

substances unless prescribed by another physician for a legitimate and documented therapeutic purpose. Other relevant conditions are that Dr. Womack submit to random drug and alcohol screenings, that he attend Alcoholics Anonymous meetings at least four times a week, that he attend weekly meetings of a county or state medical society committee on physician health and rehabilitation, and that he continue to receive care and treatment from a psychiatrist at least once a month. The Deputy Administrator finds these and the other conditions of the Agreed Order to be evidence that the Board finds Dr. Womack could pose a substantial threat to the public health and safety, and further that Dr. Womack poses a significant threat of relapse.

The Deputy Administrator finds with regard to factors two and four that the investigative file reveals Dr. Womack has a history of non-compliance with applicable State and Federal laws relating to handling controlled substances. First, following the surrender of his DEA and Texas State controlled substances registrations, the Board found that Dr. Womack continued to issue prescriptions for controlled substances using the DEA registration of his father, also a licensed physician in the State of Texas, even though these prescriptions were not authorized by Dr. Womack's father. Subsequent investigation by DEA revealed that Dr. Womack had issued 701 prescriptions totaling 23,736 dosage units of controlled substances between the time of his surrender of his DEA and Texas State controlled substances registrations and September 5, 1990, in violation of 21 U.S.C. 843(a)(2) and 21 CFR 1306.03.

Next, while Dr. Womack was acting as a supervising physician to a physician's assistant at a family practice clinic in Center, Texas, approximately 419 miles away from his primary practice in Bandera, Texas, Dr. Womack sought treatment for substance abuse at La Hacienda Treatment Center in Hunt, Texas. During the time of his treatment, DEA received information that prescriptions for controlled substances were issued and filled under Dr. Womack's DEA registration number. Subsequent information received by DEA indicated that Dr. Womack's physician assistant called in the prescriptions using Dr. Womack's DEA registration number without Dr. Womack's authorization. These prescriptions were issued in violation of 21 CFR 1306.03 and 1306.04 as a result of Dr. Womack's failure to adequately monitor and exercise control over his assistant. When DEA investigators visited the family practice clinic in

Center, Texas, to interview the physician's assistant, the investigators found three triplicate prescription books, and one triplicate prescription book that contained ten blank pre-signed prescription forms, all in Dr. Womack's name. As a result, Dr. Womack surrendered his DEA registration on March 16, 1999.

With regard to factor three, the investigative file contains no evidence that Dr. Womack has any record of convictions under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

With regard to factor five, the Deputy Administrator finds that the investigative file reveals substantial evidence that Dr. Womack has, as the Board found in its Agreed Order, a "history of substance abuse, relapse, and depression." The Deputy Administrator finds that insufficient time has passed since the effective date of the Agreed Order to determine whether Dr. Womack has been able to sufficiently overcome his problems so as not to pose a serious threat to the public health and safety. The Deputy Administrator notes that no countervailing evidence was presented, despite the opportunity to do so.

Therefore, for the above-stated reasons, the Deputy Administrator concludes that it would be inconsistent with the public interest to grant Dr. Womack's application at this 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 order that the application for a DEA Certificate of Registration submitted by James C. Womack, M.D., be, and it hereby is, denied. This order is effective June 17, 2002.

Dated: May 6, 2002.

**John B. Brown III,**

*Deputy Administrator.*

[FR Doc. 02-12357 Filed 5-16-02; 8:45 am]

**BILLING CODE 4410-09-M**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review; Comment Request

May 9, 2002.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in

accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of each individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation contact Marlene Howze at (202) 693-4158 or Email [Howze-Marlene@dol.gov](mailto:Howze-Marlene@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for ESA, Office of Management and Budget, Room 10235, Washington, DC 20503 (202) 395-7316), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- 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 agency's 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.
  - 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;
  - 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.
- Agency:* Employment and Training Administration (ETA).  
*Type of Review:* Extension of a currently approved collection.  
*Title:* State Alien Labor Certification Activity Report.  
*OMB Number:* 1205-0319.  
*Affected Public:* State, Local, or Tribal Government.  
*Frequency:* Semi-annually.  
*Number of Respondents:* 54.

*Number of Annual Responses:* 108.  
*Estimated Time Per Response:* 2 hours.

*Total Burden Hours:* 216.

*Total Annualized Capital/Startup Costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* The Form ETA 9037 collects information from States on the activities they perform under the Alien Labor Certification Reimbursable Grant and provides a sound basis for program management, including budget and workload management, and monitoring for compliance with the Grant Statement of Work.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 02-12377 Filed 5-16-02; 8:45 am]

**BILLING CODE 4510-30-M**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Emergency Review; Comment Request

May 13, 2002.

The Department of Labor 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 (Pub. L. 104-13, 44 U.S.C. Chapter 35). OMB approval has been requested by May 17, 2002. A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the Department of Labor. To obtain a copy of this ICR, contact Darrin King on 202-693-4129 or email: [king-darrin@dol.gov](mailto:king-darrin@dol.gov).

Comments and questions about the ICR listed below should be submitted to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Office of Disability Employment Policy, Office of Management and Budget, Room 10235, Washington, DC 20503 (202-395-7316), and received 5 days prior to the requested OMB approval date.

The Office of Management and Budget is particularly interested in comments which:

- 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 agency's estimate of the burden of the

proposed collection of information, including the validity of the methodology and assumptions used;

- Enhance the quality, utility, and clarify 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 submissions of responses.

*Agency:* Office of Disability Employment Policy (ODEP).

*Title:* Solicitation of Nominations for the Department of Labor's Inaugural New Freedom Award.

*OMB Number:* 1230-ONEW.

*Frequency:* Annually.

*Affected Public:* Individuals or households; businesses or other for-profit organizations; not-for-profit institutions; Federal Government.

*Number of Respondents:* 100.

*Number of Annual Responses:* 100.

*Estimated Time Per Respondent:* 10 hours.

*Total Burden Hours:* 1,000 hours.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintaining):* \$0.

*Description:* The information will be used by the Department of Labor to determine eligibility for its Inaugural New Freedom Initiative Award. This award will be presented annually by the Secretary of Labor to honor individuals, corporations, and non-profit organizations which have been exemplary in furthering the employment related objectives of President George W. Bush's New Freedom Initiative. The award requirements are to be published in the **Federal Register** in mid May with a closing date for submitting applications 30 days. The recipients of the award are to be notified in late August or early September with an award ceremony to follow at the White House sometime in October.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 02-12378 Filed 5-16-02; 8:45 am]

**BILLING CODE 4510-CX-M**

## DEPARTMENT OF LABOR

### Office of Disability Employment Policy

#### Proposed Collection; Comment Request

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

Currently, the Office of Disability Employment Policy is soliciting comments concerning the proposed new collection of the data contained in the nomination packet for the Department of Labor's Inaugural New Freedom Initiative Award. A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before July 16, 2002.

**ADDRESSES:** Submit comments to Lisa Lahrman, Office of Disability Employment, United States Department of Labor, 200 Constitution Avenue, NW, Room N-4720, Washington, DC 20210, 202-693-3047 (this is not a toll free number), Internet Address: [lahrman-lisa@dol.gov](mailto:lahrman-lisa@dol.gov), and FAX: 202-693-2939.

**FOR FURTHER INFORMATION CONTACT:** Lisa Lahrman, tel.(202) 693-3047 This is not a toll free number.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

This collection of information (solicitation of nominations to receive an award) is planned to honor individuals, corporations and non-profit organizations which have been exemplary in furthering the employment-related objectives of President George W. Bush's New Freedom Initiative. The New Freedom Initiative reflects the Administration's commitment to increasing development and access to assistive and universally designed technologies, expanding educational opportunities, further integrating Americans with disabilities into the workforce, and helping to remove barriers to their full participation in community life. Legal authority for this collection can be found in both the New Freedom itself,