

prescriptions during the undercover investigation for no legitimate medical purpose in violation of 21 CFR 1306.04.

Finally, as to factor five, the Acting Deputy Administrator finds relevant Respondent's representation on his 1994 application for renewal of his DEA registration that his state medical license had not been restricted, when in fact the Board had restricted his license in 1990. As stated previously, "[s]ince DEA must rely on the truthfulness of information supplied by applicants in registering them to handle controlled substances, falsification cannot be tolerated." *Bobby Watts, M.D.* 58 FR 46995 (1993). In addition, the Acting Deputy Administrator finds it significant that in 1995, when specifically asked by a DEA investigator whether any action had been taken against his state medical license, Respondent replied that no such action had been taken. Respondent has not offered any explanation for these misstatements.

Judge Bittner concluded that Respondent's continued registration would be inconsistent with the public interest at this time in light of his prescribing of controlled substances during the undercover investigation for no legitimate medical purpose; his prescribing of controlled substances to patients enrolled in methadone treatment programs that resulted in the Board's 1990 order restricting his medical license; his continued prescribing of controlled substances to at least several patients he knew were in methadone treatment programs after the Board prohibited such prescribing; and his false statements on his renewal application and to the DEA investigator regarding the Board's action against his medical license. Judge Bittner concluded that "Respondent is not fully capable and/or willing to accept and carry out the responsibilities inherent in DEA registration. \* \* \*" The Acting Deputy Administrator concurs with Judge Bittner's findings and conclusions.

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 AT7513282, issued to Leonel Tano, M.D., be, and it hereby is, revoked. The Acting Deputy Administrator further orders that any pending applications for renewal of such registration, be, and they hereby are, denied. This order is effective May 28, 1997.

Dated: April 16, 1997.

**James S. Milford,**

*Acting Deputy Administrator.*

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## DEPARTMENT OF JUSTICE

### Office of Justice Programs

#### **Bureau of Justice Statistics; Agency Information Collection Activities: Proposed Collection; Comment Request**

**ACTION:** Notice of information collection under review; 1997 sample survey of law enforcement agencies.

Office of Management and Budget (OMB) approval is being sought for the information collection listed below. This proposed information collection was previously published in the **Federal Register** on February 20, 1997 at 62 FR 347799 allowing for a 60-day public comment period. No comments were received by the Bureau of Justice Statistics.

The purpose of this notice is to allow an additional 30 days for public comments until May 28, 1997. This process is conducted in accordance with 5 CFR Part 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 (OMB), Office of Information and Regulatory Affairs, Attention: Department of Justice Desk Officer, Washington, DC 20530. 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, 1001 G Street, NW., Suite 850, Washington, DC 20530. Additionally, comments may be submitted to DOJ via facsimile to 202-514-1590. Written comments and suggestions from the public and affected agencies regarding the items 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/component, including whether the information will have practical utility;
- (2) Evaluate the accuracy of the agency's/component's estimate of the burden of the proposed collection of

information, including the validity of the methodology and assumptions used;

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

(4) 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.

Overview of this information collection:

(1) *Type of Information Collection:* New Collection.

(2) *Title of the Form/Collection:* 1997 Sample Survey of Law Enforcement Agencies.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection. Forms:* CJ-44, CJ-44A. Bureau of Justice Statistics, Office of Justice Programs, United States Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Police and sheriff agencies operated by State, local or tribal government. *Other:* None. These forms will be used to collect administrative and management statistics from a nationally representative sample of State and local law enforcement agencies in the United States in order to provide basic information on their workload and resources.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 3,400 respondents at 1.27 hours per response. This includes 2 hours per response for 925 respondents to Form CJ-44 and 1 Hour per response for 2,475 respondents to Form CJ-44A.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 4,325 annual burden hours.

Public comment on this information collection is strongly encouraged.

Dated: April 22, 1997.

**Robert B. Briggs,**

*DOJ Clearance Officer.*

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## NATIONAL COUNCIL ON DISABILITY

### Sunshine Act Meeting

**TYPE:** Quarterly Meeting.

**AGENCY:** National Council on Disability.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of the