

substances in that state. As a result, his DEA Certificate of Registration must be revoked.

Therefore, the Deputy Administrator agrees with Judge Randall that Respondent's registration must be revoked and his request for modification denied. But, the Deputy Administrator declines to indicate under what circumstances DEA would consider granting any future applications. Any such applications will be considered in light of the facts and circumstances that exist at that time.

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 AH1993749, issued to Saihb S. Halil, M.D., be, and it hereby is, revoked. The Deputy Administrator further orders that Dr. Halil's request to modify his registration, and any pending applications for renewal of his registration, be, and they hereby are, denied. This order is effective July 22, 1999.

Dated: June 14, 1999.

Donnie R. Marshall,
Deputy Administrator.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Ahmed A. Shohayeb, M.D.; Denial of Applications

On January 28, 1998, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Ahmed A. Shohayeb, M.D. of California, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration BS4243591 pursuant to 21 U.S.C. 824(a)(3), and deny any pending applications for renewal of such registration and two pending applications, executed on August 20, 1996, and September 11, 1996, for registration as a practitioner pursuant to 21 U.S.C. 823(f), for reason that he is not currently authorized to handle controlled substances in the State of California. The order also notified Dr. Shohayeb that should no request for a hearing be filed within 30 days, his hearing right should be deemed waived.

The Order to Show Cause was sent to Dr. Shohayeb by registered mail to his DEA registered address and to the

addresses listed on his two applications for registration, but were returned to DEA unclaimed. A DEA investigator attempted to contact Dr. Shohayeb by telephone, but all telephone numbers listed for Dr. Shohayeb were disconnected. On February 27, 1998, the investigator went to the address listed on Dr. Shohayeb's driver's license and confirmed that Dr. Shohayeb lived at that address, however he was unable to talk to Dr. Shohayeb at that time. The investigator left a copy of the Order to Show Cause under the door.

No request for a hearing or any other reply was received by the DEA from Dr. Shohayeb or anyone purporting to represent him in this matter. Therefore, the 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. Shohayeb is deemed to have waived his hearing right. After considering material from the investigative file in this matter, the Deputy Administrator now enters his final order without a hearing pursuant to 21 CFR 1301.43(d) and (e) and 1301.46.

The Deputy Administrator finds that there are indications in the file that Dr. Shohayeb's DEA Certificate of Registration BS4243591, expired on February 28, 1998, and that no renewal applications have been filed for this registration. Therefore the Deputy Administrator concludes that as of February 28, 1998, this registration was no longer valid, and as a result, there is noting to revoke. *See Ronald J. Reigel, D.V.M.*, 63 FR 67,132 (1998). However, there are two pending applications for registration that must be addressed.

The Deputy Administrator finds that effective May 23, 1997, the Medical Board of California (Board) revoked Respondent's license to practice medicine. The Board found that Dr. Shohayeb engaged in sexual misconduct with a patient; he engaged in acts of gross negligence; he advertised his practice of medicine using a name which was not his own or one which was approved by the Board; and he engaged in unprofessional conduct.

The Deputy Administrator finds that Dr. Shohayeb is not currently licensed to practice medicine in the State of California and therefore, it is reasonable to infer that he is not currently authorized to handle controlled substances in that state. The DEA does not have the statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without state authority to handle controlled substances in the state in which he

conducts his business. *See* 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. *See Romeo J. Perez, M.D.*, 62 FR 16,193 (1997); *Demetris A. Green, M.D.*, 61 FR 60,728 (1996); *Dominick A. Ricci, M.D.*, 58 FR 51,104 (1993).

Here it is clear that Dr. Shohayeb is not currently authorized to handle controlled substances in the State of California. As a result, he is not entitled to a DEA registration in that state.

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 the applications, executed on August 20, 1996 and September 11, 1996 by Ahmed A. Shohayeb, M.D., for registration as a practitioner, be, and they hereby are, denied. This order is effective June 22, 1999.

Dated: June 14, 1999.

Donnie R. Marshall,

Deputy Administrator.

[FR Doc. 99-15749 Filed 6-21-99; 8:45 am]

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DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities: Proposed Collection; Comment Request

ACTION: Notice of information collection under review: Application for employment authorization.

The Department of Justice, Immigration and Naturalization Service (INS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on January 28, 1999 at 64 FR 4471, allowing for an emergency OMB review and approval and a 60-day public comment period. No comments were received by the INS on this proposed information collection.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until July 22, 1999. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items 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 Information and Regulatory Affairs, Attention : Stuart Shapiro, Department of Justice Desk Officer, Room 10235, Washington, DC 20530, 202-395-7316.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information 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 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.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

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

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I-765, 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. The information contained in this form will be used by the INS to determine eligibility for work authorization and for the issuance of the employment document.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,244,722 responses at 3 hours and 25 minutes (3.416 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 4,251,970 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 Richard A. Sloan 202-514-3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 5307, 425 I Street, NW., Washington, DC 20536.

Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

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: June 16, 1999.

Richard A. Sloan,

Department Clearance Officer, United States Department of Justice, Immigration and Naturalization Service.

[FR Doc. 99-15760 Filed 6-21-99; 8:45 am]

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DEPARTMENT OF JUSTICE

National Institute of Corrections

Solicitation for a Cooperative Agreement

SUMMARY: The Department of Justice (DOJ), National Institute of Corrections (NIC), announces the availability of funds in FY 1999 for a cooperative agreement to fund the "Classification of Women Offenders" project.

A cooperative agreement is a form of assistance relationship where the National Institute of Corrections is substantially involved during the performance of the award. An award is made to an organization that will, in concert with the Institute, provide assistance to correctional agencies making enhancements in their classification systems to develop classification instruments and procedures that are valid and appropriate for women offenders. The project will entail an assessment of the current status of classification of women offenders nationally by determining which state systems have initiated the development of classification instruments and operational procedures to address the requirements of this offender population.

Assistance will be provided under this cooperative agreement to at least three agencies requesting technical

assistance in assessing current practices and operational procedures and the impact of their classification systems on women offenders. The recipient of the cooperative agreement will conduct onsite assessments of the classification systems at participating agencies; provide assistance and oversight in revising the instruments and procedures, as necessary; and provide technical assistance and training. Prison systems selected for participation will have the resources necessary to make enhancements, to provide data for analysis, and the capacity to measure outcomes and impact of the classification systems implemented. A steering committee will be appointed by each agency to coordinate activities related to the project. No funds are transferred to state or local governments.

Background: It is assumed that because women offenders represent a small percentage of the total inmate population, and present a lower level of institutional and public risk, many correctional agencies have not addressed the gender-specific and validation concerns related to differences in risks and program needs of women offenders. An evaluation of the procedures and instrument for intake assessment, initial classification and reclassification is required to determine if the objective classification criteria developed for an offender population which is predominately male results in over-classification and inadequate service delivery with the female population.

Classification systems should be monitored and periodically evaluated to ensure the system is working as designed. Classification systems should also be validated on both the male and female offender population to determine what impact the system has on inmate operations and assessing risks and needs. This cooperative agreement will concentrate on the female population.

NIC has announced the availability of technical assistance through the annual Program Plan and will send letters to agency directors advising them that their agencies can apply for assistance through this project. A selection of states will be made by NIC and the cooperative agreement awardee. The selections will be based on criteria that will be established to find correctional agencies with the interest, need and resources for this type of assistance.

Purpose: The National Institute of Corrections is seeking applications for a cooperative agreement to do the project management to assist correctional agencies to plan and evaluate their classification systems to address the