

authorized by the United States or the state in which he or she practices to handle controlled substances in the course of professional practice or research). This prerequisite has been consistently upheld. See Dominick A. Ricci, M.D., 58 FR 51,104 (1993); James H. Nickens, M.D., 57 FR 59,847 (1992); Roy E. Hardman, M.D., 57 FR 49,195 (1992); Myong S. Yi, M.D., 54 FR 30,618 (1989); Bobby Watts, M.D., 53 FR 11,919 (1988).

Further, pursuant to 21 U.S.C. 823(f), the Deputy Administrator may deny an application for a DEA Certificate of Registration if he determines that granting the registration would be inconsistent with the public interest. Section 823(f) requires that the following factors be considered:

(1) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(2) The applicant's experience in dispensing, or conducting research with respect to controlled substances.

(3) The applicant's conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(4) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(5) Such other conduct which may threaten the public health and safety. These factors are to be considered in the disjunctive; the Deputy Administrator may rely on any one or a combination of factors and may give each factor the weight he deems appropriate in determining whether a registration should be revoked or an application for registration denied. See Henry J. Schwarz, Jr., M.D., Docket No. 88-42, 54 FR 16422 (1989).

In this case, all five factors are relevant in determining whether granting the Respondent's application would be inconsistent with the public interest. As to factor one, "recommendation of the appropriate State licensing board * * *", the Board, after reviewing the Respondent's unlawful professional conduct, ordered the Respondent to cease the practice of osteopathic medicine in Pennsylvania. It is therefore reasonable to infer, and the Respondent does not deny, that because he is not authorized to practice medicine, he is not authorized to handle controlled substances in Pennsylvania as a result of the Board's order.

As to factor two, the Respondent's "experience in dispensing * * * controlled substances," factor three, the Respondent's "conviction record under Federal or State laws relating to * * * controlled substances", and factor four, the Respondent's "[c]ompliance with

applicable State, Federal, or local laws relating to controlled substances," it is undisputed that the Respondent has received two state felony convictions since September of 1993, for violating the Drug Act by unlawfully possessing controlled substances, and unlawfully delivering controlled substances. Such conduct directly violates the public's interest in the continuation of lawful and safe handling of controlled substances.

Finally, as to factor five, "[s]uch other conduct which may threaten the public health and safety," the Deputy Administrator finds it significant that the Respondent demonstrated a blatant disregard of Federal legal requirements by knowingly handling controlled substances without possessing a DEA Certificate of Registration; in fact, he engaged in such conduct while his application for a registration was pending. Further, the Respondent's failure to respond to the Order to Show Cause, either by requesting a hearing or by submitting a written response, indicates that he is either unwilling or unable to proffer support at the present time for his application.

Therefore, the Deputy Administrator finds that the public interest is best served by denying the Respondent's application. Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823, and 28 CFR 0.100(b) and 0.104, hereby orders that the Respondent's application for a DEA Certificate of Registration be, and it hereby is, denied. This order is effective September 23, 1996.

Dated: August 13, 1996.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 96-21416 Filed 8-21-96; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

August 16, 1996.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). Copies of these individual ICRs, with applicable supporting documentation, may be

obtained by calling the Department of Labor Acting Departmental Clearance Officer, Theresa M. O'Malley ((202) 219-5095). Individuals who use a telecommunications device for the deaf (TTY/TDD) may call (202) 219-4720 between 1:00 p.m. and 4:00 p.m. Eastern time, Monday through Friday.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for (BLS/DM/ESA/ETA/OAW/MSHA/OSHA/PWBA/VETS), Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), within 30 days from the date of this publication in the Federal Register.

The OMB is particularly interested in comments which:

- * Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

- * Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- * Enhance the quality, utility, and clarity of the information to be collected; and

- * Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: Employment and Training Administration.

Title: Quarterly Determinations, Allowance activities and Employability Services Under the Trade Act; Training Waivers Issued and Revoked.

OMB Number: 1205-0016.

Agency Number: ETA-563. ETA-9027.

Frequency: Quarterly.

Affected Public: State, Local or Tribal Government.

Form	Re-sponses	Average time per response (minutes)	Total burden
ETA-563.	45 (average 95 reports per quarter).	12	3,420
ETA-9027.	52	15	52

Total Burden Hours: 3,472.

Total Annualized capital/startup costs: 0.

Total annual costs (operating/maintaining systems or purchasing services): 0.

Description: Quarterly data on trade adjustment assistance and the North American Free Trade Agreement (NAFTA) activity is needed for timely program evaluation necessary for competent administration; and for providing legally mandated reports to the Congress on the Trade Adjustment Assistance Program. Quarterly number of waivers of training issued and removed by reasons are needed for proper administration and to provide statutorily required reports to the Congress.

Theresa M. O'Malley,
Acting Departmental Clearance Officer.
[FR Doc. 96-21437 Filed 8-21-96; 8:45 am]
BILLING CODE 4510-30-M

Employment and Training Administration

Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment and Training Administration is soliciting comments concerning the proposed extension of the collection of the ETA 203, Characteristics of the Insured Unemployed. A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before October 21, 1996. The Department of Labor is particularly interested in comments which:

- evaluate the proposed collection of information is necessary for the proper performance of the

functions of the agency, including whether the information will have practical utility;

- evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- enhance the quality, utility, and clarity of the information to be collected; and
- minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

ADDRESSEE: Cynthia Ambler, Unemployment Insurance Service, Employment and Training Administration, U.S. Department of Labor, Room S-4231, 200 Constitution Ave., NW., Washington, DC, 20210; telephone number (202) 219-9204; fax (202) 219-8506 (these are not toll free numbers).

SUPPLEMENTARY INFORMATION:

I. Background

This report serves a variety of socioeconomic needs at both the State and National offices because it provides the only demographic information on the insured unemployed. Among these needs are promoting employment opportunities, improving utilization of manpower resources, evaluation of the unemployment insurance program and projecting workloads and budgets. These areas can be tracked not just nationally but on a State by State basis. This report becomes particularly useful during economic downturns when interest in the composition of the insured unemployed is particularly high.

II. Current Actions

This report continues to be needed as it is the only source of demographic information on the insured unemployed.

Type of Review: Extension without change.

Agency: Employment and Training Administration.

Title: Characteristics of the Insured Unemployed.

OMB Number: 1205-0009.

Agency Number: ETA 203.

Affected Public: State Government.

Cite/Reference/Form/etc: ETA 203.

Total Respondents: 53.

Frequency: Monthly.

Total Responses: 636.

Average Time per Response: .34 hours.

Estimated Total Burden Hours: 212.
Total Burden Cost (capital/startup): \$4,240.

Comments submitted in response to this comment request will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: August 16, 1996.

Mary Ann Wyrtsch,

Director, Unemployment Insurance Service.

[FR Doc. 96-21436 Filed 8-21-96; 8:45 am]

BILLING CODE 4510-30-M

Pension and Welfare Benefits Administration

Working Group on Guidance for Selecting and Monitoring Service Providers, Advisory Council on Employee, Welfare and Pension Benefits Plans; Notice of Meeting

Pursuant to the authority contained in Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, a public meeting of the Working Group on Guidance for Selecting and Monitoring Service Providers of the Advisory Council on Employee Welfare and Pension Benefit Plans will be held on Sept. 10, 1996, in Room S3215 A&B, U.S. Department of Labor Building, Third and Constitution Avenue, NW., Washington, DC 20210.

The purpose of the meeting, which will run from 9:30 a.m. to noon, is to receive testimony from mutual funds and insurance industry officials on how to guide plans in selecting investment consultants and advisers.

Members of the public are encouraged to file a written statement pertaining to any topic concerning ERISA by submitting 20 copies on or before Aug. 28, 1996, to Sharon Morrissey, Acting Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Room N-5677, 200 Constitution Avenue, NW., Washington, DC 20210. Individuals or representatives of organizations wishing to address the Working Group on Guidance for Selecting and Monitoring Service Providers should forward their request to the Acting Executive Secretary or telephone (202) 219-8753. Oral presentations will be limited to 10 minutes, but an extended statement may be submitted for the record. Individuals with disabilities, who need special accommodations, should contact Sharon Morrissey by Sept. 3, 1996, at the address indicated in this notice.