

Judge Bittner. He also did not present any evidence of remedial actions taken or proposed, except his testimony that he had stopped prescribing anorectics in 1990.

Pursuant to 21 U.S.C. 823(f) and 824(a)(4), the Deputy Administrator may revoke a DEA Certificate of Registration and deny any application for such registration, if he determines that the continued registration would be inconsistent with the public interest. Section 823(f) provides that the following factors be considered "in determining the public interest:"

- (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. That is, 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).

Here, the Deputy Administrator finds that factors one, two, four and five are relevant in determining whether the Respondent's continued DEA registration would be inconsistent with the public interest. Evidence of record bearing on factor one includes the action of the Louisiana Board of Medical Examiners, as upheld by the Louisiana Fourth Circuit Court of Appeals, in ordering the Respondent to surrender his Schedule II controlled substance privileges permanently. Such action clearly reflects that Board's recommendation as to this Respondent's access to Schedule II substances.

The Respondent's testimony demonstrated his knowledge of the medical purposes for which Ritalin and XANAX would be prescribed. Yet his actions of prescribing Ritalin, which contains a Schedule II substance, and XANAX, which contains a Schedule IV substance, to State Police Officers for no legitimate medical reason is not in compliance with applicable laws relating to the dispensing of controlled substances. Such actions are relevant to factors two and four of Section 823(f).

Further, the record also established that in 1987 and 1988 the Respondent prescribed anorectics in a manner which directly violated the Louisiana Medical Board's disseminated 1984 Statement concerning the limitations placed upon issuing prescriptions for that substance. Although the Respondent denied knowledge of that Statement, significantly of record is the Board's reply to the same contention raised by the Respondent before it:

Our findings and conclusions here, however, do not depend on whether or not Respondent did in fact have prior notice of the Statement, and we make no finding in that regard. The substance of the Statement is accepted medical fact of which any competent physician who undertakes to prescribe anorectic medications is, or should be, aware. Thus, as a physician who testified on [the Respondent's] behalf observed with respect to overprescribing anorectics, without recalling whether he himself had seen the Board's Statement, all physicians have been "cautioned about it. I've been cautioned about amphetamines, all of us have, that you don't use them over a prolonged period of time, excessive long period of time."

Finally, the Board's findings as to the Respondent's medical treatment and prescription practices, and the testimony of Mr. Hingle, establish instances in the record of the Respondent's prescribing excessive amounts of substances to individuals in combinations commonly seen in cases of suspected substance abuse. Despite the Respondent's testimony explaining his prescribing practices, the Deputy Administrator finds that the preponderance of the evidence warrants a conclusion that the Respondent's prescribing practices are not consistent with the prevailing and usually accepted standards of medical practice in the State of Louisiana, and "may threaten the public health or safety." 21 U.S.C. 832(f)(5).

In his filed exceptions, the Respondent asserts that Judge Bittner erred in admitting hearsay evidence during the administrative hearing. However, since the Respondent's hearing was conducted in accordance with applicable statutes and regulations, the Deputy Administrator declines to adopt the Respondent's exceptions based upon his challenged evidentiary rulings. See, e.g., *Klinestiver v. Drug Enforcement Administration*, 606 F.2d 1128, 1129-30 (D.C. Cir. 1979); *Gary E. Stanford, M.D.*, Docket No. 91-30, 58 FR 14430 (1993).

Next, the Respondent has requested that any restrictions placed upon his DEA registration be limited to Schedule II substances as recommended by the Board. He wrote that he had been practicing medicine for the past five

years under these restrictions without any violation or charges. However, the record demonstrates through the patient profiles and Mr. Hingle's testimony that the Respondent, in 1992 and 1993, had prescribed excessive quantities of controlled substances, to include substances from Schedule IV, to individual patients. Thus, the Respondent's requested restriction is inadequate; revocation is the appropriate remedy.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824, 28 C.F.R. 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, AW3369697, previously issued to Herman E. Walker, Jr., M.D., be, and it hereby is, revoked. It is further ordered that any pending applications for renewal of said registration be, and hereby are, denied.

This order is effective November 9, 1995.

Dated: October 3, 1995.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 95-24949 Filed 10-6-95; 8:45 am]

BILLING CODE 4410-09-M

NATIONAL SCIENCE FOUNDATION

Advisory Panel for Anthropological, Geographic Sciences; Notice of Meetings

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following five meetings.

Name: Advisory Panel for Anthropological and Geographic Sciences (#1757).

Date and Time: November 3-4, 1995; 9:00 a.m.-5:00 p.m.

Place: National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 920, Arlington, VA 22230.

Contact Person: Dr. John E. Yellen, Program Director for Archaeology, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1759.

Agenda: To review and evaluate Archaeology proposals as part of the selection process for awards.

Date and Time: October 23-24, 1995; 9:00 a.m.-5:00 p.m.

Place: National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 920, Arlington, VA 22230.

Contact Person: Dr. Mark Weiss, Program Director for Physical Anthropology, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone (703) 306-1758.

Agenda: To review and evaluate Physical Anthropology proposals as part of the selection process for awards.

Date and Time: November 30, December 1, 1995 9:00 a.m.–5:00 p.m.

Place: National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 365, Arlington, VA 22230.

Contact Person: Dr. Stuart Plattner, Program Director for Cultural Anthropology, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1758.

Agenda: To review and evaluate Cultural Anthropology senior research proposals as part of the selection process for awards.

Date and Time: November 15, 1995 9:00 a.m.–5:00 p.m.

Place: National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 390, Arlington, VA 22230.

Contact Person: Dr. Stuart Plattner, Program Director for Cultural Anthropology, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1758.

Agenda: To review and evaluate Cultural Anthropology Dissertation proposals as part of the selection process for awards.

Date and Time: November 17–18, 1995 9:00 a.m.–5:00 p.m.

Place: National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 920, Arlington, VA 22230.

Contact Person: Dr. James W. Harrington, or Thomas Leinbach, Program Directors for Geography, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1754.

Agenda: To review and evaluate Geography proposals as part of the selection process for awards.

Type of Meetings: Closed.

Purpose of Meetings: To provide advice and recommendations concerning support for research proposals submitted to the NSF for financial support.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: October 3, 1995.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 95-24997 Filed 10-6-95; 8:45 am]

BILLING CODE 7555-01-M

Advisory Panel for Cognitive, Psychological & Language Sciences; Notice of Meetings

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following three meetings.

Name: Advisory Panel for Cognitive, Psychological and Language Sciences (#1758).

Date and Time: October 19–20, 1995; 8:30 a.m.–6:00 p.m.

Place: National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 330, Arlington, VA 22230.

Contact Person: Dr. Paul G. Chapin, Program Director for Linguistics, National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 995, Arlington, VA 22230. Telephone: (703) 306-1731.

Agenda: To review and evaluate linguistics proposals as part of the selection process for awards.

Date and Time: October 24–26, 1995; 9:00 a.m.–5:00 p.m.

Place: National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 970, Arlington, VA 22230.

Contact Person: Dr. Joseph L. Young, Program Director for Human Cognition and Perception, National Science Foundation, 4201 Wilson Boulevard, Suite 995, Arlington, VA 22230. Telephone: (703) 306-1732.

Agenda: To review and evaluate human cognition and perception proposals as part of the selection process for awards.

Date and Time: November 16–17, 1995; 8:00 a.m.–6:00 p.m.

Place: National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 380, Arlington, VA 22230.

Contact Person: Dr. Steven J. Breckler, Program Director for Social Psychology, National Science Foundation, 4201 Wilson Boulevard, Suite 995, Arlington, VA 22230. Telephone: (703) 306-1731.

Agenda: To review and evaluate social psychology proposals as part of the selection process for awards.

Type of Meeting: Closed.

Purpose of Meeting: To provide advice and recommendations concerning support for research proposals submitted to the National Science Foundation for financial support.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries, and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c) (4) and (5) of the Government in the Sunshine Act.

Dated: October 3, 1995.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 95-24998 Filed 10-6-95; 8:45 am]

BILLING CODE 7555-01-M

Committee on Equal Opportunities in Science and Engineering; Notice of Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Science Foundation announces the following meeting:

Name: Committee on Equal Opportunities in Science and Engineering (# 1173).

Date and Time: October 25, 26 and possibly a half-day session on October 27, 1995; 8:30 to 5 each day.

Place: Room 375, National Science Foundation, 4201 Wilson Blvd., Arlington, VA.

Type of Meeting: Open.

Contact Person: Kay Rison, Staff Assistant, Office of the Director, Room 1205, NSF, 4201 Wilson Blvd., Arlington, VA 22230. Phone: (703) 306-1003.

Minutes: May be obtained from the contact person at the above address.

Purpose of Meeting: To advise NSF on policies and activities of the Foundation to encourage full participation of women, minorities, and persons with disabilities currently underrepresented in scientific, engineering, professional, and technical fields and to advise NSF concerning implementation of the provisions of the Science and Engineering Equal Opportunities Act.

Agenda: To discuss national policy issues, including the importance of science, engineering to the national interest; overview of Engineering & Geosciences areas; discussion of recent workshop on NSF's Proposal Review Process; and future directions.

Dated: October 3, 1995.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 95-24999 Filed 10-6-95; 8:45 am]

BILLING CODE 7555-01-M

Advisory Panel for Neuroscience; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Panel for Neuroscience (1158).

Date and Time: October 19–20, 1995, 9:00 a.m. to 5:00 p.m.

Place: National Science Foundation, Rm 320, 4201 Wilson Boulevard, Arlington, VA.

Type of Meeting: Part-Open.

Contact Person: Dr. James Koeing, Program Director, Neuroendocrinology; Division of Integrative Biology and Neuroscience, Room 685, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230; Telephone: (703) 306-1424.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Minutes: May be obtained from the contact person listed above.

Agenda: Open Session: October 20, 1995; 11:00 a.m. to 12:00 p.m., to discuss research trends and opportunities in Neuroendocrinology. Closed Session: October 19, 1995; 9:00 a.m. to 5:00 p.m.; October 20, 1995, 9:00 a.m. to 11 a.m., 12:00 p.m. to 5:00 p.m. to review and evaluate Neuroendocrinology proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a