

engages in intrusive mineral collection within the Forks of Butte Creek Special Recreation Area in violation of permit terms or stipulations may be subject to a fine not to exceed \$1,000 and/or imprisonment not exceed 12 months.

Charles M. Schultz,

*Redding Area Manager.*

[FR Doc. 96-8392 Filed 4-4-96; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Office of Community Oriented Policing Services; Agency Information Collection Activities: Proposed Collection; Comment Request

**ACTION:** Notice of Information Collection Under Review; Innovative Community-Oriented Policing Grant Program (ICOP), Parts I and II.

Office of Management and Budget (OMB) approval is being sought for the information collection listed below. This proposed information collection was previously published in the Federal Register and allowed 60 days for public comment.

The purpose of this notice is to allow an additional 30 days for public comments from the date listed at the top of this page in the Federal Register. This process is conducted in accordance with 5 Code of Federal Regulation, Part 1320.10.

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Office of Management and Budget, Office of Regulatory Affairs, Attention: Department of Justice Desk Officer, Washington, DC, 20530. Additionally, comments may be submitted to OMB via facsimile to 202-395-7285. Comments may also be submitted to the Department of Justice (DOJ), Justice Management Division, Information Management and Security Staff, Attention: Department Clearance Officer, Suite 850, 1001 G Street, NW, Washington, DC, 20530. Additionally, comments may be submitted to DOJ via facsimile to 202-514-1534. Written comments may also be submitted to Charlotte C. Black, Assistant General Counsel, Office of Community Oriented Policing Services, 1100 Vermont Avenue, N.W., Washington, D.C. 20530, or via facsimile at (202) 616-2914.

Written comments and suggestions from the public and affected agencies should address one or more of the following points:

(1) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency/component, including whether the information will have practical utility;

(2) evaluate the accuracy of the agencies/components 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.

The proposed collection is listed below: Innovative Community-Oriented Policing Grants Program (ICOP) Application, Parts I and II.

(1) Type of information collection. Voluntary application for federal funding to support innovative community policing.

(2) The title of the form/collection. Innovative Community-Oriented Policing Grants Program (ICOP) Application, Parts I (Reducing Crime and Disorder Through Problem Solving Partnerships) and II (Developing Community Policing).

(3) The agency form number, if any, and the applicable component of the Department sponsoring the collection. Form: COPS 16/01 and 16/02. Office of Community Oriented Policing Services, United States Department of Justice.

(4) Affected public who will be asked or required to respond, as well as a brief abstract. State, local, or tribal local governments.

The ICOP program is designed to support local law enforcement agencies in collaboration with non-profit community entities in developing and implementing innovative community policing strategies, either by targeting one specific crime problem to fight through a community partnership (ICOP Part I), or be developing community policing through training, changing organizational structure, or community policing centers (ICOP Part II).

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: 4,210 respondents: 14 hours per response.

(6) An estimate of the total public burden (in hours) associated with the collection. 67,781 annual burden hours.

Public comment on this proposed information collection is strongly encouraged.

Dated: April 1, 1996.

Robert B. Briggs,

*Department Clearance Officer, United States Department of Justice.*

[FR Doc. 96-8417 Filed 4-4-96; 8:45 am]

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## Drug Enforcement Administration

### Ronald Phillips, D.O.; Revocation of Registration

On July 20, 1995, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Ronald Phillips, D.O., (Respondent) of Brookhaven, Pennsylvania, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, AP171048, under 21 U.S.C. 824(a)(4), and deny any pending application under 21 U.S.C. 823(f), as being inconsistent with the public interest. Specifically, the Order to Show Cause alleged, among other things, that (1) during the course of a DEA investigation, "DEA investigators identified approximately fifteen local pharmacies in which numerous prescriptions for controlled substances in Schedules II through V were retrieved which had been written by [the Respondent], in the names of family members, for the purpose of obtaining controlled substances for [his] personal use" (2) in July of 1993, the Respondent voluntarily enrolled in the Pennsylvania Physicians' Health Program, a program which provides substance abuse treatment for physicians, but that in August of 1994, DEA investigators were informed that the Respondent had failed to comply with the terms of the treatment agreement; and (3) in May of 1995, the Respondent was indicted by a Grand Jury in the United States District Court for the Eastern District of Pennsylvania on one count of fraudulently obtaining controlled substances in Schedules II through IV for his personal use in violation of 21 U.S.C. 843(a)(3).

On August 21, 1995, the Respondent, through counsel, filed a request for a hearing. On August 28, 1995, Administrative Law Judge Mary Ellen Bittner issued an Order for Prehearing Statements, informing the parties of her appointment as the presiding officer in this case, and ordering the Respondent to file his prehearing statement on or before October 10, 1995, and the Government counsel to file her

prehearing statement on or before September 19, 1995. The Government counsel timely filed her statement, but the Respondent failed to file his statement. On October 23, 1995, Judge Bittner issued an order, finding that the Respondent's failure to file his prehearing statement by the ordered date indicated his intent to waive his right to a hearing, and ordering that all further proceedings before her be terminated and the matter presented to the Deputy Administrator for entry of a final order pursuant to 21 CFR 1301.54(e). Accordingly, the Deputy Administrator now enters his final order in this matter pursuant to 21 CFR 1301.54(e) and 1301.57, without a hearing and based on the investigative file and the letter submitted by the Respondent on August 21, 1995.

The Deputy Administrator finds that the Respondent is currently registered as a Practitioner, Schedules II through V, with DEA Certificate of Registration AP9171048, which is due to expire on March 31, 1996. On June 24, 1993, a DEA Diversion Investigator (Investigator), in response to contact made by an investigator for the Pennsylvania Bureau of Professional and Occupational Affairs, initiated an investigation of allegations that the Respondent had issued prescriptions for controlled substances in the name of family members, and that he ultimately had consumed the substances himself.

Specifically, the Investigator identified fifteen pharmacies located in Philadelphia and Delaware County, Pennsylvania, which had filled prescriptions written by the Respondent during the period from April of 1990 through May of 1993. The Respondent wrote 224 prescriptions for his father for, among other things, 5,675 dosage units of Percocet and 1,735 dosage units of Vicodin. Percocet contains oxycodone and acetaminophen, and is a Schedule II controlled substance, and Vicodin contains hydrocodone, and is a Schedule III controlled substance. Further, the Respondent also wrote, in the name of Thomas Capron, approximately 146 prescriptions for 3,870 dosage units of Percocet, 470 dosage units of Vicodin, and 20 dosage units of Vicodin ES. Pharmacists were interviewed who stated that the Respondent personally picked up the substances filled from these prescriptions. The Respondent also wrote approximately 17 prescriptions for his adult children, for approximately 243 dosage units of Vicodin, 40 dosage units of Vicodin ES, and 90 dosage units of Percocet.

In June of 1994, the Investigator interviewed the Respondent, who

admitted that he had personally consumed Percocet and Vicodin taken from his father's filled prescriptions. He estimated that he had consumed approximately 30% to 40% of the controlled substances he had prescribed for his father. Further, the Respondent admitted to the Investigator that between 1981 and 1993, he had personally abused prescription drugs, including Percocet, Vicodin, Valium, Lortabs, Lorcet, and some non-controlled substances. He stated that he was taking between 50 and 60 pills per day, counting controlled and non-controlled substances, and that some of these substances were controlled substance samples from his office. The Respondent also admitted that he had consumed approximately 50% of the substances he had prescribed for Thomas Capron. The Respondent told the Investigator that he had written prescriptions for "Frances Capron", but he stated that he did not know anyone by that name. He also stated that he had written prescriptions in fictitious names. At the conclusion of the interviews with the Respondent, the Investigator offered him the opportunity to voluntarily surrender his DEA registration, but the Respondent declined the offer.

The Investigator then interviewed Thomas Capron, who denied ever receiving medication directly from the Respondent or ever sharing controlled substances with him. Mr. Capron also informed the Investigator that "Frances Capron" was his mother, the Respondent's ex-mother-in-law, and that she had died in 1989.

However, the record disclosed that the Respondent had issued prescriptions in her name in November of 1992.

In July of 1993, the Respondent signed a program agreement to participate in supervised drug abuse treatment provided by the Pennsylvania Physicians' Health Program (PHP). However, the Respondent's participation in this treatment program was sporadic, and according to the investigative record, he failed to complete the program.

In May of 1995, the Respondent was indicted by a Grand Jury in the United States District Court for the Eastern District of Pennsylvania on one count of obtaining controlled substances in Schedules II through IV by fraud, misrepresentation and deceit, for his own personal use, such personal use being outside the course of accepted medical practice and for no legitimate medical purpose, in violation of 21 U.S.C. 843(a)(3). On September 5, 1995, the Respondent pled guilty to one count

of obtaining controlled substances by fraud, misrepresentation and deceit, in violation of 21 U.S.C. 843(a)(3).

Pursuant to 21 U.S.C. 823(f) and 824(a)(4), the Deputy Administrator may revoke the Respondent's DEA Certificate of Registration and deny and pending applications, if he determines that the continued registration would be inconsistent with the public interest. Section 823(f) requires that the following factors be considered:

(1) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(2) The applicant's experience in dispensing, or conducting research with respect to controlled substances.

(3) The applicant's conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(4) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(5) Such other conduct which may threaten the public health or safety.

These factors are to be considered in the disjunctive; the Deputy Administrator may rely on any one or a combination of factors and may give each factor the weight he deems appropriate in determining whether a registration should be revoked or an application for registration should be revoked or an application for registration denied. See Henry J. Schwarz, Jr., M.D., Docket No. 88-42, 54 FR 16422 (1989).

In this case, factors two, three, four, and five are relevant in determining whether the Respondent's continued registration would be inconsistent with the public interest. As to factor two, the Respondent's "experience in dispensing \* \* \* controlled substances," the Respondent admitted that between 1981 and 1993, he had personally abused prescription drugs, to include Percocet and Vicodin. The record also disclosed that between April of 1990 and May of 1993, the Respondent had prescribed controlled substances in the name of family members and friends, had submitted the prescriptions himself to local pharmacists for filling, and personally had consumed a large portion of the substances. The Respondent, when interviewed by the Investigator, admitted to this practice.

As to factor three, the Respondent's "conviction record under Federal or State laws relating to the \* \* \* distribution, or dispensing of controlled substances," and factor four, the Respondent's "[c]ompliance with applicable State, Federal, or local laws relating to controlled substances," the record contains evidence that in

September of 1995, the Respondent pled guilty to one count of obtaining controlled substances by fraud, misrepresentation and deceit in violation of 21 U.S.C. 843(a)(3).

As to factor five, "[s]uch other conduct which may threaten the public health or safety," the Deputy Administrator finds significant that the Respondent asserted in his letter filed on August 21, 1995, that his past violations were "addiction-induced and that he has been in recovery from his addiction for 2½ years." However, in August of 1994, the Investigator interviewed the Medical Director of the PHP (Director), who had stated that the Respondent had failed to complete the treatment program. Although the urine screens he had provided were all negative, the Respondent had missed numerous urine screen appointments, at times missing repeated appointments for a period of six weeks or more. The Director specifically noted the period from May 31, 1994, through July 19, 1994, during which the Respondent did not participate in any of the required urine screens. Such conduct by the Respondent places into question his commitment to rehabilitation and his suitability for continued registration with the DEA.

The Respondent did not present any evidence of remorse for his past misconduct, or evidence of rehabilitative actions taken to correct his past unlawful behavior. Further, he provided no assurances that he would not engage in such conduct in the future. Absent such evidence and such assurances in this case, the Deputy Administrator finds that continued registration of the Respondent is inconsistent with the public interest.

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, AP9171048, issued to Ronald Phillips, D.O., be, and it hereby is, revoked, and any pending applications are hereby denied. This order is effective May 6, 1996.

Dated: April 1, 1996.

Stephen H. Greene,  
Deputy Administrator.

[FR Doc. 96-8387 Filed 4-4-96; 8:45 am]

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### Immigration and Naturalization Service [INS No. 1750-95]

#### Immigration and Naturalization Service User Fee Advisory Committee: Meeting

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Notice of meeting.

*Committee holding meeting:*  
Immigration and Naturalization Service  
User Fee Advisory Committee.

*Date and time:* May 2, 1996, at 1:00 p.m.

*Place:* The Embassy Suites Hotel, Crystal City, 1300 Jefferson Davis Highway, Arlington, Virginia, telephone Number: (703) 979-9799.

*Status:* Open. Thirteenth meeting of this Advisory Committee.

*Purpose:* Performance of advisory responsibilities to the Commissioner of the Immigration and Naturalization Service pursuant to section 286(k) of the Immigration and Nationality Act, as amended, 8 U.S.C. 1356(k) and the Federal Advisory Committee Act 5 U.S.C. app. 2. The responsibilities of this standing Advisory Committee are to advise the Commissioner of the Immigration and Naturalization Service on issues related to the performance of airport and seaport immigration inspectional services. This advice should include, but need not be limited to, the time period during which such services should be performed, the proper number and deployment of inspection officers, the level of fees, and the appropriateness of any proposed fee. These responsibilities are related to the assessment of an immigration user fee pursuant to section 286(d) of the Immigration and Nationality Act, as amended, 8 U.S.C. 1356(d). The committee focuses attention on those areas of most concern and benefit to the travel industry, the traveling public, and the Federal Government.

#### Agenda

1. Introduction of the Committee members.
2. Discussion of administrative issues.
3. Discussion of activities since last meeting.
4. Discussion of specific concerns and questions of Committee members.
5. Discussion of future traffic trends.
6. Discussion of relevant written statements submitted in advance by members of the public.
7. Scheduling of next meeting.

*Public participation:* The meeting is open to the public, but advance notice of attendance is requested to ensure adequate seating. Persons planning to attend should notify the contact person

at least two (2) days prior to the meeting. Members of the public may submit written statements at any time before or after the meeting to the contact person for consideration by this Advisory Committee. Only written statements received at least five (5) days prior to the meeting by the contact person will be considered for discussion at the meeting.

*Contact person:* Patrice Ward, Office of the Assistant Commissioner, Inspections, Immigration and Naturalization Service, room 7223, 425 I Street NW., Washington, DC 20536, telephone Number (202) 514-0964 or fax number (202) 514-8345.

Dated: March 28, 1996.

Doris Meissner,

Commissioner, Immigration and  
Naturalization Service.

[FR Doc. 96-8429 Filed 4-4-96; 8:45 am]

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## DEPARTMENT OF LABOR

### Bureau of International Labor Affairs; U.S. National Administrative Office; National Advisory Committee for the North American Agreement on Labor Cooperation; Notice of Meeting

**AGENCY:** Office of the Secretary, Labor.

**ACTION:** Notice.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), the U.S. National Administrative Office (NAO) gives notice of the second meeting of the National Advisory Committee for the North American Agreement on Labor Cooperation (NAALC), which was established by the Secretary of Labor.

The Committee was established to provide advice to the U.S. Department of Labor on matters pertaining to the implementation and further elaboration of the labor side accord to the North American Free Trade Agreement (NAFTA). The Committee is authorized under Article 17 of the NAALC.

The Committee consists of a groups of 12 independent representatives drawn from among labor organizations, business and industry, and educational institutions.

**DATES:** The Committee will meet on April 29, 1996 from 9:00 a.m. to 5:00 p.m. and on April 30, 1996 from 9:00 a.m. until noon.

**ADDRESSES:** The Secretariat of the Commission for Labor Cooperation, One Dallas Centre, 350 N. St. Paul, Suite 2424, Dallas, Texas, 75201. The meeting is open to the public on a first-come, first-served basis.