

Others = None. To provide midyear and advance yearend counts of the number of inmates in State and Federal prisons. These data will form the basis for historical trend analysis. Respondents are personnel in the correctional department of the state, the District of Columbia, and the Federal Bureau of Prisons.

- (4) 104 annual respondents at 2.5 hours per response.
- (5) 130 annual burden hours.
- (6) Not applicable under Section 3504(h) of Public Law 96-511.

Public comment on this item is encouraged.

Dated: March 20, 1995.

Robert B. Briggs,
Department Clearance Officer, United States Department of Justice.
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BILLING CODE 4410-18-M

Information Collections Under Review

The Office of Management and Budget (OMB) has been sent the following collection(s) of information proposals for review under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35) and the Paperwork Reduction Reauthorization Act since the last list was published. Entries are grouped into submission categories, with each entry containing the following information:

- (1) the title of the form/collection;
- (2) the agency form number, if any, and the applicable component of the Department sponsoring the collection;
- (3) who will be asked or required to respond, as well as a brief abstract;
- (4) an estimate of the total number of respondents and the amount of time estimated for an average respondent to respond;
- (5) an estimate of the total public burden (in hours) associated with the collection; and,
- (6) an indication as to whether Section 3504(h) of Public Law 96-511 applies.

Comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the OMB reviewer, Mr. Jeff Hill on (202) 395-7340 and to the Department of Justice's Clearance Officer, Mr. Robert B. Briggs, on (202) 514-4319. If you anticipate commenting on a form/collection, but find that time to prepare such comments will prevent you from prompt submission, you should notify the OMB reviewer and the Department of Justice Clearance Officer of your intent as soon as possible. Written

comments regarding the burden estimate or any other aspect of the collection may be submitted to Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, and to Mr. Robert B. Briggs, Department of Justice Clearance Officer, Systems Policy Staff/Information Resources Management/Justice Management Division, Suite 850, WCTR, Washington, DC 20530.

Revision of a Currently Approved Collection

- (1) 1994 National Survey of Prosecutors.
- (2) NSP-1. Bureau of Justice Statistics, States Department of Justice.
- (3) Primary = State, Local, or Tribal Government. Others = None. This biennial survey collects data on the resources, policies, and practices of local prosecutors from a nationally representative sample of 300 chief litigating prosecutors in State Court Systems.
- (4) 300 annual respondents at 1.0 hours per response.
- (5) 150 annual burden hours.
- (6) Not applicable under Section 3504(h) of Public Law 96-511.

Public comment on this item is encouraged.

Dated: March 20, 1995.

Robert B. Briggs,
Department Clearance Officer, United States Department of Justice.
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Drug Enforcement Administration

Henry M. Goshen, M.D.; Denial of Application

On February 14, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Henry M. Goshen, M.D. (Dr. Goshen), of Chicago, Illinois, proposing to deny his application for a DEA Certificate of Registration, as a practitioner, under 21 U.S.C. 823(f). The Order to Show Cause alleged that Dr. Goshen's registration would be inconsistent with the public interest, as that term is used in 21 U.S.C. 823(f).

The Order to Show Cause was served on Dr. Goshen by registered mail. More than thirty days have passed since the Order to Show Cause was received by Dr. Goshen and the DEA has received no response thereto. Pursuant to 21 CFR 1301.54(a) and 1301.54(d), Henry M. Goshen, M.D., is deemed to have waived his opportunity for a hearing. Accordingly, the Deputy Administrator now enters his final order in this matter

without a hearing and based on the investigative file. 21 CFR 1301.57.

The Deputy Administrator finds that the Illinois State Police initiated an undercover investigation of Dr. Goshen's medical practice. On October 24, 1985, an undercover police officer met Dr. Goshen at his office to request diet pills. Notwithstanding that Dr. Goshen determined that this person was not overweight, he dispensed to the undercover officer 14 dosage units of phentermine, a Schedule IV controlled substance, which he indicated was a two week supply.

On October 29, 1985, the undercover officer returned to Dr. Goshen's office and asked for additional diet pills, explaining that she had given some of her phentermine to a girl friend. Dr. Goshen then dispensed more phentermine to the undercover officer. The undercover officer returned to Dr. Goshen's office, on November 5, 1985 and, once again, Dr. Goshen dispensed phentermine tablets. The undercover officer paid Dr. Goshen \$20 for each visit.

Based upon excessive purchase reports for controlled substances and complaints about Dr. Goshen's controlled substance dispensing practices, a Chicago DEA task force initiated an undercover operation in 1989. On October 5, 1989, an undercover police officer visited Dr. Goshen's office, seeking controlled substances. When she encountered Dr. Goshen, she requested phentermine using the street name for this controlled substance. Dr. Goshen, without seeking any medical information from her or performing any medical examinations, dispensed 28 dosage units of phentermine in exchange for \$40.

This undercover officer returned to Dr. Goshen's office on October 17, 1989, again requesting more phentermine and using the drug's street name. On this occasion, she asked for double the amount she received on the prior visit. In response, Dr. Goshen dispensed two envelopes, each containing 28 phentermine capsules. When Dr. Goshen gave her the drugs, he asked her who would receive the pills. The officer gave him three names. She then paid Dr. Goshen \$80 for the phentermine.

On November 3, 1989, Dr. Goshen was arrested and charged with one count of illegal distribution of controlled substances in violation of 21 U.S.C. 841(a)(1). At the time of his arrest, a search warrant was executed at Dr. Goshen's office and during the search approximately 42,000 dosage units of controlled substances were seized. Further investigation revealed that Dr. Goshen had no dispensing