In his opinion, Judge Tenney noted as mitigating factors that Respondent has maintained a medical practice for 31 years, during which time the state licensing board has not taken any adverse action against her medical license, and until 1991, neither had DPW or DEA. In addition, Judge Tenney recognized Respondent's efforts to identify and discontinue treatment of patients who she suspected of abusing controlled substances. Judge Tenney recommended that Respondent's DEA registration be revoked in Schedules II and III, the more serious classes of controlled substances.

Both parties filed exceptions to Judge Tenney's recommended decision. In essence, the Government argued that Respondent's DEA registration should be revoked in all schedules, not just in Schedules II and III. In support of its exceptions, the Government contended that Respondent ''indiscriminately prescribed a variety of controlled substances, including Schedule IV and V controlled substances. . . .'' The Government further argued that ''[w]hile revoking Respondent's authority with respect to Schedule II and III controlled substances may prevent the diversion of some dangerous drugs, it will not protect the public from the diversion of Schedule IV and V controlled substances, many of which are highly abused.'' The Acting Deputy Administrator agrees with the Government, that any sanction taken against Respondent's registration should not be limited to Schedule II and III controlled substances, since the practices of Respondent that threaten the public health and safety are not confined to drugs in those schedules.

A significant amount of Respondent's exceptions dealt with the Administrative Law Judge's reliance on the reviews of Respondent's records conducted by DPW and the clinical pharmacologist. As discussed previously, the Acting Deputy Administrator has reluctantly declined to rely on those reviews since they were not based, through no fault of their own, upon Respondent's complete medical records. In addition, Respondent takes exception to Judge Tenney's finding that Respondent knew about the abuse of the combination of glutethimide and Tylenol with codeine prior to November 1991, yet continued to prescribe that combination of drugs to her patients. The Acting Deputy Administrator does not believe that the Administrative Law Judge made such a finding. Instead, Judge Tenney found, and the Acting Deputy Administrator concurs, that the evidence clearly shows that Respondent continued to prescribe this extremely dangerous combination after November 1991, when she acknowledged being aware of its heroin-like effect.

Also as stated in her exceptions, ''[i]t is the Respondent's position that the Administrative Law Judge disregarded the information admitted through her exhibits at hearing.'' The Acting Deputy Administrator has carefully considered all evidence submitted in this proceeding in rendering his decision. Further, Respondent continues to object to the consideration of hearsay evidence. The Acting Deputy Administrator has already addressed and rejected this exception.

The Acting Deputy Administrator concludes that some sanction is necessary against Respondent's DEA Certificate of Registration in order to protect the public interest. This conclusion is based upon Respondent's continued prescribing of the heroin-like combination of glutethimide and codeine products after acknowledging its dangerous nature, her allowing patients to dictate the type and amount of controlled substances to be prescribed, her overprescribing of highly addictive controlled substances in contradiction of the PDR, her refusal to comply with the mandate of a criminal search warrant, and her refusal to acknowledge the impropriety of her prescribing practices. However, the record does not clearly establish that these substances were prescribed for no legitimate medical purposes. Accordingly, the Acting Deputy Administrator does not believe that Respondent's behavior warrants the severe sanction of revocation.

The Acting Deputy Administrator concludes that in order to protect the public interest, Respondent needs to be better educated in the proper handling and effects of controlled substances. Therefore, the Acting Deputy Administrator will suspend Respondent's DEA registration for at least 120 days and until she presents evidence to the Resident Agent in Charge of the DEA Pittsburgh Resident Office, or his designee, of the successful completion of at least 24 hours of training in the pharmacology and/or proper handling of controlled substances. Once Respondent has satisfied this requirement, her DEA Certificate of Registration will be reinstated subject to the following restriction: Respondent shall maintain a separate log of all prescriptions that she issues. At a minimum, the log shall indicate the date that each prescription was written, the name of the patient for whom it was written, the name and dosage of the controlled substance(s) prescribed, and the medical indication for the substance prescribed. The Respondent shall maintain this log for a period of three years from the reinstatement of her DEA Certificate of Registration. Upon request by the Resident Agent in Charge of the DEA Pittsburgh Resident Office, or his designee, the Respondent shall submit or otherwise make available her prescription log for inspection.

Accordingly, the Acting 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, AS1667623, issued to Margaret E. Sarver, M.D., be suspended for at least 120 days and until she presents evidence of the successful completion of 24 hours of training in the pharmacology and/or proper handling of controlled substances. It is further ordered that upon receipt of such evidence, Dr. Sarver's DEA Certificate of Registration will be reinstated subject to the restriction outlined above. This order is effective December 9, 1996.

Dated: November 4, 1996.

James S. Milford, Jr.,

Acting Deputy Administrator.

[FR Doc. 96–28766 Filed 11–7–96; 8:45 am]

BILLING CODE 4410–09–M

Federal Bureau of Investigation

Agency Information Collection Activities: Proposed Collection; Comments Requested

ACTION: Notice of information collection under review; telecommunications carrier reimbursement cost estimate and telecommunications carrier reimbursement request for payment.

Office of Management and Budget (OMB) approval is being sought for the information collection listed below. This proposed information collection was previously published on April 10, 1996, in the Federal Register and allowed 60 days for public comment.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until January 7, 1996. This process is conducted in accordance with 5 CFR 1320.10. Written 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 Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Department of Justice Desk

Officer, Washington, DC 20503. Additionally, comments may be submitted to OMB via facsimile to (202) 395–7285.

Comments may also be submitted to the Department of Justice (DOJ), Justice Management Division, Information Management and Security Staff, Attention: Department Clearance Officer, Suite 850, 1001 G Street, NW., Washington, DC 20530. Additionally, comments may be submitted to DOJ via facsimile to (202) 514–1534.

Written comments and suggestions from the public and affected agencies should address one or more of the following points:

(1) 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;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of 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).

Overview of this information collection:

(1) Type of Information Collection: New Collection. Quantitative and qualitative data necessary to evaluate cooperative agreement proposals and subsequent requests for reimbursement.

(2) The title of the information collection: Telecommunications Carrier Reimbursement Cost Estimate and Telecommunications Carrier Reimbursement Request for Payment.

(3) The agency form number, if any, and the applicable component of the Department of Justice sponsoring the collections: No form number; sponsored by the Federal Bureau of Investigation (FBI), United States Department of Justice.

(4) Affected public who will be asked or required to respond, as well as a brief abstract; Business or other for profit. Telecommunications carriers will respond. This data collection will be necessary to evaluate cooperative agreement proposals and subsequent requests for reimbursement under the Communications Assistance for Law Enforcement Act (CALEA). This information will be used to determine whether agreement prices are fair and reasonable and to make recommendations to Contracting Officers for approval or disapproval of the carrier's request.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: The FBI estimates that approximately three thousand (3,000) telecommunications carriers, with approximately twenty-three thousand (23,000) unique switches, that, over a five (5) year period, may be affected by these rules. The time required to read and prepare information for one switch is estimated at four (4) hours per response.

Public comment on this proposed information collection is strongly encouraged.

Dated: November 4, 1996.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

[FR Doc. 96–28703 Filed 11–7–96; 8:45 am]

BILLING CODE 4410–02–M

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

November 5, 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). A copy of each individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor Acting Departmental Clearance Officer, Theresa M. O'Malley (202) 219–5096 ext. 166. 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/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: Title 29 CFR Part 29—Labor Standards for the Registration of Apprenticeship Programs.

OMB Number: 1205–0223.

Form Number: ETA 671.

Affected Public: Individuals or households; businesses or other for-profit; not-for-profit institutions; Federal Government; State, Local or Tribal Government.

Section No.	Frequency	Respondents	Average time per respondent
29.3	One-time	105,000	15 min.
29.6	One-time	99,000	50 min.
29.5	One-time	5,700	2 hrs.
29.7	One-time	40	50 min.

Total Burden Hours: 45,903.

Total Annualized capital/startup costs: 0.

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

Description: Title 29 CFR Part 29 sets forth labor standards to safeguard the welfare of apprentices and to extend the application of such standards by prescribing policies and procedures concerning registration of apprenticeship programs.

Agency: Employment and Training Administration.

Title: Title 29 CFR Part 30—Equal Employment Opportunity in Apprenticeship and Training.

OMB Number: 1205–0224.

Form Number: ETA 9039.

Affected Public: Individuals or households; business or other for-profit; not-for-profit institutions; Federal Government; State, Local, or Tribal Government.