

comments should address one or more of the following four points:

- 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;
- 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;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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 collection.

(2) *Title of the Form/Collection:* Certification on Agency Letterhead Authorizing Purchase of Firearm for Official Duties of Law Enforcement Officer.

(3) *Agency Form Number, if Any, and the Applicable Component of the Department of Justice Sponsoring the Collection:* Form Number: None. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected Public Who Will be Asked or Required to Respond, as Well as a Brief Abstract:* Primary: State, Local or Tribal Government. Other: None. The letter is used by a law enforcement officer to purchase handguns to be used in his/her official duties from a licensed firearm dealer anywhere in the country. The letter shall state that the officer will use the firearm in official duties and that a records check reveals that the purchasing officer has no convictions for misdemeanor crimes of domestic violence.

(5) *An Estimate of the Total Number of Respondents and the Amount of Time Estimated for an Average Respondent to Respond:* It is estimated that 50,000 respondents will take 5 seconds to file the letter.

(6) *An Estimate of the Total Public Burden (in Hours) Associated With the Collection:* There are an estimated 69 annual total burden hours associated with this collection.

If additional information is required contact: Brenda E. Dyer, Department

Clearance Officer, Policy and Planning Staff, Justice Management Division, Department of Justice, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: January 12, 2005.

**Brenda E. Dyer,**

*Department Clearance Officer, Department of Justice.*

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

[Docket No. DEA-261N]

#### Solicitation of Comments on Dispensing of Controlled Substances for the Treatment of Pain

**AGENCY:** Drug Enforcement Administration (DEA), Department of Justice.

**ACTION:** Notice; solicitation of comments.

**SUMMARY:** On November 16, 2004, DEA published in the **Federal Register** an Interim Policy Statement on the dispensing of controlled substances for the treatment of pain. The Interim Policy Statement stated that DEA would address the subject in greater detail in a future **Federal Register** document, taking into consideration the views of the medical community. DEA is hereby seeking comments from physicians and other interested members of the public as to what areas of the law relating to the dispensing of controlled substances for the treatment of pain they would like DEA to address in the upcoming **Federal Register** document.

**DATES:** Written comments must be postmarked, and electronic comments must be sent, on or before March 21, 2005.

**ADDRESSES:** To ensure proper handling of comments, please reference "Docket No. DEA-261" on all written and electronic correspondence. Written comments being sent via regular mail should be sent to the Deputy Administrator, Drug Enforcement Administration, Washington, DC 20537, Attention: DEA Federal Register Representative/CCD. Written comments sent via express mail should be sent to DEA Headquarters, Attention: DEA Federal Register Representative/CCD, 2401 Jefferson-Davis Highway, Alexandria, VA 22301.

Comments may be directly sent to DEA electronically by sending an electronic message to [dea.diversion.policy@usdoj.gov](mailto:dea.diversion.policy@usdoj.gov).

Comments may also be sent electronically through <http://www.regulations.gov> using the electronic comment form provided on that site. An electronic copy of this document is also available at the <http://www.regulations.gov> Web site. DEA will accept attachments to electronic comments in Microsoft Word, WordPerfect, Adobe PDF, or Excel file formats only. DEA will not accept any file format other than those specifically listed here.

**FOR FURTHER INFORMATION CONTACT:** Daniel Dormont, Senior Attorney, Drug Enforcement Administration, Washington, DC 20537; telephone: (202) 307-8010.

#### SUPPLEMENTARY INFORMATION:

On November 16, 2004, DEA published in the **Federal Register** an Interim Policy Statement on the dispensing of controlled substances for the treatment of pain. 69 FR 67170. The Interim Policy Statement explained why an earlier document, which appeared on the DEA Office of Diversion Control Web site in August 2004, contained misstatements and was not approved as an official statement of the agency. The Interim Policy Statement corrected some of the misstatements in the August 2004 document and announced that DEA would address, in greater detail, the subject of dispensing controlled substances for the treatment of pain in a future **Federal Register** document, taking into consideration the views of the medical community. This upcoming document will stay within the scope of DEA's authority by addressing the law the agency administers, the Controlled Substances Act (CSA), and the DEA regulations promulgated thereunder, as well as the pertinent court decisions. As indicated in the Interim Policy Statement, the document will contain a recitation of the relevant provisions of the CSA and DEA regulations relating to the dispensing of controlled substances for the treatment of pain. The purpose of this recitation will be to provide guidance and reassurance to the overwhelming majority of physicians who engage in legitimate pain treatment while deterring unlawful prescribing and dispensing of pharmaceutical controlled substances.

As was the case with the Interim Policy Statement, none of the principles addressed in the upcoming **Federal Register** document will be new. Rather, the document will reiterate legal concepts that have been incorporated in the federal laws and regulations for many years and are reflected in federal court decisions and DEA final administrative orders. DEA recognizes