OPM, supplying specific information about the reinstatement criteria outlined in paragraph (c) of this section.

(b) *Reinstatement date.* We will accept your reinstatement application no earlier than 60 days before the nominal expiration date of your debarment. However, in no case will we reinstate you before your minimum period of debarment expires.

(c) *Reinstatement criteria.* Your reinstatement application must clearly demonstrate that you meet all of the following criteria:

(1) There are reasonable assurances that the actions resulting in your debarment have not and will not recur;

(2) There is no basis under this subpart for continuing your debarment; and

(3) There is no pending criminal, civil, or administrative action that would subject you to debarment by OPM.

(d) *Written notice of OPM action.* We will inform you in writing of our decision on your reinstatement application.

(e) *Limitation on reapplication.* If we deny your reinstatement application, you may not reapply until 1 year after the date of our decision.

§ 890.1052 Under what circumstances will OPM reinstate me without my filing an application?

If any of the situations identified in paragraphs (a) through (c) of this section occurs, you should inform the debarring official immediately. OPM will reinstate you without the need for a reinstatement application in these circumstances. OPM will send you a written notice concerning the effective date of your reinstatement.

(a) *Conviction reversed.* The conviction on which your debarment was based is reversed or vacated on appeal.

(b) *Sanction terminated.* A sanction imposed by another Federal agency, on which your debarment was based, is terminated by that agency.

(c) *Court order.* A Federal court orders OPM to stay, rescind, or terminate your debarment.

§ 890.1053 Table of procedures and effective dates for reinstatements.

The following table indicates the procedures and effective dates for reinstatements under this subpart:

Basis for debarment	Application required?	Effective date
Period of debarment expires	Yes	After debarment expires.
Conviction reversed on appeal	No	Retroactive (start of debarment).
Other agency sanction ends	No	Ending date of sanction.
Court order ending debarment	No	Retroactive (start of debarment).

§ 890.1054 What agencies and entities will OPM notify about my reinstatement?

We will inform the FEHBP carriers, government agencies and other organizations that were originally notified of your debarment.

§ 890.1055 How may I contest OPM's decision to deny my reinstatement application?

(a) *Obtaining reconsideration of the initial decision.* You, or a representative acting on your behalf, may submit documents and written arguments to the debarring official, opposing the decision to deny your reinstatement application. In addition, you and/or your representative may request to appear in person to present oral arguments to the debarring official. You must submit these materials within 30 days after the date of the decision notice in paragraph (a) of this section.

(b) *Debarring official's final decision on reinstatement.* The debarring official will issue a final written decision, based on the entire administrative record, within 30 days of the record closing to receipt of information. The debarring official may extend the decision period for good cause.

(c) *Finality of debarring official's decision.* The debarring official's final decision is not subject to further administrative review or reconsideration.

Civil Monetary Penalties and Financial Assessments [Reserved]

[FR Doc. 01–30529 Filed 12–11–01; 8:45 am]
BILLING CODE 6325–52–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR PART 1310

[DEA–203C]

RIN 1117–AA52

Establishment of a Threshold for Gamma-Butyrolactone; Correction

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Notice of proposed rulemaking; correction.

SUMMARY: This document corrects the proposed rule ''Establishment of a Threshold for Gamma-Butyrolactone'' (DEA–203P) which DEA published in the **Federal Register** on October 24, 2001 (66 FR 53746). The proposed rule concerned the establishment of a threshold for the List I chemical gamma-butyrolactone (GBL).

FOR FURTHER INFORMATION CONTACT: Frank L. Sapienza, Chief, Drug and Chemical Evaluation Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537, Telephone (202) 307–7183

SUPPLEMENTARY INFORMATION:

Background

On Wednesday, October 24, 2001, DEA published a Notice of Proposed Rulemaking titled ''Establishment of a Threshold for Gamma-Butyrolactone'' in the **Federal Register** (66 FR 53746). The proposed regulations that are subject to this correction suggest adding new paragraphs at Title 21, Code of Federal Regulations (CFR), 1310.04(g)(1) and 21 CFR 1310.08. These paragraphs suggest that no threshold be established for GBL and that certain transactions in GBL be excluded from the definition of a regulated transaction, respectively. However, a previous Final Rule, published on Wednesday October 17, 2001, already added paragraphs at 21 CFR 1310.04(g)(1)(ii)–(iv) and 21 CFR 1310.08(j). Therefore, to alleviate any confusion which might arise by publication of this proposed rule, DEA is redesignating the text of the paragraphs in the proposed rule to align with the currently amended Code of Federal Regulations. No substantive changes to the proposed text are occurring in this correction. In addition, one typographical error is being corrected.

Accordingly, the publication on October 24, 2001 of the proposed rule (DEA–203P), which was the subject of FR Doc. 01–26741, is corrected as follows:

1. On page 53748, in the first column, sixth line of the fourth full paragraph correct ''(ii)'' to read ''(iii)''.

PART 1310—[CORRECTED]

2. On page 53749, amendatory instruction 2 is corrected to read as follows: ''2. Section 1310.04 is proposed to be amended by adding a new paragraph (g)(1)(v) to read as follows:''

3. Corrected § 1310.04(g)(1)(v) reads as follows:

§ 1310.04 Maintenance of records.

* * * * *

(g) * * *

(1) * * *

(v) gamma-Butyrolactone (Other names include: GBL; Dihydro-2(3H)-furanone; 1,2–Butanolide; 1,4–Butanolide; 4–Hydroxybutanoic acid lactone; gamma-Hydroxybutyric acid lactone)

* * * * *

4. On page 53749, amendatory instruction 3 is corrected to read as follows: ''3. Section 1310.08 is proposed to be amended by adding a new paragraph (k) to read as follows:''

5. Corrected § 1310.08(k) reads as follows:

§ 1310.08 Excluded transactions.

* * * * *

(k) Domestic, import, and export distributions of gamma-butyrolactone weighing 16,000 kilograms (net weight) or more in a single container.

Dated: December 5, 2001.

Laura M. Nagel,

Deputy Assistant Administrator, Office of Diversion Control.

[FR Doc. 01–30731 Filed 12–11–01; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 3

RIN 2900–AK31

Independent Medical Opinions

AGENCY: Department of Veterans Affairs.

ACTION: Proposed rule.

SUMMARY: This document proposes to amend the adjudication regulation dealing with independent medical opinions that may be requested to resolve complex or controversial medical issues that may arise in a claim for veterans' benefits. This amendment is a plain language restatement of the existing regulation on this subject, and no substantive changes are being made. The intended effect of this amendment is to clarify the process by which independent medical opinions are obtained.

DATES: Comments must be received on or before February 11, 2002.

ADDRESSES: Mail or hand-deliver written comments to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Ave., NW., Room 1154, Washington, DC 20420; or fax comments to (202) 273-9289; or e-mail comments to *OGCRegulations@mail.va.gov.* Comments should indicate that they are submitted in response to ''RIN 2900-AK31.'' All comments received will be available for public inspection in the Office of Regulations Management, Room 1158, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays).

FOR FURTHER INFORMATION CONTACT: Jack Bisset, Consultant, Compensation and Pension Service, Regulations Staff, or Bob White, Team Leader, Plain Language Regulations Project, Veterans Benefits Administration, 810 Vermont Avenue, NW., Washington, DC 20420, telephone (202) 273–7213 and (202) 273–7228, respectively. These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: This document proposes to restate in plain language the provisions of the current regulation on independent medical opinions, 38 CFR 3.328 and place them in a new section designated as § 3.2410. Current § 3.328 would be removed, and § 3.2410 would be placed in subpart D, Universal Adjudication Rules that Apply to Benefit Claims Governed by part 3 of this title. This is a plain language restatement of the provisions in current § 3.328 and is not intended to change VA policy or regulations in any substantive way.

Proposed § 3.2410 is divided into seven short paragraphs. Each paragraph provides an answer to a brief introductory question. Paragraph (a) answers the question, ''What is an independent medical opinion?'' Paragraph (a) states that an independent medical opinion (IMO) is an advisory opinion from a medical expert who is not a VA employee. Paragraph (a) also makes clear that VA makes arrangements for these opinions with various medical institutions but does not select the individual experts who provide the opinions. That selection is made by officials of the institution. This paragraph is a restatement of paragraph (a) of current § 3.328 except for the first clause of the first sentence.

Paragraph (b) of proposed § 3.2410 answers the question, ''When will an IMO be requested?'' It provides that VA will request an IMO when there is a medical issue in a pending claim which is extremely rare, complex or controversial and cannot be resolved on the evidence of record. This is a restatement of the first clause of paragraph (a) and the first sentence of paragraph (c) of current § 3.328.

Paragraph (c) of proposed § 3.2410 addresses the issue of who can request an IMO. It states that IMOs can be requested by claimants or their representatives, or by Service Center Managers on their own initiative. This is a restatement of the first sentence of paragraph (b) of current § 3.328.

The question in paragraph (d) of proposed § 3.2410 is, ''How do I request an IMO?'' Paragraph (d) provides that a request for an IMO must be submitted to a Service Center Manager for initial review, and the request must include detailed reasons why the IMO is necessary. This is a restatement of portions of the second and third sentences in paragraph (b) of current § 3.328.

Paragraph (b) of § 3.328 currently requires that a request for an IMO be in writing. VA believes that this requirement is too restrictive and can result in claims processing delays. We have, therefore, added to paragraph (d) of proposed § 3.2410 that the requirement for a ''writing'' includes e-mail, facsimile, or other written electronic means. VA does not want to prevent the use of methods of submission which could improve processing timeliness.

The question in paragraph (e) of proposed § 3.2410 is, ''Who approves the request for an IMO?'' Paragraph (e) provides that if the Service Center Manager agrees, on initial review, that an IMO would be appropriate, the request is then forwarded to the Director of the Compensation and Pension Service for approval. If the request is approved, the Director will make arrangements to obtain the IMO. This is a restatement of the last sentence in paragraph (b) and the first two sentences of paragraph (c) of current § 3.328.

Paragraph (f) of proposed § 3.2410 answers the question, ''How will I know if the request is approved?'' Paragraph (f) states that the Director of the Compensation and Pension Service will notify the claimant that the IMO request has been approved and will provide the claimant with a copy of the opinion when it is received. Paragraph (f) also provides that the special disclosure procedures in 38 CFR 1.577(d) must be followed if the Director believes that disclosure of the IMO would be harmful to the claimant's physical or mental health. Paragraph (f) is a restatement of