

misrepresentation, fraud, forgery, deception, or subterfuge.” La. Rev. Stat. Ann. § 40:971.2 (2008) (effective Aug. 15, 2005). It is also unlawful for a physician to “prescribe * * * legally controlled substances beyond his respective prescribing authority or for a purpose other than accepted medical treatment of disease, condition, or illness. *Id.*, at § 40:971(C)(1) (2008) (effective Sept. 9, 1988).

As found above, on four occasions, Applicant prescribed drugs containing hydrocodone (including Lortab and/or Lorcet), which are schedule III narcotics; Xanax, a schedule IV controlled substance; and Phenergan with codeine, a schedule V narcotic cough syrup, to Louisiana State Troopers acting in undercover capacities. *See* DI Aff., at 2. Notably, Applicant issued these prescriptions without conducting a physical examination at any of the visits and the undercover agents received these prescriptions even though they did not demonstrate the conditions or symptoms that would justify the prescriptions. *Id.*

Moreover, both undercover agents initially denied they were in pain, but Applicant assisted the agents in obtaining controlled substances by encouraging them to make false statements. *See id.* For example, while he denied being in pain, UC1 asked Applicant for “[h]ydrocodone pain pills,” and then “negotiate[ed]” with Applicant to “falsely state” he had a sexually transmitted disease. *Id.* Likewise, Applicant also “coached” the second undercover agent on what to say to “justify issuing the prescriptions and wrote her coached statements in a medical file.” *Id.* Therefore, I conclude that Applicant failed to establish a physician-patient relationship, lacked a legitimate medical purpose, and acted outside of the usual course of professional practice in prescribing controlled substances to the undercover agents and thus violated Federal law. *See* 21 CFR 1306.04(a); 21 U.S.C. 841(a)(1); *see also Louisiana v. Moody*, 393 So. 2d 1212, 1215 (La. 1981) (holding that physician furnished prescriptions for “other than a legitimate medical purpose” based on evidence showing that prescriptions were issued in response to specific requests of patients and physician did not conduct physical examinations or take medical histories).

I therefore hold that granting Applicant’s application for a new registration “would be inconsistent with the public interest.” 21 U.S.C. 823(f). Accordingly, I will order that

Applicant’s pending application be denied.

Order

Pursuant to the authority vested in me by 21 U.S.C. 823(f) and 28 CFR 0.100(b), I order that the application of Jose Gonzalo Zavaleta, M.D., for a DEA Certificate of Registration as a practitioner be, and it hereby is, denied. This order is effective September 9, 2011.

Dated: July 27, 2011.

Michele M. Leonhart,

Administrator.

[FR Doc. 2011–20284 Filed 8–9–11; 8:45 am]

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DEPARTMENT OF LABOR

Office of Disability Employment Program

“Add Us In” Initiative

AGENCY: Office of Disability Employment Policy, Department of Labor.

ACTION: Correction to the Funding Opportunity Number and Closing Date.

SUMMARY: The Office of Disability Employment Policy, Department of Labor is correcting the New Notice of Availability of Funds and Solicitation for Grant Applications (SGA) for Cooperative Agreements published in the **Federal Register** on August 4, 2011 at 76 FR 150. Specifically, we are correcting the Funding Opportunity Number to SGA 11–05 and the Closing Date for receipt of applications to September 2, 2011. The full Solicitation for Grant Applications is posted on <http://www.grants.gov> under U.S. Department of Labor/ODEP. If you need to speak to a person concerning these grants, you may telephone Cassandra Mitchell at 202–693–4570 (not a toll-free number).

Signed in Washington, DC, this 4th day of August 2011.

Cassandra R. Mitchell,

Grant Officer.

[FR Doc. 2011–20211 Filed 8–9–11; 8:45 am]

BILLING CODE 4510–FT–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 11–073]

NASA Advisory Council; Science Committee; Earth Science Subcommittee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92–463, as amended, the National Aeronautics and Space Administration (NASA) announces a meeting of the Earth Science Subcommittee of the NASA Advisory Council (NAC). This Subcommittee reports to the Science Committee of the NAC. The Meeting will be held for the purpose of soliciting from the scientific community and other persons scientific and technical information relevant to program planning.

DATES: Wednesday, August 31, 1 p.m. to 3 p.m. E.D.T.

ADDRESSES: This meeting will take place telephonically. Any interested person may call the USA toll free conference call number 888–603–9610, pass code ESS, to participate in this meeting by telephone.

FOR FURTHER INFORMATION CONTACT: Ms. Marian Norris, Science Mission Directorate, NASA Headquarters, Washington, DC 20546, (202) 358–4452, fax (202) 358–4118, or mnorris@nasa.gov.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the capacity of the room. The agenda for the meeting includes the following topics:

—Government Performance and Results Act Review

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants.

August 5, 2011.

Susan M. Burch,

Acting Director, Advisory Committee Management Division, National Aeronautics and Space Administration.

[FR Doc. 2011–20275 Filed 8–9–11; 8:45 am]

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