

which he conducts his business, 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. See *Romeo J. Perez, M.D.*, 62 FR 16,193 (1997); *Demetris A. Green, M.D.*, 61 FR 60,728 (1996); *Dominick A. Ricci, M.D.*, 58 FR 51,104 (1993).

Here it is clear that Respondent is not currently authorized to handle controlled substances in the State of Georgia. Therefore, Respondent is not entitled to a DEA registration in that state and his request for modification of his registration to an address in Georgia must be denied.

Regarding the revocation of Respondent's DEA Certificate of Registration under 21 U.S.C. 824(a)(1), the Acting Deputy Administrator finds that DEA has previously held that in finding that there has been a material falsification of an application, it must be determined that the applicant knew or should have known that the response given to the liability question was false. See *Bobby Watts, M.D.*, 58 FR 4699 (1993); *Herbert J. Robinson, M.D.*, 59 FR 6304 (1994).

Respondent states in his written statement that, "the material falsification of my application for DEA Certificate renewal was a grave and profound error of ignorance of the facts concerning the nature of the determination made by the Maryland Board. It was a serious error of omission because I understood the three year probation as a 'second change' in this matter, and the stayed suspension as not equivalent, in fact, to an outright suspension of my license. It was because of this misunderstanding on my behalf that I did not include this information on the DEA Certificate renewal application in March of 1995. I had no intent to beguile or manipulate; profoundly I did not know or tru[sic] understand."

The Acting Deputy Administrator finds that Respondent's explanation does not relieve him of his responsibility to properly answer the liability question. The fact that Respondent viewed his being placed on probation by the Maryland Board as "a second change" is irrelevant. Respondent does not deny that he knew that his license was placed on probation. Likewise, his contention that he did not understand is not credible. Respondent knew or should have known that his Maryland medical license was placed on probation for three years. Therefore, the Acting Deputy Administrator concludes that by answering "no" to the liability question, Respondent materially falsified his March 6, 1995 renewal application.

The Director of Morehouse School of Medicine's Family Medicine Residency Program submitted a letter on behalf of Respondent, stating that Respondent "has always been very honest about his status with licensing organizations." The Acting Deputy Administrator concludes that the Director's support does not negate the fact that Respondent is not currently authorized to handle controlled substances in Georgia or that he materially falsified his application for renewal of his DEA Certificate of Registration.

The Acting Deputy Administrator finds that since Respondent did not offer any other explanation for the falsification of his application or any mitigating evidence, revocation of Respondent's DEA Certificate of Registration is warranted. Even if Respondent did not intentionally falsify his application, his negative answer to the liability question demonstrates a lack of attention to detail and carelessness, both of which are of great concern to the Acting Deputy Administrator. This is made even more troublesome by the fact that part of the basis for the Maryland Board's action was that Respondent failed to disclose certain information on his application for renewal of his medical license. If anything, Respondent should have been even more careful in answering questions on his applications.

Accordingly, the Acting Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in his by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration BJ2942440, issued to Eric E. Jones, M.D., be, and it hereby is, revoked. The Acting Deputy Administrator further orders that Dr. Jones' request to modify his registration, and any pending applications for renewal of such registration, be, and they hereby are, denied. This order is effective March 30, 1998.

Dated: February 20, 1998.

Peter F. Gruden,

Acting Deputy Administrator.

[FR Doc. 98-4973 Filed 2-26-98; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Rafael A. Segrera, D.O. Revocation of Registration

On June 5, 1997, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order

to Show Cause to Rafael A. Segrera, D.O., of Odebolt, Iowa, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration BS1828788, under 21 U.S.C. 824(a)(3), and deny any pending applications for registration as a practitioner pursuant to 21 U.S.C. 823(f), for reason that he is not currently authorized to handle controlled substances in the State of Iowa. The order also notified Dr. Segrera that should no request for a hearing be filed within 30 days of receipt, his hearing right would be deemed waived.

The DEA received a signed receipt indicating that the order was received by Dr. Segrera on June 12, 1997. No request for a hearing or any other reply was received by the DEA from Dr. Segrera or anyone purporting to represent him in this matter. Therefore, the Acting Deputy Administrator, finding that (1) 30 days have passed since the receipt of the Order to Show Cause, and (2) no request for a hearing having been received, concludes that Dr. Segrera is deemed to have waived his hearing right. After considering relevant material from the investigative file in this matter, the Acting Deputy Administrator now enters his final order without a hearing pursuant to 21 CFR 1301.43(d) and (e) and 1301.46.

The Acting Deputy Administrator finds that on October 20, 1994, the Board of Medical Examiners of the State of Iowa (Board) issued an Order of Summary Suspension of Dr. Segrera's license to practice osteopathic medicine and surgery. Following a hearing, the Board indefinitely suspended Dr. Segrera's license effective February 23, 1996. Thereafter, by letter dated March 18, 1996, the Iowa Board of Pharmacy Examiners notified Dr. Segrera of the suspension of his Iowa controlled substance registration.

The Acting Deputy Administrator finds that Dr. Segrera is not currently authorized to handle controlled substances in the State of Iowa, where he is registered with DEA. The DEA does not have the statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without state authority 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 *Romeo J. Perez, M.D.*, 62 FR 16,193 (1997); *Demetris A. Green, M.D.*, 61 FR 60,728 (1996); *Dominick A. Ricci, M.D.*, 58 FR 51,104 (1993).

Here it is clear that Dr. Segrera is not currently authorized to handle controlled substances in the State of

Iowa. Therefore, Dr. Segrera is not entitled to a DEA registration in that state.

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 BS1828788, previously issued to Rafael A. Segrera, D.O., be, and it hereby is, revoked. The Acting Deputy Administrator further orders that any pending applications for the renewal of such registration, be, and they hereby are, denied. This order is effective March 30, 1998.

Dated: February 20, 1998.

Peter F. Gruden,

Acting Deputy Administrator.

[FR Doc. 98-4974 Filed 2-26-98; 8:45 am]

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DEPARTMENT OF JUSTICE

Office of Justice Programs

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

ACTION: Request OMB Emergency Approval; Application to Register the Annual Survey of Jails, Form CJ-5.

The Department of Justice, Office of Justice Programs, Bureau of Justice Statistics (BJS) has submitted the following information collection request (ICR) utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. OMB approval has been requested by December 2, 1997. If granted, the emergency approval is only valid for 180 days. All comments and/or questions pertaining to this pending request for emergency approval must be directed to OMB, Office of Information and Regulatory Affairs, Attention: Patrick Boyd, (202) 395-5871, Department of Justice Desk Officer, Washington, DC 20503. You may also submit comments to Mr. Boyd via facsimile and (202) 395-7285.

During the first 60 days of this same period a regular review of this information collection is also being undertaken. Comments are encouraged and will be accepted until April 28, 1998. During the 60-day regular review all comments and suggestions, or questions regarding additional information, to include obtaining a copy of the proposed information collection

instrument with instructions, should be directed to Allen J. Beck, Ph.D., Chief, Corrections Statistics, Bureau of Justice Statistics, U.S. Department of Justice, 810 Seventh Street, NW, Washington, DC 20531. Your comments should address one or more of the following four 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 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:* Extension of a currently approved information collection.

(2) *Title of the Form/Collection:* Annual Survey of Jails.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form CJ-5. Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: County and City jail authorities. The "Annual Survey of Jails" (AJS) is the only collection effort that provides an ability to maintain important jail statistics in years between the jail censuses. The AJS enables the Bureau; Federal, State, and local correctional administrators; legislators; researchers; and planners to track growth in the number of jails and their capacities nationally; as well as, track changes in the demographics and supervision status of the jail population and the prevalence of crowding.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 825 respondents at .75 hours per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* Annual burden hours are 619.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Allen J. Beck, Ph.D., Chief, Corrections Statistics, Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice, 810 Seventh Street, NW, Washington, DC 20531 (202-616-3277).

If additional information is required contact Robert B. Briggs, Clearance Officer, U.S. Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW, Washington, DC 20530.

Dated: February 23, 1998.

Robert B. Briggs,

Department Clearance Officer, U.S. Department of Justice.

[FR Doc. 98-5042 Filed 2-26-98; 8:45 am]

BILLING CODE 4410-18-M

DEPARTMENT OF LABOR

Labor Advisory Committee for Trade Negotiations and Trade Policy; Meeting Notice

Pursuant to the provisions of the Federal Advisory Committee Act (P.L. 92-463 as amended), notice is hereby given of a meeting of the Steering Subcommittee of the Labor Advisory Committee for Trade Negotiations and Trade Policy.

Date, Time and Place: March 17, 1998, 10:00 a.m., U.S. Department of Labor, C5525, Seminar Room 5, 200 Constitution Ave., NW., Washington, DC 20210.

Purpose: The meeting will include a review and discussion of current issues which influence U.S. trade policy. Potential U.S. negotiating objectives and bargaining positions in current and anticipated trade negotiations will be discussed. Pursuant to section 9(B) of the Government in the Sunshine Act, 5 U.S.C. 552b(c)(9)(B) it has been determined that the meeting will be concerned with matters the disclosure of which would seriously compromise the Government's negotiating objectives or bargaining positions. Accordingly, the meeting will be closed to the public.

For further information, contact: Jorge Perez-Lopez, Director, Office of International Economic Affairs, Phone: (202) 219-7597.

Signed at Washington, DC, this 23rd day of February 1998.

Andrew J. Samet,

Deputy Under Secretary, International Affairs.

[FR Doc. 98-5125 Filed 2-26-98; 8:45 am]

BILLING CODE 4510-28-M