

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:* List of Responsible Persons.

(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: Individuals or households. Other: Business or other foe-profit. Abstract: All persons holding ATF explosives licenses or permits must report any change in responsible persons or employees authorized to possess explosive materials to ATF. Such report must be submitted within 30 days of the change and must include appropriate identifying information for each responsible person.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* There will be an estimated 50,000 respondents and it will take 1 hour to complete the report.

(6) *An estimate of the total burden (in hours) associated with the collection:* There are an estimated 100,000 total burden hours associated with this collection.

If additional information is required contact: Lynn Bryant, Department Clearance Officer, United States Department of Justice, Policy and Planning Staff, Justice Management Division, Suite 1600, Patrick Henry Building, 601 D Street NW., Washington, DC 20530.

Dated: August 29, 2006.

Lynn Bryant,

Department Clearance Officer, United States Department of Justice.

[FR Doc. E6-14577 Filed 8-31-06; 8:45 am]

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DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0076]

Agency Information Collection Activities: Proposed Collection; Comments Requested

ACTION: 30-Day Notice of Information Collection Under Review: Relief of Disabilities.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 71, Number 81, pages 24863-24864 on April 27, 2006, allowing for a 60-day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until October 2, 2006. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to The Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503. Additionally, comments may be submitted to OMB via facsimile to (202) 395-5806.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your 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:* Relief of Disabilities.

(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: Business or other foe-profit. Other: None. Abstract: Any person prohibited from shipping or transporting any explosive in or affecting interstate or foreign commerce or from receiving or possessing any explosive which has been shipped or transported in or affecting interstate or foreign commerce may make application for relief from disabilities.

(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 respondents will take 1 minute to support documentation for relief.

(6) *An estimate of the total burden (in hours) associated with the collection:* The estimated annual total burden associated with this collection is 1 hour.

If additional information is required contact: Lynn Bryant, Department Clearance Officer, United States Department of Justice, Policy and Planning Staff, Justice Management Division, Suite 1600, Patrick Henry Building, 601 D Street NW., Washington, DC 20530.

Dated: August 29, 2006.

Lynn Bryant,

Department Clearance Officer, United States Department of Justice.

[FR Doc. E6-14579 Filed 8-31-06; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

James Curtis Dilday, M.D.; Revocation of Registration

On June 27, 2005, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement

Administration, issued an Order to Show Cause to James Curtis Dilday, M.D. (Respondent) of Little Rock, Arkansas. The Show Cause Order proposed to revoke Respondent's DEA Certificate of Registration, BD1434872, as a practitioner, and to deny any pending applications for renewal or modification of the registration, on the grounds that Respondent's state medical license had been revoked, *see* 21 U.S.C. 824(a)(3), and that Respondent had committed acts that rendered his registration inconsistent with the public interest. *See id.* § 824(a)(4); *see also id.* § 823(f).

The Show Cause Order specifically alleged that on numerous occasions, Respondent had improperly prescribed controlled substances (including Schedule II controlled substances) to ten patients. *See Show Cause Order* at 2–4. The Show Cause Order also alleged that between November 28, 2000, and November 12, 2002, Respondent had submitted fifteen fraudulent claims to insurers for medical services that were not performed. *See id.* at 4–5. The Show Cause Order further alleged that Respondent had pled no contest on behalf of his medical corporation in a state criminal proceeding to fifteen counts of committing fraudulent insurance acts and fifteen counts of theft. *See id.* at 6. Finally, the Show Cause Order alleged that the Arkansas State Medical Board had revoked Respondent's state medical license. *See id.* The Show Cause Order also notified Respondent of its right to a hearing. *See id.* at 7.

Respondent, through his counsel, requested a hearing; the case was assigned to Administrative Law Judge (ALJ) Mary Ellen Bittner. Thereafter, on August 11, 2005, the Government moved for summary disposition and to stay the proceeding. The Government's motion for summary disposition was based on the fact that on June 21, 2004, the Arkansas State Medical Board revoked Respondent's state medical license. The Government asserted that as a result of the revocation of Respondent's medical license, Respondent was without authority to handle controlled substances in Arkansas, the State in which Respondent was registered with DEA. Because DEA has consistently interpreted the Controlled Substances Act as barring a federal registration if a practitioner lacks authority under state law to handle controlled substances in the State where he practices, the Government sought a ruling from the ALJ recommending the revocation of Respondent's DEA registration and terminating the proceeding.

On August 12, 2005, the ALJ issued a memorandum to counsel offering Respondent the opportunity to respond to the Government's motion by 4 p.m. eastern time on August 29, 2005. By September 23, 2005, when no response had been filed, the ALJ issued her Opinion and Recommended Decision.

The ALJ explained that Respondent did not deny that he lacked authority under Arkansas law to handle controlled substances in that State. ALJ Dec. at 2. Noting that DEA precedents have “consistently held that a person may not hold a DEA registration if he is without appropriate authority under the laws of the state in which he does business,” the ALJ concluded that “[b]ecause Respondent lacks this state authority * * * he is not entitled to retain his DEA registration.” *Id.* (citations omitted). Furthermore, as no material fact was in dispute, summary disposition was appropriate. *See id.* The ALJ thus granted the government's motion and recommended that Respondent's registration be revoked and any pending applications be denied. *See id.* at 2–3.

Having considered the record as a whole, I hereby issue this decision and final order. I adopt in its entirety the ALJ's opinion and recommended decision. Because the facts are straightforward and not in dispute, there is no need to elaborate on them. As the ALJ found, Respondent is no longer authorized to distribute controlled substances under State law. Therefore, under our precedents, Respondent is not entitled to maintain his DEA registration. *See Sheran Arden Yeates, M.D.*, 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.*, 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.*, 53 FR 11919, 11920 (1988).

Order

Accordingly, pursuant to the authority vested in me by 21 U.S.C. §§ 823(f) & 824(a), as well as 28 CFR 0.100(b) & 0.104, I hereby order that DEA Certificate of Registration, BD1434872, issued to James Curtis Dilday, M.D., be, and it hereby is, revoked. I further order that any pending application for renewal or modification of such registration be, and they hereby are, denied. This order is effective October 2, 2006.

Dated: August 22, 2006.

Michele M. Leonhart,

Deputy Administrator.

[FR Doc. E6–14521 Filed 8–31–06; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 03–8]

Jayam Krishna-Iyer, M.D.; Revocation of Registration

Introduction and Procedural History

On October 17, 2002, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, issued an Order to Show Cause to Jayam Krishna-Iyer, M.D. (Respondent), of Clearwater, Florida. The Show Cause Order proposed to revoke Respondent's DEA certification of registration, No. AK2006648, as a practitioner on the grounds that Respondent had committed acts which rendered her continued registration inconsistent with the public interest. *See* 21 U.S.C. 824(a)(4). The Show Cause Order also proposed to deny any applications for renewal or modification of her registration.

The Show Cause Order alleged that between March 24, 1999, and June 24, 1999, the Pinellas County, Florida, Sheriff's Office had conducted four undercover visits to Respondent's medical office. In essence, the Show Cause Order alleged that during three of the visits, Respondent had met with three different undercover operatives who had told her that they were not currently in pain but that they were users of various controlled substances such as Lorcet and Vicodin. *See Show Cause Order* at 2–3. The Show Cause Order further alleged that Respondent had issued prescriptions for controlled substances without performing a physical exam. *See Id.* The Show Cause Order alleged that Respondent had indicated in the patient records for each undercover operative that they had complained of pain when each had “clearly stated that they were not in pain.” *Id.* at 3. The Order also alleged that that Respondent had told the undercover operatives that she could offer them a detox program or could “arrange an appropriate treatment plan.” *Id.* at 3.

The Show Cause Order further alleged that on the second visit of one of the undercover operatives, the operative had been seen by a nurse practitioner, Ben Mastridge. While Mastridge told him that Respondent would not prescribe narcotics if the operative was not in pain, he nonetheless issued him a prescription, which had been pre-signed by Respondent, for Lorcet, Xanax, and Soma. *See Id.* at 2. The Order further alleged that Mastridge had offered “to initiate Methadone