

legitimate medical purpose, in violation of 21 U.S.C. §§ 841(a)(1) and 843(a)(3).

(2) On July 29, 1995, (Dr. Teegardin) prescribed for (himself) and received Darvocet, a Schedule IV controlled substance. On August 10, 1995, (he) prescribed diazepam injectable, a Schedule IV controlled substance, purportedly for administration to a feline patient. These prescriptions were issued not in the course of usual professional practice and not for a legitimate medical purpose, in violation of 21 U.S.C. §§ 841(a)(1) and 843(a)(3)". The order also notified Dr. Teegardin that should not request for a hearing be filed within 30 days, his hearing right would be deemed waived.

The Order to Show Cause was personally served on Dr. Teegardin on April 2, 1997. No request for a hearing or any other reply was received by the DEA from Dr. Teegardin or anyone purporting to represent him in this matter. Therefore, the Acting Deputy Administrator, finding that (1) 30 days have passed since the receipt of the Order to Show Cause, and (2) no request for a hearing having been received, concludes that Dr. Teegardin is deemed to have waived his hearing right. After considering the relevant material from the investigative file in this matter, the Acting Deputy Administrator now enters his final order without a hearing pursuant to 21 C.F.R. 1301.43 (d) and (e) and 1301.46.

The Acting Deputy Administrator finds that Dr. Teegardin has not possessed a valid DEA Certificate of Registration since 1977. A joint investigation by DEA and the Ohio Veterinary Medical Licensing Board (Board) revealed that Dr. Teegardin had issued at least four controlled substance prescriptions while not authorized to do so. On October 4, 1995, during an interview with a Board investigator, Dr. Teegardin admitted that in the past approximately ten years, he had issued prescriptions to himself for "dangerous drugs" to treat an unidentified health problem and had issued prescriptions to a Clara Teegardin for a non-veterinary purpose.

The investigation also revealed that Dr. Teegardin issued a prescription for Valium, a Schedule IV controlled substance, for the cat of a retired dentist, which was telephoned into a local pharmacy. On December 4, 1995, after Dr. Teegardin discovered that the Board was questioning the issuance of the prescription, Dr. Teegardin reportedly contacted the pharmacist and the retired dentist and attempted to convince them to remove his name as the prescriber on the prescription and to replace his name with the name of the retired dentist. In

addition, Dr. Teegardin admitted that he failed to maintain patient files or medical records in certain situations which is a violation of state law and he failed to comply with several subpoenas issued by the Board also in violation of state law.

On February 19, 1997, the Board and Dr. Teegardin entered into a settlement agreement whereby Dr. Teegardin was suspended for 60 days from the practice of veterinary medicine and fined \$500.00. In addition, Dr. Teegardin's license was placed on probation with the requirement that he attend 60 hours of continuing education.

Pursuant to 21 U.S.C. § 823(f), the Deputy Administrator may deny an application for a DEA Certificate of Registration if he determines that such registration would be inconsistent with the public interest. In determining the public interest, the following factors are 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 and 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 be denied. See Henry J. Schwarz, Jr., M.D., Docket No. 88-42, 54 FR 16422 (1989).

Dr. Teegardin issued prescriptions for controlled substances without being registered with DEA to do so. As a result, he violated both Federal and state law regarding controlled substances. In addition, he failed to comply with other state laws regarding his practice of veterinary medicine. Based upon the Board's investigation, Dr. Teegardin's license to practice veterinary medicine was suspended for a period of time and then placed on probation. The Acting Deputy Administrator is particularly troubled by Dr. Teegardin's efforts, after learning that he was under investigation, to have his name removed as the prescriber from a controlled substance prescription. Dr. Teegardin did not respond to the Order to Show Cause and

therefore did not offer any mitigation evidence. Consequently, the Acting Deputy Administrator concludes that based upon the evidence before him, Dr. Teegardin's registration would be inconsistent with the public interest.

Accordingly, the Acting Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 28 CFR 0.100(b) and 0.104, hereby orders that the application, submitted by Paul W. Teegardin, D.V.M., on December 6, 1995, for a DEA Certificate of Registration, be, and it hereby is, denied. This order is effective August 8, 1997.

Dated: July 1, 1997.

James S. Milford,

Acting Deputy Administrator.

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DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities: Proposed Collection; Comment Request

ACTION: Request OMB emergency approval; Application for naturalization.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request (ICR) utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. OMB approval has been requested by July 31, 1997. If granted, the emergency approval is only valid for 180 days. Comments should be directed to OMB, Office of Information and Regulatory Affairs, Attention: Ms. Debra Bond, 202-395-7316, Department of Justice Desk Officer, Washington, DC 20503.

During the first 60 days of this same period a regular review of this information collection is also being undertaken. Comments are encouraged and will be accepted until September 8, 1997. Request written comments and suggestions from the public and affected agencies concerning the proposed collection of information. Your comments 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:* Extension of a currently approve information collection.

(2) *Title of the Form/Collection:* Application for Naturalization.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form N-400. 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. This information collection allows the Service to determine whether lawful permanent residents are eligible to become naturalized citizens of the United States.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,806,394 respondents at 4 hours and 20 minutes (4.33) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 7,821,686 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 Mr. Richard A. Sloan, 202-616-7600, director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 5307, 425 I Street, NW., Washington, DC 20536.

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, Suite 850, Washington Center, 1001 G Street, NW, Washington, DC 20530.

Dated: July 2, 1997.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

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DEPARTMENT OF JUSTICE

Office of Justice Programs

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Office of Justice Programs, Bureau of Justice Assistance, Justice.

ACTION: Notice of information collection under review.

SUMMARY: The Bureau of Justice Assistance is seeking comments on a proposed application form relating to applicant information collection under the Federal Law Enforcement Dependents Assistance Act of 1996.

DATES: Comments are due by September 8, 1997.

ADDRESSES: Comments should be sent to Chief, Public Safety Officers' Benefits Office, Office of Justice Programs, U.S. Department of Justice, 733 Indiana Avenue, NW., Washington, DC 20531.

FOR FURTHER INFORMATION CONTACT: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW., Washington, DC 20530.

SUPPLEMENTARY INFORMATION: The proposed application form is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for 60 days from the date listed at the top of this page in the **Federal Register**. Request written comments and suggestions from the public and affected agencies concerning the proposed application form. Your comments should address one or more of the following four points:

(1) Evaluate whether the proposed application form 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.

If you have additional comments, suggestions, or need a copy of the proposed application form or additional information, please contact Jeff Allison, (202) 616-3661, Public Safety Officers' Benefits Office, Office of Justice Programs, U.S. Department of Justice, 633 Indiana Avenue, NW., Washington, DC 20531.

Overview of This Information Collection

(1) *Type of Information Collection:* Initial collection of information.

(2) *Title of the Form/Collection:* Application for Federal Law Enforcement Dependents Assistance.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Bureau of Justice Assistance, Office of Justice Programs, Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Children and spouses of Federal civilian law enforcement officers who were killed or permanently and totally disabled in the line of duty and are seeking financial assistance for the purpose of higher education. Other: None. This program is administered under the authority of 42 U.S.C. 3796 et seq. to provide financial assistance in the form of awards to the children and spouses of Federal civilian law enforcement officers whose deaths or permanent and total disabilities in the line of duty resulted in the payment of benefits under the Public Safety Officers' Benefits (PSOB) Program. The Application Form will be completed by each eligible applicant and will provide information regarding educational experience, educational goals, and estimated cost of educational plan for verification and award processing.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 50 responses annually at 2 hours per respondent.

(6) *An estimate of the total public burden (in hours) associated with the collection:* (100) annual burden hours.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW., Washington, DC 20530.