

merchandise. The administrative law judge considered the fact that this conduct occurred more than ten years before, but found that Respondent had not acknowledged wrongdoing or expressed any remorse for his misconduct. Judge Bittner concluded that Respondent is unable or unwilling to discharge the responsibilities inherent in a DEA registration, and recommended that his application for registration be denied.

The Deputy Administrator adopts the opinion and recommended ruling, findings of fact, conclusions of law and decision of the administrative law judge in its entirety. Based on the foregoing, the Deputy Administrator concludes that Respondent's registration is inconsistent with the public interest. Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that the application of James C. Graham, M.D., be and it hereby is, denied. This order is effective March 24, 1995.

Dated: March 20, 1995.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 95-7317 Filed 3-23-95; 8:45 am]

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Charles L. Sweet, M.D.; Revocation of Registration

On November 7, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Charles L. Sweet, M.D., of 219 Broadway, PO. Box 518, Fullerton, Nebraska. The Order to Show Cause proposed to revoke Dr. Sweet's DEA Certificate of Registration, BS2051061, under 21 U.S.C. 824(a)(3), and deny any pending applications for renewal of such registration under 21 U.S.C. 823(f).

The Order to Show Cause was served on Dr. Sweet on November 14, 1994. More than thirty days have passed since the Order to Show Cause was received by Dr. Sweet. The Drug Enforcement Administration has received no response from Dr. Sweet or anyone purporting to represent him.

Pursuant to 21 CFR 1301.54(d), the Deputy Administrator finds that Dr. Sweet has waived his opportunity for a hearing. Accordingly, under the provisions of 21 CFR 1301.54(e) and 1301.57, the Deputy Administrator enters his final order in this matter without a hearing and based on the investigative file.

The Deputy Administrator finds that in 1975, Dr. Sweet's DEA Certificates of Registration, AS4344951 and AS4355168 were retired based on his failure to renew them. As a result of his failure to renew his DEA registrations, Dr. Sweet's Nebraska State controlled substance registration was revoked on June 5, 1989. On June 29, 1989, DEA sent Dr. Sweet a letter of admonition advising him that he could not handle controlled substances until he obtained a DEA registration.

Dr. Sweet subsequently reapplied for DEA and Nebraska controlled substance registrations, and in October 1989, Dr. Sweet was issued DEA Certificate of Registration, BS2051061, as well as a Nebraska controlled substance registration. However, an investigation by the Nebraska Department of Health, Bureau of Examining Boards revealed that between June and October 1989, Dr. Sweet wrote numerous prescriptions for controlled substances when he did not possess either a DEA registration and/or a Nebraska controlled substance registration. As a result, on November 8, 1991, Dr. Sweet's Nebraska controlled substance registration was revoked. In addition, effective October 15, 1992, Dr. Sweet's state license to practice medicine and surgery was also revoked.

The Deputy Administrator finds that as of November 8, 1991, Dr. Sweet's license to handle controlled substances in the State of Nebraska was revoked, and as a result, he is unable to handle controlled substances. The Drug Enforcement Administration cannot register or maintain the registration of a practitioner who is not duly authorized to handle controlled substances in the state in which he conducts his business. 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. See *James H. Nickens, M.D.*, 57 FR 59847 (1992); *Elliott Monroe, M.D.*, 57 FR 23246 (1992); *Bobby Watts, M.D.*, 53 FR 11919 (1988).

Based on the foregoing, it is clear that Dr. Sweet's DEA Certificate of Registration must be revoked. Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, BS2051061, previously issued to Charles L. Sweet, M.D., be, and it hereby is, revoked and that any pending applications for renewal of such registration be, and they hereby are, denied. This order is effective April 24, 1995.

Dated: March 20, 1995.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 95-7318 Filed 3-23-95; 8:45 am]

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Office of Justice Programs

[OJP No. 1044 and ZRIN 1121-ZA08]

1995-96 National Institute of Justice Research Plan

AGENCY: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

ACTION: Notice of the availability of the *1995-96 National Institute of Justice Research Plan*.

SUMMARY: The National Institute of Justice (NIJ) is publishing this Notice of the availability of its *1995-96 National Institute of Justice Research Plan*.

DATES: The deadlines for receipt of proposals are Thursday, June 15, 1995; Friday, December 15, 1995; Monday, June 17, 1996; and Monday, December 16, 1996.

ADDRESSES: Comments should be addressed to the National Institute of Justice, 633 Indiana Avenue NW., Washington, DC 20531.

FOR FURTHER INFORMATION CONTACT: Jeremy Travis, Director, National Institute of Justice, 633 Indiana Avenue NW., Washington, DC 20531. To obtain copies of the *1995-96 National Institute of Justice Research Plan*, call the National Criminal Justice Reference Service (NCJRS), 1-800-851-3420, Box 6000, Rockville, MD 20850. The Plan is also available electronically via the National Criminal Justice Reference Service Bulletin Board (NCJRS*BBS). If you have Internet access; telnet to ncjrsbbs.aspensys.com or gopher to ncjrs.aspensys.com 71. Users without Internet access may direct dial to (301) 738-8895. Modems should be set at 9600 Baud and N-8-1. The NIJ Research Plan is listed under the "National Institute of Justice Information" menu.

SUPPLEMENTARY INFORMATION: The following supplementary information is provided:

Authority

This action is authorized under the Omnibus Crime Control and Safe Streets Act of 1968, §§ 201-03, as amended, 42 U.S.C. §§ 3721-23 (1988).

Background

The *1995-96 National Institute of Justice Research Plan* outlines the NIJ research and evaluation agenda for 1995, provides descriptions of program