registrant ''engaged in conduct which was untruthful and lacking in trustworthiness and integrity,'' and DEA ''found that revocation was the appropriate sanction.'' However, the Acting Deputy Administrator finds that those cases can be distinguished from the facts and circumstances of this case. In those cases the registrant/applicant either continued to deny any wrongdoing or presented no evidence in mitigation. See *Maxicare Pharmacy*, 61 FR 27368; *Stanley Karpo, D.P.M.*, 61 FR 13,876 (1996); *Albert L. Pulliam, M.D.* 60 FR 54,513 (1995); *Richard D. Close, M.D.*, 53 FR 43,947 (1988). The Government also cited *Alra Laboratories, Inc.* v. *DEA*, 54 F.3d 450 (7th Cir. 1995), for the proposition that ''past performance is the best predictor of future performance.'' The Acting Deputy Administrator finds that this case can also be distinguished from the present case, since the registration of a distributor was revoked based upon a long history of non-compliance with controlled substance laws and regulations.

Next, the Government asserts that the 1995 Memorandum of Agreement entered into by the DEA Atlanta office was limited to a very restrictive set of circumstances and has no effect on the DEA Sacramento office's decision to seek an order proposing denial of Respondent's application for registration in California. The Government contends that the Atlanta Memorandum of Agreement limited Respondent to practice at a certain army hospital and did not extend to any other employment by Respondent. Additionally, Government counsel argues that it ''is aware of no policy or regulation which would require any DEA Field Division to accept or offer the same terms of registration as might have been offered from another DEA office * * *.''

The Acting Deputy Administrator disagrees with the Government's suggestion that Respondent's access to controlled substances in Atlanta would have been more restricted than his access at his current place of employment in California. In Atlanta, he would have been working at only one army hospital, but he would have been working in the emergency room with access to a wide variety of controlled substances. In addition, his handling of controlled substances would not have been limited to prescribing only. At his present employment in California, Respondent has testified that he will only prescribe five specific controlled substances in his treatment of ADD patients.

The Acting Deputy Administrator also disagrees with the Government's suggestion that it was improper for Judge Randall to find that it was inconsistent for the DEA Sacramento office not to offer Respondent the same restricted registration as was offered by the DEA Atlanta office in 1995. The Acting Deputy Administrator finds that the only difference in the facts surrounding Atlanta's decision to give Respondent a restricted registration and Sacramento's proposed denial of his application is that Respondent misrepresented his date of birth to the Medical Board of California. While this misrepresentation is troublesome, it does not warrant the denial of Respondent's application in light of his expressions of remorse and acceptance of responsibility for his actions. Therefore, the Acting Deputy Administrator finds it reasonable to register Respondent in California subject to certain terms and conditions.

Finally, the Government argues in its exceptions that the conditions to be placed on Respondent's registration proposed by Judge Randall are of no benefit, since they are either already provided for in the regulations relating to the handling of controlled substances or they would merely provide DEA with advance notice of something that it would ultimately learn from the state. However, the Government did not offer any alternative restrictions.

The Acting Deputy Administrator agrees with the Government that the proposed conditions recommended by Judge Randall are of limited benefit. Serious questions remain regarding Respondent's trustworthiness. But as Respondent testified, he will never be able to totally assure DEA that he can be trusted to responsibly handle controlled substances unless he is given an opportunity to prove himself with a restricted registration. Therefore, the Acting Deputy Administrator agrees with Judge Randall's recommendation to grant Respondent a restricted registration. Such a resolution will provide Respondent with the opportunity to demonstrate that he can responsibly handle controlled substances, while at the same time protect the public health and safety, by providing a mechanism for rapid detection of any improper activity. See *Michael J. Septer, D.O.*, 61 FR 53762 (1996); *Steven M. Gardner, M.D.* 51 FR 12576 (1986). However, the Acting Deputy Administrator concludes that the terms and conditions of Respondent's registration recommended by Judge Randall must be modified as follows:

1. By the effective date of this final order, Respondent shall notify the Resident Agent in Charge of the DEA Sacramento Resident Office, or his designee, of his place of employment at that time. Thereafter, for three years from the date of issuance of the DEA Certificate of Registration, Respondent shall immediately notify the Resident Agent in Charge of the DEA Sacramento Resident Office, or his designee, of any changes in his employment.

2. For three years from the date of issuance of the DEA Certificate of Registration, Respondent's controlled substance handling authority shall be limited to the writing of prescriptions only for the five specific drugs identified by Respondent to be needed in his treatment of Attention Deficit Disorder patients: Ritalin, Dexedrine, Adderall, Desoxyn, all of which are Schedule II controlled substances, and Cylert, a Schedule IV controlled substance.

3. For three years from the date of issuance of the DEA Certificate of Registration, Respondent shall maintain a log of all prescriptions that he issues. At a minimum, the log shall indicate the date that the prescription was written, the name of the patient for whom it was written, and the name and dosage of the controlled substance prescribed. Upon request of the Resident Agent in Charge of the Sacramento Resident Office, or his designee, Respondent shall submit or otherwise make available his prescription log for inspection.

4. For three years from the date of issuance of the DEA Certificate of Registration, Respondent shall consent to periodic inspections by DEA personnel based on a Notice of Inspection rather than an Administrative Inspection Warrant.

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 29 CFR 0.100(b) and 0.104, hereby orders that the application dated September 1, 1994, submitted by Cecil E. Oakes, Jr., M.D., be, and it hereby is, withdrawn. The Acting Deputy Administrator further orders that the application dated June 14, 1996, submitted by Cecil E. Oakes, Jr., M.D., be, and it hereby is, granted in Schedules II nonnarcotic and IV subject to the above described restrictions. This order is effective April 10, 1998.

Dated: March 4, 1998.

Donnie R. Marshall,

Acting Deputy Administrator.

[FR Doc. 98–6158 Filed 3–10–98; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Foreign Claims Settlement Commission

F.C.S.C. Meeting Notice No. 6–98

The Foreign Claims Settlement Commission, pursuant to its regulations

(45 CFR Part 504) and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings and oral hearings for the transaction of Commission business and other matters specified, as follows:

DATE AND TIME: Monday, March 30, 1998, 10:30 a.m.

SUBJECT MATTER: Hearings on the Record on Objections to Proposed Decisions on claims against Albania, as follows:

1. Claim No. ALB–064 Fejzi Domni
2. Claim No. ALB–078 Llazaraq Cifligu
3. Claim No. ALB–080 Ethel Constas
4. Claim Nos. ALB–099 Peter Panajoti, et al., ALB–130, ALB–131, ALB–132, ALB–167
5. Claim No. ALB–268 Philip Stephens, et al.

STATUS: Open.

Matters not disposed of in this meeting will be carried over to the next scheduled meeting. All meetings are held at the Foreign claims Settlement Commission, 600 E Street, N.W., Washington, DC. Requests for information, or advance notices of intention to observe an open meeting, may be directed to: Administrative Officer, Foreign Claims Settlement Commission, 600 E Street, NW., Room 6002, Washington, DC 20579. Telephone: (202) 616–6988.

Dated at Washington, DC, March 6, 1998.

Judith H. Lock,

Administrative Officer.

[FR Doc. 98–6375 Filed 3–9–98; 12:15 pm]

BILLING CODE 4410–01–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (98–031)]

NASA Advisory Council, Life and Microgravity Sciences and Applications Advisory Committee, NASA–NIH Advisory Subcommittee on Behavioral and Biomedical Research; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92–463, as amended, the National Aeronautics and Space Administration announces a meeting of the NASA Advisory Council, Life and Microgravity Sciences and Applications Advisory Committee, NASA–NIH Advisory Subcommittee on Behavioral and Biomedical Research.

DATES: Thursday, April 2, 1998, 7:30 a.m. to 5:00 p.m.; and Friday, April 3, 1998, 7:30 a.m. to 11:30 a.m.

ADDRESSES: White Oak Plantation (The Howard Gilman Foundation), Yulee, FL 32097.

FOR FURTHER INFORMATION CONTACT: Dr. Joan Vernikos, Code UL, National Aeronautics and Space Administration, Washington, DC 20546, 202/358–2530.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the seating capacity of the room. The agenda for the meeting is as follows:

- Protein Crystallography
- Biology Pillars Update
- NASA–NIH Collaborations
- STS–95 Activities
- Neurovestibular NSCORT
- Neurolab

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: March 4, 1988.

Matthew M. Crouch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 98–6226 Filed 3–10–98; 8:45 am]

BILLING CODE 7510–01–M

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: U.S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. *Type of submission, new, revision, or extension:* Extension.

2. *The title of the information collection:* NRC Forms 540, 540A, 541, 541A, 542, and 542A, Uniform Low-Level Radioactive Waste Manifest forms

3. *The form number if applicable:* NRC Forms 540, 540A, 541, 541A, 542, and 542A,

4. *How often the collection is required:* Forms are used by shippers whenever radioactive waste is shipped. Quarterly reporting or less frequent is made to NRC depending on specific license conditions.

5. *Who will be required or asked to report:* All NRC licensed low-level waste facilities. All generators, collectors, and processors of low-level waste intended for disposal at a low-level waste facility must complete the appropriate forms.

6. *An estimate of the number of responses:*

NRC Form 540: 8,000
NRC Form 541: 8,000
NRC Form 542: 600

7. *The estimated number of annual respondents:*

NRC Form 540: 2,500
NRC Form 541: 2,500
NRC Form 542: 22

8. *An estimate of the total number of hours needed annually to complete the requirement or request:*

NRC Form 540: 9,380 hours (1.17 hours per response)

NRC Form 541: 43,463 hours (5.43 hours per response)

NRC Form 542: 260 hours (0.43 hours per response)

9. *An indication of whether Section 3507(d), Pub. L. 104–13 applies:* Not applicable.

10. *Abstract:* NRC Forms 540, 541, and 542, together with their continuation pages, designated by the ''A'' suffix, provide a set of standardized forms to meet Department of Transportation (DOT), NRC, and State requirements. The forms were developed by NRC at the request of low-level waste industry groups. The forms provide uniformity and efficiency in the collection of information contained in manifests which are required to control transfers of low-level radioactive waste intended for disposal at a land disposal facility. NRC Form 540 contains information needed to satisfy DOT shipping paper requirements in 49 CFR Part 172 and the waste tracking requirements of NRC in 10 CFR Part 20. NRC Form 541 contains information needed by disposal site facilities to safely dispose of low-level waste and information to meet NRC and State requirements regulating these activities. NRC Form 542, completed by waste collectors or processors, contains information which facilitates tracking the identity of the waste generator. That tracking becomes more complicated when the waste forms, dimensions, or packagings are changed by the waste processor. Each container of waste shipped from a waste processor may contain waste from several different