

18 Q Okay. That's the cigarette settlement fund?

19 A Yes.

20 Q And how much money had been set aside from that
21 fund to---

22 A I figure you have to check with the Department of
23 Education because I didn't memorize all those figures. I
24 used it when I needed it. I got the records, I check, but I
25 didn't keep track of that. The information might have it

1 that time the new chair of the office or José Santana which
2 is the Special Aid to the Secretary or maybe Daniel Carmona.

3 Q Now if there had been enough funds set aside for
4 100,000 computers, why did you only buy 3,000 and the
5 portable labs versus buying 100,000 computers so that all the
6 children in all the schools could be fitted with computers as
7 originally intended back in 1998 when this program was just
8 on---

9 A That was a decision taken before I was in the
10 chair.

11 Q The decision to what? To buy the labs?

12 A Yes, to use the labs idea.

13 Q So that decision was made before you arrived. Do
14 you know who made that decision?

15 A No, Sir.

16 Q Have you made---

17 A What I think is that they should be the people that
18 were in charge of the office.

19 Q Now the fact of the matter is that the way this
20 project had been conceived in 1998 did not include portable
21 labs back when it was conceived, right?

22 A No. They say... As far as I know, they were
23 talking about PCs.

24 Q PCs with a drop for each PC and in fact in 1998 DRC
25 provided some 75,000 drops in Phase 1 schools. Did you know

1 that?

2 A Yes.

3 MR. JOHN F. NEVARES: Excuse me, please.

4 OFF THE RECORD

5 After the recess,

6 BY MR. CAMILO SALAS:

7 Q Buy the way, who was the supplier for those
8 portable labs?

9 A Earthwalk.

10 Q What is it?

11 A Earthwalk.

12 Q And they provided all the 100 and then the 400 that
13 were obtained later?

14 A Split bid. They did it more or less half and half.
15 It all depends on the needs of each school.

16 Q Split bid? What do you mean by that?

17 A That each school selects the options according to
18 the needs and the infrastructure the school has available.
19 That means that its more or less, let's say we are in the
20 first 100 it was a 50/50. It looks for some 50 schools that
21 needs 50 fixed labs and 50 schools that need 50 mobile labs.

22 The Department was not imposing to any school the
23 kind of labs they need. They are given a structure of what
24 it is needed of the 2 kinds of labs and the school decides if
25 they go for it or if they don't.

1 Q How does that coincide with what you told me
2 earlier that you wanted a prototype about how we are going to
3 have each classroom I think, or each school?

4 Now you are telling me that you let the school
5 decide and you inject them something that is completely
6 different that was originally envisioned in the original plan
7 for the schools?

8 A Um-jum, because non of the suppliers of E-Rate is
9 providing computers so the solution is a solution that goes
10 into that drop in the wall. From the drop either to a fixed
11 lab or a mobile lab, it is non of their business but the
12 solution of the prototype is to that connection.

13 Q I am sorry, would you explain that to me again?

14 A Okay. The E-Rate providers does not provide labs
15 nor provides stations.

16 Q Right.

17 A So what ever is in terms of these labs concerns,
18 the providers of the end user PCs which ever they decide to
19 go to either if it is a mobile lab or it is a fixed lab, the
20 connectivity of that lab finally is going to the trouble in
21 the wall so the prototype that was requested for the
22 providers of E-Rate is a prototype that goes from the servers
23 and down over there, otherwise that it is a wired connection.
24 It is part of the providers but not the kind of laboratories
25 they are going to be using.

1 Q With the stations you bypass the servers and all
2 that other equipment?

3 A No. It always needs the servers.

4 Q It always needs the servers.

5 A The way it is designed, it requires to use the
6 servers and that design was before I was there.

7 Q Now, Earthwalk and who was the other supplier?

8 A Earthwalk and in the first case it was Compaq.

9 Q Compaq. And that was submitted to a bid?

10 A Yes, they were the winners of the first 100. In
11 the second group I don't know who were the winners.

12 Q Earthwalk got the mobiles and Compaq got the fixed?

13 A In the first group.

14 Q Yes?

15 A The first 100 labs.

16 Q How does that coincide with what you told me
17 earlier that you wanted one provider as opposed to having two
18 providers?

19 A No. Compact provides for the fixed labs.
20 Earthwalk provides for the mobile labs. For your model
21 Earthwalk or their representatives in Puerto Rico, they are
22 the only responsible for that. Whatever is to be done, you
23 are responsible for that. Same happened with the fixed.
24 Compact doesn't manufacture desks but they have to produce a
25 desk along with the computers. They respond for it.

1 Q All right. We are back in October of 2001. You
2 made your reports and you said that the infrastructure the
3 suppliers and the Department of Education' has is not good.
4 We need to hire people to ensure that the work is done
5 properly, right?

6 A Um-jum.

7 Q Why did you need to hire people for?

8 A Because I wanted to be sure that when a supplier
9 provides for a service for infrastructure I want to certify
10 that whatever they say is done my people said "it's done."

11 Q You wanted people to go verify that what the
12 suppliers did had in fact been done?

13 A They way it should be done.

14 Q While you people checked up on the suppliers?

15 A Yes.

16 Q You did not have enough people to do that?

17 A No, Sir.

18 Q Did your superiors approve that?

19 A Yes.

20 Q How many more people they gave you?

21 A They started with 30 something and I left a request
22 for another 30 when I left and I heard that either it was
23 approved or there is a very high possibility to be approved.

24 Q The 30 more?

25 A Thirty more. But I don't have a fact. The first

1 30, I know but the second thirty I don't have a fact.

2 Q And did you hire the first 30 while you were still
3 there?

4 A They were hired.

5 Q Were they sent out to the schools to---

6 A Yes, they were.

7 Q To do some field work to find out what was there?

8 A Yes, they were.

9 Q Did you send them there to make sure that there was
10 connectivity?

11 A That part was in charge of Juan Carlos Sierra. He
12 is the one that administrated the thing and by the time they
13 were hired and finally trained, I was out.

14 Q You would agree with me or I think you already did
15 early this morning, that a sure way to find out if there is
16 connectivity is to send one of your own people with a laptop
17 computer, plug it in and see if he could login?

18 A In the first stage of the B1, yes.

19 Q The first stage of the what?

20 A B-1.

21 Q B-1.

22 MR. A.J. BENNAZAR: Validation 1.

23 BY MR. CAMILO SALAS:

24 Q Validation, okay. And that's the only one you
25 never got passed to B1 or did you?

1 A Actually yes. After B1 was that we found out that
2 they didn't work so we stopped B2, B3 and B4. We went into
3 the recovery plan and after the recovery plan the decision
4 was made to keep just one of the projects. The one that led
5 to various possibilities and that was the wire project.

6 A So we kept the wire project and we pushed on that
7 and the information I had before I left is that it did work.

8 Q What do you mean by the wire project?

9 A Phase 1.

10 Q Phase 1 and got rid of Phase 2 wireless?

11 A The condition was to enforce on the Phase 1 because
12 it had the less critical variables.

13 Q Because the wired had the wires and they---

14 A One of the major problems that we had with Phase 2
15 was power.

16 Q Power?

17 A I needed power for the antennas, this wireless
18 solution. Also, we needed both phases to be compatible and
19 when I got to the position I found that I had 2 nets that
20 don't see each other.

21 Q You mean the wire net and the wireless net?

22 A The wired net don't connect with the wireless. The
23 wired finished at the Department of Education and the
24 wireless finished at the facilities of a provider.

25 Q And that provider is?

1 A DRC. Then, it is impossible for me in terms of
2 education and the use of technology the support of technology
3 for education to have a single education system in 2
4 different nets, so both of them had to be configured in a way
5 they can access each other.

6 When we had the figures of what was going on, my
7 recommendation is "I just can't go for one of the 2 projects
8 and I will go for the one that has less critical phases that
9 can make it fail" and that one was the wired.

10 Q Now, you said that the wireless net terminated at
11 DRC?

12 A Yes.

13 Q Explain that to me.

14 A All the schools connected and the servers were at
15 DRC. In the other hand, the Phase 1 wired all the schools
16 connected and the servers were at the Department of
17 Education. That means at that time we can't control or be
18 acquainted for the access to the Internet because the
19 facilities weren't in the facilities of the Department of
20 Education and the other way they were not.

21 Q Could they have been moved to the Department of
22 Education?

23 A Technically, yes. But there were other concerns in
24 terms of what DRC perceives was their service and the way
25 they exposed it is that they were providing an Internet

1 access and in that case they finished their net because they
2 don't want to have an additional net to the ones they were
3 using and using their same facilities.

4 Q If that net ended at DRC, how was it that you were
5 able to check on the wireless sights to see if the T-1s were
6 working or not?

7 A The first step we used on that as I told you
8 before, was let them access our website and let them get to
9 the database through our website so it doesn't matter which
10 way you used, you are going to get eventually to our website.

11 Q Right, but the one where the second step that you
12 described is where you were sending some kind of signal to
13 the servers. Was that done from the Department of Education?

14 A Interface. I think it was Phase 1. That is a
15 specific technical question that you have to ask Adonay.
16 They were the ones doing that.

17 Q So you are not sure if---

18 A No. I am telling you he has the facts.

19 Q He has the facts but you are not sure as we speak
20 today that it was possible to send a signal from the
21 Department of Education to the Phase 2 sites to find out if
22 the T-1s were working or not?

23 A He is the one that can answer that. I may not
24 answer that.

25 Q I just want to clarify that because in your prior

1 testimony I was left with the impression that it was possible
2 to do it for both Phase 1 and Phase 2 based on your testimony
3 and now I think we need to go and ask him to see if that was
4 possible.

5 A You have clarify with him. I am trying to make the
6 best I can of what I remember.

7 Q I understand. I think I may be a little bid ahead
8 of myself here. You say you went to a recovery plan and then
9 to keep the wire project and then we talked about keeping the
10 wire project but the recovery plan that was trying to make
11 things look nice so that USAC---

12 A No. That's like the frosting of the cake and I
13 wanted the real cake. I wanted things to work right.

14 Q You went into a recovery plan. You mentioned that
15 to certain extent with---

16 A Whatever USAC thinks was beside probably that. I
17 want the real recovery of the project because if the project
18 recovers for real, then it can stand by itself.

19 Q Did you ever accomplish that?

20 A I think that when I left Phase 1 was I might say,
21 recovered and we had close to 700 schools out of 740 who were
22 connected and operating.

23 Q And what about Phase 2?

24 A For Phase 2, when I left the chair I made a request
25 to Puerto Rico Telephone that I wanted to see a prototype of

1 how they would managed to make Phase 2 operational into the
2 scheme that they had in Phase 1.

3 As far as I know there were working on 4 other
4 schools different prototypes to show how it could be done.

5 Q It could be tied into Phase 1?

6 A Um-jum.

7 Q Now, during that period of time were the schools in
8 Phase 2 operational?

9 A Through E-Rate, no. Only the prototypes.

10 Q There was no Internet access for those schools?

11 A Through the E-Rate project?

12 Q Yes.

13 A No.

14 Q And why was that? Because there was no funding for
15 that?

16 A Well, first the 2 systems were not compatible and I
17 went for the wired because I couldn't work the whole thing
18 with the 2 of them. So I selected based on the results and
19 the data I had available at the moment that the most
20 efficient way to save the project and to demonstrate that it
21 can be done is to make my best and the one that was more
22 reliable and had more chances to survive. So I went for
23 recovering as much as I could the Phase 1 project and for the
24 Phase 2 we requested those for PRT who told me how you can do
25 it in the case you get the bids of next year.

1 Q Did the schools on Phase 1 have Internet access for
2 that period of time from January of 2002 through the time
3 that you left?

4 A They were connected by phases. They were adding
5 all the time and they went by I think that by November when I
6 left they were close to 700 out of 740.

7 Q That was the job for which Puerto Rico Telephone
8 Company was hired to do?

9 A Um-jum.

10 Q Yes?

11 A Yes.

12 Q Isn't it true that Puerto Rico Telephone Company in
13 order to connect the Phase 2 would have had to get additional
14 equipment that they did not have?

15 A They had 4 prototypes which were supposed to work
16 but that was presented to whichever, I mean, it wasn't
17 presented to me.

18 Q Are you aware of a problem that some of the schools
19 had where some of the equipment was burning out because of
20 fluctuations in voltage at the schools?

21 A I had information that some of the equipments were
22 burning out by many reasons that can include fluctuations,
23 that can include cascading on the UPS, that includes the use
24 of stations that don't have the capacity for carrying the
25 power, for cutting the ground... There were a lot of reasons

1 and the summary of the whole thing should be in Mr. Ramírez's
2 office.

3 Q Mr. Ramírez's office, okay. Now, are you aware of
4 some equipment that was damaged because of a Hurricane Dean?

5 A The specifics I don't remember that. But I know
6 that there was an equipment that was damaged because it was
7 installed close to places where the rain went through or were
8 wet or under stairways on the halls of the schools. But
9 again, the
10 details---

11 Q You don't remember if that was when there was a
12 hurricane that hit the island?

13 A I don't have that detail. This is an important
14 project but it's not the only one.

15 Q Yes. And you are aware of some problems related to
16 equipment that had been installed?

17 A Yes, I was.

18 Q Yes, okay. Now, were you also aware of the fact
19 that many schools were moving from one building to another
20 and that created some disruptions in the services?

21 A Yes.

22 Q Now, let me just finish something that we started
23 to talk earlier and then we deviated, so to speak. E-Rate
24 funds for the year 2001-2002 were not available?

25 A That is year number 4?

1 Q Year number 4.

2 A They were not available for disbursement.

3 Q For disbursement. Now, does that mean that they
4 are approved by USAC but they are just being withheld?

5 A As far as I understand the funds were approved but
6 were not released.

7 Q All right. What is the form that is given by USAC
8 when the funds are approved?

9 A They notify the institution and the name of the
10 institution appears on the world funding in the website of
11 USAC.

12 Q So as far as you understand it, for the fourth year
13 2001-2002 funding was approved but---

14 A But not available.

15 Q Not available, all right. Have you any knowledge
16 as to why those funds are not available?

17 A In a very explicit way that USAC called me and say
18 "hey Anibal, the funds are not available because of this, and
19 this and this," no.

20 Q Tell me what do you know?

21 A What I can do is an inference that if they are
22 requesting information and are requesting the Department of
23 Education to bring additional information over the same
24 thing, I knew that something depends on the information of
25 the implementation of the project and they are waiting for

1 something to happen with the project or the information to
2 release the money.

3 Q And the information that we are talking about is
4 the information that was requested by Mr. McDonald in the
5 letter which has been marked as Exhibit 4, I believe?

6 A Well, we submitted the information he requested but
7 also whatever the Department of Education did to make the
8 project available and the projects that are programmed to run
9 over that project that we did.

10 Q I am sorry, I didn't understand that.

11 A Along with the information that Mr. McDonald
12 requested, also in the presentations were included whatever
13 findings the Department of Education had. Whatever projects,
14 tasks, whatever was done to make the project recoverable and
15 operational and whatever the Department of Education is
16 planning to do over that in terms of technological support to
17 that location so they can see the importance of the project.

18 Q And all of that was submitted in writing?

19 A Yes, Sir.

20 Q And copies of all the documentation, letters,
21 etcetera or whatever was submitted was that kept in the
22 Department of Education?

23 A Since the evidence in the data was provided from
24 the Department of Education, the source, it should be there.

25 Q It was also submitted in hard copies or

1 electronically?

2 A To USAC?

3 Q Yes, Sir.

4 A Hard copies.

5 Q Hard copies. Now, you told us earlier that
6 sometime in January you were contacted by USAC about a
7 response to the letter dated December 5, 2001, right?

8 A Um-jum.

9 Q I think you mentioned, I'm not sure, for an
10 extension of time to provide the information to USAC.

11 A Yes. Also I requested for that extension of time
12 and I requested a meeting with them.

13 Q How much more time did you request to respond to
14 their request for information?

15 A I don't remember exactly, but I think we went to
16 this meeting to present all the information they requested
17 and the presentation we wanted to make to them some time in
18 February.

19 Q Of 2002?

20 A Yes. But it has to be double checked.

21 Q All right. Who went up there with you?

22 A Went Arnaldo Ramos and Attorney Ana Matilde Nin.

23 Q Ana Matilde?

24 A Nin.

25 Q Nin?

1 A N-I-N.

2 Q Nin and yourself.

3 A And myself.

4 Q Mr. Rey Hernández did not attend?

5 A No, he didn't.

6 Q And who did you meet with up there?

7 A At the time we met with Mr. McDonald, somebody from
8 FCC and I don't remember that name. It was a lady from the
9 FCC and there was another person from USAC...

10 MR. A.J. BENNAZAR: Charles Walter.

11 BY MR. CAMILO SALAS:

12 A (DEPONENT) Charles Walter. I am not sure if it
13 was in that meeting or in the next one that were these people
14 from the FCC or---

15 MR. A.J. BENNAZAR: Office of Inspector---

16 BY MR. CAMILO SALAS:

17 A (DEPONENT) I am not sure if he was in that
18 meeting. There was a report that I wrote of the meeting and
19 it should be available at the Department of Education.

20 MR. CAMILO SALAS: I would like to request copies
21 of all the reports for all the meetings as well as copies of
22 whatever documents and materials were submitted by the
23 Department of Education to USAC in any of the meetings or in
24 correspondence prior to the meetings.

25 MR. A.J. BENNAZAR: I have no problem with that.

1 You could probably get it from USAC anyway so I might as well
2 give them to you as so submissions made by Department of
3 Education to USAC.

4 BY MR. CAMILO SALAS:

5 Q Where was the meeting held?

6 A Where?

7 Q Where?

8 A At the USAC facilities in...

9 Q In Washington?

10 A Washington.

11 Q And that took place in February of 2002?

12 A I think it was February. The reports have the
13 dates and places.

14 Q All right. I will come back to that in one moment.
15 Let me just talk to you about a couple of other things
16 because that is going to take a little while. Here is a
17 letter that I want to mark as Exhibit Number 5.

18 (AT THIS MOMENT DEPOSITION EXHIBIT 5 IS MARKED)

19 BY MR. CAMILO SALAS:

20 Q Did you write that letter?

21 A (no answer heard on the record)

22 Q Yes. What was the purpose of writing that letter
23 that is marked as Exhibit Number 5?

24 A This corresponds to the request from "Oficina del
25 Contralor" concerning the E-Rate grant and I was requesting

1 the origin of the information to have it available so I can
2 furnish it to the "Oficina del Contralor."

3 Q Here, let me have one and you keep the other one.
4 Was the "Contralor" of Puerto Rico doing an investigation?

5 A Um-jum.

6 Q Yes?

7 A Um-jum.

8 Q Was that something that is done? An audit done as
9 a matter of work or was this prompted by any specific reason?

10 A I don't remember this but the Comptroller of Puerto
11 Rico is all the time making audits so whatever he requests,
12 we furnish him.

13 Q But---

14 A This one in specific, I don't remember.

15 Q Now, so you were requesting the information about
16 the equipment that was in various schools, right?

17 A Um-jum.

18 Q Yes?

19 A Yes.

20 Q Now, had you not obtained already this information
21 from the 200 people that you got from the other agencies to
22 go and---

23 A This is November.

24 Q Okay.

25 A 2001.