

foreign country, are in violation of the Controlled Substances Act, regardless of whether the consumer possesses a legitimate prescription issued by a United States practitioner in the usual course of their professional practice. Likewise, consumers are also in violation of the Controlled Substances Act if they have prescriptions for controlled substances filled in foreign countries and shipped to the United States.

#### Personal Medical Use Exemption

The CSA contains a "personal medical use" exemption (21 U.S.C. 956; 21 CFR 1301.26) which makes a limited allowance for travelers entering and departing the United States who have a legitimate medical need for controlled substances during their journey. Under this exemption, United States residents who travel to foreign countries and non-United States residents who travel to the United States may carry controlled substances on their person for their legitimate personal medical use. DEA published a Notice of Proposed Rulemaking in the **Federal Register** on September 11, 2003 addressing the personal medical use exemption (68 FR 53529).

The "personal medical use" exemption only applies to individual travelers who themselves are entering or departing the United States who require controlled substances. The "personal medical use" exemption does not apply to the shipment of controlled substances into the United States from a foreign country, regardless of whether the individual receiving the shipment possesses a valid prescription issued by a United States practitioner for the controlled substances, and regardless of the fact that those controlled substances are intended for the personal medical use of an individual. As stated previously, purchasing controlled substances from a foreign country or from a foreign Internet site and having them shipped to a business or individual within the United States is not permitted by the "personal medical use" exemption. Such purchases and shipments are considered "imports" under the Controlled Substances Act even if the substances are for personal use. Unless the business or individual within the United States receiving the shipment is registered as an importer with DEA and is in compliance with the requirements of Federal law and DEA regulations, such shipments are illegal and subject to seizure.

#### Conclusion

The Controlled Substances Act prohibits persons from importing

controlled substances into the United States unless those persons are registered with DEA to do so. Persons importing controlled substances into the United States without being properly registered to do so are in violation of the CSA and are subject to prosecution for violation of Federal drug laws.

Dated: May 24, 2004.

**William J. Walker,**

*Deputy Assistant Administrator, Office of Diversion Control.*

[FR Doc. 04-14716 Filed 6-28-04; 8:45 am]

**BILLING CODE 4410-09-P**

### NUCLEAR REGULATORY COMMISSION

#### Meeting; Sunshine Act

**DATE:** Weeks of June 28, July 5, 12, 19, 26, August 2, 2004.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and closed.

#### MATTERS TO BE CONSIDERED:

##### Week of June 28, 2004

There are no meetings scheduled for the week of June 28, 2004.

##### Week of July 5, 2004—Tentative

Wednesday, July 7, 2004:

1:55 p.m.—Affirmation Session (public meeting) (if needed).

##### Week of July 12, 2004—Tentative

Tuesday, July 13, 2004:

2:15 p.m.—Discussion of Security Issues (closed—Ex. 1).

##### Week of July 19, 2004—Tentative

Wednesday, July 21, 2004:

9:30 a.m.—Meeting with Advisory Committee on Nuclear Waste (ACNW) (public meeting) (contact: John Karkins (301) 415-7360). This meeting will be Web cast live at the Web address—<http://www.nrc.gov>.

##### Week of July 26, 2004—Tentative

There are no meetings scheduled for the week of July 26, 2004.

##### Week of August 2, 2004—Tentative

There are no meetings scheduled for the week of August 2, 2004.

\* The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292. Contact person for more information: Dave Gamberoni, (301) 415-1651.

\* \* \* \* \*

The NRC Commission Meeting Schedule can be found on the Internet

at: <http://www.nrc.gov/what-we-do/policy-making/schedule.html>.

\* \* \* \* \*

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify the NRC's Disability Program Coordinator, August Spector, at (301) 415-7080, TDD: (301) 415-2100, or by e-mail at [aks@nrc.gov](mailto:aks@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

\* \* \* \* \*

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it or would like to be added to the distribution please contact the Office of the Secretary, Washington, DC 20555 (301) 415-1969. In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: June 24, 2004.

**Dave Gamberoni,**

*Office of the Secretary.*

[FR Doc. 04-14771 Filed 6-25-04; 9:29 am]

**BILLING CODE 7590-01-M**

### OFFICE OF PERSONNEL MANAGEMENT

#### Proposed Collection; Comment Request for a Revised Information Collection Mail Reinterview Form (OFI 10), OMB No. 3206-0106

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13), this notice announces that the Office of Personnel Management intends to submit to the Office of Management and Budget a request for clearance of a revised information collection. OPM sends the OFI 10 questionnaire to a random sampling of record and personal sources contacted during background investigations when investigators have performed fieldwork. The OFI 10 is used as a quality control instrument designed to ensure the accuracy and integrity of the investigative product, as it inquires of the sources about the investigative procedure employed by the investigator,

the investigator's professionalism, and the information discussed and reported. In addition to the pre-formatted response options, OPM invites the recipients to respond with any other relevant comments or suggestions. A postage-paid envelope is provided with the OFI 10.

Comments are particularly invited on:

- Whether this collection of information is necessary for the proper performance of functions of the Office of Personnel Management and its Center for Federal Investigative Services, which administers its background investigations.

- Whether our estimate of the public burden of this collection is accurate, and based on valid assumptions and methodology; and,

- Ways in which we can minimize the burden of the collection of information on those who are asked to respond, through the use of the appropriate technological collection techniques or other forms of information technology; and,

- Whether the reinterview questionnaire addresses all of the questions relevant to ensure the accuracy and integrity of the investigative product.

It is estimated that 9,600 OFI 10 forms are sent to individual sources annually. Of those, it is estimated that 5,600 individuals will respond. Each form takes approximately six minutes to complete. The estimated annual burden is 560 hours.

For copies of this proposal, contact Mary Beth Smith-Toomey on (202) 606-8358, Fax (202) 418-3251 or e-mail to [mbtoomey@opm.gov](mailto:mbtoomey@opm.gov). Please be sure to include a mailing address with your request.

**DATES:** Comments on this proposal should be received within 60 calendar days from the date of this publication.

**ADDRESSES:** Send or deliver comments to: Kathy Dillaman, Deputy Associate Director, Center for Federal Investigative Services, U.S. Office of Personnel Management, 1900 E Street, Room 5416, Washington, DC 20415.

**FOR INFORMATION REGARDING ADMINISTRATIVE COORDINATION CONTACT:** Sabrina Price—Program Analyst, Program Services Group, Center for Federal Investigative Services, U.S. Office of Personnel Management, (202) 606-3534.

Office of Personnel Management.

**Kay Coles James,**  
*Director.*

[FR Doc. 04-14697 Filed 6-28-04; 8:45 am]

**BILLING CODE 6325-38-P**

## SECURITIES AND EXCHANGE COMMISSION

### Issuer Delisting; Notice of Application of Cleco Corporation To Withdraw its Common Stock, \$1.00 Par Value, and Associated Rights To Purchase Preferred Stock From Listing and Registration on the Pacific Exchange, Inc. File No. 1-05663

June 23, 2004.

On June 17, 2004, Cleco Corporation, a Louisiana corporation ("Issuer"), filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d2-2(d) thereunder,<sup>2</sup> to withdraw its common stock, \$1.00 par value, and associated rights to purchase preferred stock ("Securities"), from listing and registration on the Pacific Exchange, Inc. ("PCX" or "Exchange").

The Board of Directors of the Issuer adopted resolutions on April 23, 2004, to withdraw the Issuer's Securities from listing on the PCX. The Issuer states that the following reasons factored into its decision to withdraw its Securities from the PCX: (i) The Issuer has maintained a dual listing of its Securities on the New York Stock Exchange, Inc. ("NYSE") and the PCX since 1988; (ii) at the time of the 1988 PCX listing, a regional exchange listing was thought to provide added liquidity to a NYSE-traded stock since some investors traded only on regional exchanges. Since that time, the advances in electronic trading platforms have essentially created a single domestic trading platform and eliminated the benefit of dual listings on regional exchanges; (iii) the PCX listing adds additional fees and results in dual reporting requirements and; (iv) the Issuer believes that since the listing on the PCX no longer provides additional value, delisting the Securities will lower fees and reduce reporting activities. In addition, the Issuer states that the Securities will continue to trade on the NYSE.

The Issuer stated in its application that it has complied with PCX's Rule 5.4(b) by complying with all applicable laws in effect in the State of Louisiana and by providing PCX with the required documents governing the removal of securities from listing and registration on the Exchange. The Issuer's application relates solely to the withdrawal of the Securities from listing on the PCX and shall not affect its continued listing on the NYSE or its

obligation to be registered under section 12(b) of the Act.<sup>3</sup>

Any interested person may, on or before July 19, 2004, comment on the facts bearing upon whether the application has been made in accordance with the rules of the PCX, and what terms, if any, should be imposed by the Commission for the protection of investors. All comment letters may be submitted by either of the following methods:

#### *Electronic Comments*

- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include the File Number 1-05663 or;

#### *Paper Comments*

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609.

All submissions should refer to File Number 1-05663. This file number should be included on the subject line if e-mail is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/delist.shtml>). Comments are also available for public inspection and copying in the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, DC 20549. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>4</sup>

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. 04-14674 Filed 6-28-04; 8:45 am]

**BILLING CODE 8010-01-P**

<sup>1</sup> 15 U.S.C. 78l(d).

<sup>2</sup> 17 CFR 240.12d2-2(d).

<sup>3</sup> 15 U.S.C. 781(b).

<sup>4</sup> 17 CFR 200.30-3(a)(1).