

cooperation in applying those requirements as the Respondent's business practices were developed. Although the Deputy Administrator acknowledges that the overall regulatory goal of preventing diversion of controlled substances outside of the regulated system of distribution has applied equally to the Respondent as to any other DEA registrant, from the inception of the Respondent's operation, the mechanisms of compliance have had to be developed. The Deputy Administrator must take these facts into account when reviewing this Respondent's past history of compliance.¹

Yet the responsibility remains the Registrant's to conduct its business in an accountable manner that does not place the public at risk of diversion of controlled substances. Therefore, in the balance, the Deputy Administrator concludes that it is in the public interest for the Respondent's DEA registration to be revoked. However, the Deputy Administrator feels that the evidence of changes made by the Respondent in response to the Government's case at the hearing before Judge Tenney, may, in operation, finally create an accountability system adequate for the Respondent to demonstrate the requisite degree of precision in handling controlled substances necessary to continue in operation as a disposer. The Deputy Administrator also finds that it is in the public interest for the Respondent to be given yet another opportunity to demonstrate that the latest alterations to the Respondent's business practices will adequately contain the risk to the public of diversion from the Respondent's operation.

Therefore, the Deputy Administrator will stay the revocation and impose a one-year probationary period to determine whether the Respondent can now fully comply with all DEA recordkeeping, reporting, and security requirements. During the one-year probationary period, DEA will conduct inspections and audits in compliance with the procedures established in 21 U.S.C. 880 and its implementing regulations. It is significant that during this period, the Respondent will be taking its second biennial inventory, which will afford the Respondent the opportunity to demonstrate its ability to conduct a meaningful inventory of controlled substances in its possession.

¹ The remaining Government exceptions, and the Respondent's reply to those exceptions, have been previously addressed in this opinion, and they require no further discussion here.

However, if the DEA's inspections or audits reveal either new or repeated violations, the Deputy Administrator will remove the stay and the DEA Certificate of Registration will be revoked immediately, and all pending applications for renewal will be summarily denied. If, however, at the end of the one-year period, the Respondent successfully demonstrates its compliance with the DEA's regulatory requirements, then the Deputy Administrator will withdraw this order and will permit the Respondent to retain its registration, and to renew it, if necessary, 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 DEA Certificate of Registration RR0166113, issued to RX Returns, Inc., be, and it hereby is, revoked and any pending applications for renewal are denied. It is further ordered that this revocation order will be stayed for a period of one year from its effective date. If during the one-year probationary period, the Respondent is found to have violated any DEA reporting, recordkeeping, or security requirements, the previously imposed stay will be removed, the Respondent's DEA Certificate of Registration will be revoked, and any pending applications for renewal will be summarily denied. This final order is effective August 15, 1996.

Dated: July 5, 1996.
Stephen H. Greene,
Deputy Administrator.
[FR Doc. 96-18025 Filed 7-15-96; 8:45 am]
BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs; Report of Computer Matching Program Between Department of Labor and Social Security Administration

Participating Agencies: The participating agencies in this computer matching program are the Office of Workers' Compensation Programs, Department of Labor (DOL) and the Social Security Administration (SSA). This Notice is published as required by the Computer Matching and Privacy Protection Act of 1988, as amended. A new written agreement for this longstanding computer matching program recently has been approved by both the Department of Labor and the

Social Security Administration Data Integrity Boards.

Purpose of Match: DOL will conduct a computer matching program of DOL and SSA records of Black Lung benefit recipients in order to detect individuals who might improperly receive dual Black Lung benefits from SSA and DOL. When a verified match occurs, the case will be referred to the proper DOL office for development to assure the validity of the match and to make any required benefit adjustments. The SSA data will contain the date of death of SSA beneficiaries. This information will help to minimize those cases in which benefit payments are made to deceased beneficiaries, by identifying a DOL beneficiary who has died, but DOL has not been notified of the death. The SSA data also will assist DOL in properly referring inquiries and correspondence received at DOL regarding SSA-only Black Lung beneficiaries.

Authority for Conducting the Matching Program: Title IV of the Federal Mine Safety and Health Act, 30 U.S.C. 901, et seq.

Categories of Records and Individuals Covered: SSA, as the source agency, will provide DOL with its Black Lung Payment System, HHS/SSA/OSR 09-60-0045, (52 FR 9543, March 25, 1987), which will be matched with DOL's Office of Workers' Compensation Programs' Black Lung Benefit Payment records contained in DOL/ESA-30 (55 FR 7131, February 28, 1990). The individuals covered will be DOL and SSA Black Lung beneficiaries.

Inclusive Dates of the Matching Program: The Matching program will begin either 30 days after the publication date of this Notice, or 40 days (whichever is later) after a copy of the written agreement for this matching program is sent to the Chairman of the Committee on Government Affairs of the U.S. Senate, to the Chairman of the Committee on Governmental Reform and Oversight Operations of the U.S. House of Representatives and to the Office of Information and Regulatory Affairs of the Office of Management and Budget. The matching program will continue for 18 months from the beginning date and may be extended for an additional 12 months thereafter.

Address for Receipt of Public Comment: Shelby Hallmark, Acting Director, Office of Workers' Compensation Programs, 200 Constitution Avenue, N.W., Washington, D.C. 20210, Telephone: (202) 219-7503.

Signed at Washington, D.C. this 11th day of July 1996.

Shelby Hallmark,

Acting Director, Office of Workers' Compensation Programs.

[FR Doc. 96-18048 Filed 7-15-96; 8:45 am]

BILLING CODE 4510-27-M

Bureau of Labor Statistics

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 pre-clearance 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 Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed revision of the "Point of Purchase Survey." A copy of the proposed information collection request (ICR) can be obtained by contacting the individual listed below in the addressee section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before September 16, 1996.

BLS is particularly interested in comments which help the agency to:

- 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 submissions of responses.

ADDRESSEE: Send comments to Karin G. Kurz, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, Room 3255, 2 Massachusetts Avenue N.E., Washington, D.C. 20212. Ms. Kurz can be reached on 202-606-7628 (this is not a toll free number).

SUPPLEMENTARY INFORMATION:

I. Background

The purpose of this survey is to develop and maintain a timely list of retail, wholesale, and service establishments where urban consumers shop for specified items. This information is used as the sampling universe for selecting establishments at which prices of specific items are collected and monitored for use in calculating the Consumer Price Index (CPI). The survey has been ongoing since 1980 and also provides expenditure data which allows items that are priced in the CPI to be properly weighted.

II. Current Actions

Starting in 1997, the survey will be administered quarterly and entirely via a computer-assisted-telephone-interview, as opposed to the current practice of an annual personal-visit interview. This revised collection methodology is more flexible and creates the possibility of introducing new products into the Consumer Price Index in a more timely manner. Furthermore, the cost efficiency of telephone interviewing permits data collection in all sampling areas each year, rather than the current practice of collecting data in only 20 percent of all sampling areas each year. This new sample design will produce an overall CPI market basket that is more reflective of the prices faced and the establishments visited by urban consumers.

Type of Review: Revision of a currently approved collection.

Agency: Bureau of Labor Statistics.

Title: Point of Purchase Survey.

OMB Number: 1220-0044.

Affected Public: Individuals or households.

Total Respondents: 18,018.

Frequency: Quarterly.

Total Responses: 32,760.

Average Time Per Response: 12 Minutes.

Estimated Total Burden Hours: 6,552 Hours.

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

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

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed at Washington, D.C., this 10th day of July, 1996.

Peter T. Spolarich,

Chief, Division of Management Systems, Bureau of Labor Statistics.

[FR Doc. 96-18046 Filed 7-15-96; 8:45 am]

BILLING CODE 4510-24-M

Mine Safety and Health Administration

Proposed Information Collection Request Submitted for Public Comment and Recommendations; Main Fan Maintenance Record

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 Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed new/revision/extension/reinstatement of the information collection related to the Main Fan Maintenance Record. MSHA 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,