

child pornography, a copy of which judgment was also attached to the Government's Motion.

By letter dated September 1, 2001, Respondent requested a continuation in these proceedings, as he apparently was no longer being represented by counsel and needed to determine how to proceed. Respondent was granted until September 27, 2001, to respond to the Government's Motion.

On September 27, 2001, Respondent filed a response to the Government's Motion, asserting that since his medical license had been suspended, rather than revoked, revocation of his DEA registration would be extreme and excessive. Respondent also contends that there are no guidelines requiring revocation of a DEA registration following a registrant's felony conviction.

By Opinion and Recommended Decision of the Administrative Law Judge dated October 3, 2001, Mary Ellen Bittner (Judge Bittner) granted the Government's Motion, recommending that Respondent's DEA registration be revoked, and any pending applications for modification or renewal be denied. On November 19, 2001, the record of these proceedings was transmitted to the Deputy Administrator for final decision.

The Deputy Administrator has considered the record in its entirety, and pursuant to 21 CFR 1316.67, hereby issues his final order based upon findings of fact and conclusions of law as hereinafter set forth. The Deputy Administrator adopts in full the Opinion and Recommended Decision of the Administrative Law Judge.

The DEA does not have the statutory authority pursuant to the Controlled Substances Act to issue or to maintain a registration if the applicant or registrant is without State authority to handle controlled substances in the State in which he or she practices. *See* 21 U.S.C. 802(21), 823(f), and 824(a)(3). This prerequisite has been consistently upheld in prior DEA cases. *See Graham Travers Schuler, M.D.*, 65 FR 50,570 (2000); *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).

In the instant case, the Deputy Administrator finds the Government has presented undisputed evidence demonstrating that the Respondent is not authorized to practice medicine or surgery in Virginia, and therefore, the Deputy Administrator infers that Respondent is also not authorized to handle controlled substances in Virginia, where he practices, according to the address listed on his DEA

Certificate of Registration. The Deputy Administrator concurs with Judge Bittner's findings that Respondent does not deny that he is not currently licensed to practice medicine in the Commonwealth of Virginia, the jurisdiction in which he is registered by DEA. Thus, there is no genuine issue of material fact concerning Respondent's lack of authorization to practice medicine in Virginia or to handle controlled substances in that State.

The Deputy Administrator further concurs with Judge Bittner's finding that it is well settled that when there is no question of material fact involved, there is no need for a plenary, administrative hearing. Congress did not intend for administrative agencies to perform meaningless tasks. *See Michael G. Dolin, M.D.*, 65 FR 5,661 (2000); *Jesus R. Juarez, M.D.*, 62 FR 14,945 (1997); *see also Philip E. Kirk, M.D.*, 48 FR 32,887 (1983), *aff'd sub nom. Kirk v. Mullen*, 749 F. 2d 297 (6th Cir. 1984).

Accordingly, the 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 BW5121948, issued to Jonathan I. Weinstein, M.D., be, and it hereby is, revoked; and that any pending applications for the renewal or modification of said Certificate be, and hereby are, denied. This order is effective June 19, 2002.

Dated: May 6, 2002.

**John B. Brown, III,**  
Deputy Administrator.

[FR Doc. 02-12496 Filed 5-17-02; 8:45 am]

**BILLING CODE 4410-09-M**

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### Agency Information Collection Activities: Proposed Collection; Comment Request

**ACTION:** Notice of information collection under review; memorandum of understanding to participate in an employment eligibility confirmation pilot program.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments

are encouraged and will be accepted for sixty days until July 19, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information 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: Revision of a currently approved collection.*

(2) *Title of the Form/Collection: Memorandum of Understanding to Participate in an Employment Eligibility Confirmation Pilot Program.*

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: No Agency Form Number (File No. OMB-18). SAVE Program, Immigration and Naturalization Service.*

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary: Individuals or households. Employers electing to participate in a pilot will execute a Memorandum of Understanding with the Immigration and Naturalization Service and the Social Security Administration (if applicable), that provides the specific terms and conditions governing the pilot and company information for each site that will be performing employment verification queries.*

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: 5,000 responses at 1 hour and 35 minutes (1.538 hours) per response.*

(6) *An estimate of the total public burden (in hours) associated with the collection: 7,915 annual burden hours.*

If you have additional comments, suggestions, or need a copy of the

proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202-514-3291, Director, Regulations and Forms Services Division, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, 601 D Street, NW., Patrick Henry Building, Suite 1600, Washington, DC 20530.

Dated: May 14, 2002.

**Richard A. Sloan,**

Department Clearance Officer, United States Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02-12497 Filed 5-17-02; 8:45 am]

BILLING CODE 4410-10-M

**DEPARTMENT OF JUSTICE**

**Immigration and Naturalization Service**

**Agency Information Collection**

**Activities: Proposed Collection; Comment Request**

**ACTION:** 60-day notice of information collection under review; Request for Fee Waiver; Form I-912.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until July 19, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information 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 agency'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 Information Collection.*

(2) *Title of the Form/Collection: Request for Fee Waiver.*

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Form I-912, Adjudications Division, Immigration and Naturalization Service.*

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary: Individuals or households. The data collected on this form is used by the INS to determine eligibility for a fee waiver associated with the requested immigration benefit.*

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: 16,000 responses at 1 hour and 15 minutes (1.25) per response.*

(6) *An estimate of the total public burden (in hours) associated with the collection: 20,000 annual burden hours.*

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202-514-3291, Director, Regulations and Forms Services Division, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, 601 D Street, NW., Patrick Henry Building, Suite 1600, Washington, DC 20530.

Dated: May 14, 2002.

**Richard A. Sloan,**

Department Clearance Officer, United States Department of Justice, Immigration and Naturalization Service.

[FR Doc. 02-12498 Filed 5-7-02; 8:45 am]

BILLING CODE 4410-10-M

**LEGAL SERVICES CORPORATION**

**Sunshine Act Meeting of the Board of Directors**

**TIME AND DATE:** The Board of Directors of the Legal Services Corporation will meet on May 23, 2002 via conference call. The meeting will begin at 2 p.m. and continue until conclusion of the Board's agenda.

**LOCATION:** 750 First Street, NE, 11th Floor, Washington, DC 20002, in Room 11026.

**STATUS OF MEETING:** Open.

**MATTERS TO BE CONSIDERED:**

1. Approval of the agenda.
2. Consider and act on Board of Directors' Semianual Report to Congress for the period of October 1, 2001 through March 31, 2002.
3. Consider and act on other business.
4. Public comment.

**CONTACT PERSON FOR INFORMATION:**

Victor M. Fortuno, Vice President for Legal Affairs, General Counsel & Corporate Secretary, at (202) 336-8800.

**Special Needs:** Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Elizabeth Cushing, at (202) 336-8800.

Dated: May 16, 2002.

**Victor M. Fortuno,**

Vice President for Legal Affairs, General Counsel & Corporate Secretary.

[FR Doc. 02-12731 Filed 5-16-02; 3:52 pm]

BILLING CODE 7050-01-P

**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

**Agency Information Collection Activities: Proposed Collection; Comment Request**

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice.

**SUMMARY:** NARA is giving public notice that the agency proposes to request extension of a currently approved information collection used when former Federal civilian employees and