

Notwithstanding the Order (as well as that of the District Court following the jury verdicts which allowed him to remain free on bond on the condition that he not administer any drugs either to himself or others), in July 2010, Respondent proceeded to possess midazolam, a schedule IV controlled substance, and he admitted to administering the drug to a patient. While Respondent claimed that he had administered the midazolam under the supervision of another physician, the latter physician stated that he had not authorized Respondent to administer any controlled substances.

The next day, Investigators received a report from a clinic employee that boxes containing midazolam had been tampered with. Later that day, Investigators went to the clinic and determined that forty vials of midazolam were missing; thereafter, Respondent entered the clinic and had in his possession thirty-six vials which had contained the drug.<sup>11</sup> This evidence supports the conclusion that Respondent possessed these additional amounts of midazolam in violation of the Immediate Suspension Order.

Respondent's violation of the Order (as well as the conditions imposed by the District Court) is egregious and demonstrates that he has no respect for the laws governing the distribution and dispensing of controlled substances and the authority of this Agency and the Courts. This factor buttresses the conclusion that Respondent has committed acts which render his registration inconsistent with the public interest and that his registration should be revoked. For the same reason which led me to order the immediate suspension of his registration, I conclude that this Order should be effective immediately.

## Order

Pursuant to the authority vested in me by 21 U.S.C. 823(f) & 824(a)(4), as well as 28 CFR 0.100(b) & 0.104, I order that DEA Certificate of Registration, AP1892822, issued to Roger A. Pellmann, M.D., be, and it hereby is, revoked. I further order that any application of Roger A. Pellmann, M.D., to renew or modify his registration be, and it hereby is, denied. This order is effective immediately.

Dated: March 22, 2011.

**Michele M. Leonhart,**  
Administrator.

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<sup>11</sup> To make clear, Respondent did not have a prescription for midazolam.

## DEPARTMENT OF LABOR

### 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. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed revision of the "Report on Current Employment Statistics." A copy of the proposed information collection request (ICR) can be obtained by contacting the individual listed below in the Addresses section of this notice.

**DATES:** Written comments must be submitted to the office listed in the **ADDRESSES** section of this notice on or before May 31, 2011.

**ADDRESSES:** Send comments to Carol Rowan, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, Room 4080, 2 Massachusetts Avenue, NE., Washington, DC 20212. Written comments also may be transmitted by fax to 202-691-5111 (this is not a toll free number).

**FOR FURTHER INFORMATION CONTACT:** Carol Rowan, BLS Clearance Officer, 202-691-7628 (this is not a toll free number). (See **ADDRESSES** section.)

##### SUPPLEMENTARY INFORMATION:

### I. Background

The Current Employment Statistics (CES) program provides current monthly statistics on employment, hours, and earnings, by industry and geography. CES estimates are among the most visible and widely-used Principal Federal Economic Indicators (PFEIs). CES data are also among the timeliest of the PFEIs, with their release each month by BLS in the *Employment Situation*, typically on the first Friday of each month. The statistics are fundamental inputs in economic decision processes

at all levels of government, private enterprise, and organized labor.

The CES monthly estimates of employment, hours, and earnings are based on a sample of U.S. nonagricultural establishments. Information is derived from approximately 290,600 reports (from a sample of 140,000 employers with State Unemployment Insurance (UI) accounts comprised of 440,000 individual worksites), as of January 2011. Each month, firms report their employment, payroll, and hours on forms identified as the BLS-790. The sample is collected under a probability based design. Puerto Rico and the Virgin Islands collect an additional 5,600 reports using a quota sample.

A list of all form types currently used appears in the table below. Respondents receive variations of the basic collection forms, depending on their industry.

The CES program is a voluntary program under Federal statute. Reporting to the State agencies is voluntary in all but four States (Oregon, Washington, North Carolina, South Carolina), Puerto Rico, and the Virgin Islands. To our knowledge, the States that do have mandatory reporting rarely exercise their authority. The collection form's confidentiality statement cites the Confidential Information Protection and Statistical Efficiency Act of 2002 and mentions the State mandatory reporting authority.

### II. Current Action

Office of Management and Budget clearance is being sought for the Report on Current Employment Statistics.

Automated data collection methods are now used for most of the CES sample. Approximately 131,200 reports are received through Electronic Data Interchange as of January 2011. Web data collection accounts for 58,900 reports. Computer Assisted Telephone Interviewing is used to collect 62,000. Fax is also a significant collection mode, as 15,300 reports are collected via this method. Touchtone Data Entry is used for 10,900 reports. In comparison, only 5,700 reports are collected by mail.

The balance of the sample is collected through other automated methods including submission of tapes, diskettes, and email.

### III. Desired Focus of Comments

The Bureau of Labor Statistics is particularly interested in comments that:

- 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.

- 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.

*Type of Review:* Revision of a currently approved collection.

*Agency:* Bureau of Labor Statistics.

*Title:* Report on Current Employment Statistics.

*OMB Number:* 1220-0011.

*Affected Public:* State or local governments; Businesses or other for-profit; Non-profit institutions.

Form	Reports	Minutes per report	Frequency of response	Annual responses	Annual burden hours
A—Mining and Logging .....	1,400	11	12	16,800	3,080
B—Construction .....	13,100	11	12	157,200	28,820
C—Manufacturing .....	11,400	11	12	136,800	25,080
E—Service Providing Industries .....	193,400	11	12	2,320,800	425,480
G—Public Administration .....	47,400	6	12	568,800	56,880
S—Education .....	9,800	6	12	117,600	11,760
F1, F2, F3 Fax Forms .....	14,100	11	12	169,200	31,020
Total .....	290,600	.....	.....	3,487,200	582,120

*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, DC, this 25th day of March 2011.

**Kimberley Hill,**

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

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## LEGAL SERVICES CORPORATION

### Notice of Availability of Calendar Year 2012 Competitive Grant Funds

**AGENCY:** Legal Services Corporation.

**ACTION:** Solicitation for Proposals for the Provision of Civil Legal Services.

**SUMMARY:** The Legal Services Corporation (LSC) is the national organization charged with administering Federal funds provided for civil legal services to low-income people.

LSC hereby announces the availability of competitive grant funds and is soliciting grant proposals from interested parties who are qualified to provide effective, efficient, and high quality civil legal services to eligible clients in the service area(s) of the States and territories identified below. The exact amount of congressionally appropriated funds and the date, terms, and conditions of their availability for

calendar year 2012 have not been determined.

**DATES:** See **SUPPLEMENTARY INFORMATION** section for grants competition dates.

**ADDRESSES:** Legal Services Corporation—Competitive Grants, 3333 K Street, NW., Third Floor, Washington, DC 20007-3522.

**FOR FURTHER INFORMATION CONTACT:**

Office of Program Performance by e-mail at [competition@lsc.gov](mailto:competition@lsc.gov), or visit the grants competition Web site at <http://www.grants.lsc.gov>.

**SUPPLEMENTARY INFORMATION:** The Request for Proposals (RFP) will be available beginning April 11, 2011. Applicants must file a Notice of Intent to Compete (NIC) to participate in the competitive grants process. Applicants must file the NIC by May 13, 2011, 5 p.m. E.D.T. Other key application and filing dates including the dates for filing grant applications are published at <http://www.grants.lsc.gov>. Once at the site, click on "Key Competition and Grant Renewal Dates for 2012 Funding."

LSC is seeking proposals from: (1) Non-profit organizations that have as a purpose the provision of legal assistance to eligible clients; (2) private attorneys; (3) groups of private attorneys or law firms; (4) State or local governments; and (5) sub-State regional planning and coordination agencies that are composed of sub-State areas and whose governing boards are controlled by locally elected officials.

The RFP, containing the NIC and grant application, guidelines, proposal content requirements, service area descriptions, and specific selection criteria, will be available from <http://www.grants.lsc.gov> beginning April 11,

2011. LSC will not fax the RFP to interested parties.

Below are the service areas for which LSC is requesting grant proposals. Service area descriptions will be available from Appendix A of the RFP. LSC will post all updates and/or changes to this notice at <http://www.grants.lsc.gov>. Interested parties are asked to visit <http://www.grants.lsc.gov> regularly for updates on the LSC competitive grants process.

State	Service area(s)
American Samoa .....	AS-1
Alaska .....	AK-1, NAK-1
Arizona .....	AZ-2, NAZ-5
California .....	CA-12, CA-14, CA-31, MCA
Connecticut .....	CT-1, NCT-1
Delaware .....	DE-1, MDE
Guam .....	GU-1
Idaho .....	ID-1, MID, NID-1
Iowa .....	IA-3, MIA
Kansas .....	KS-1
Maine .....	ME-1, MMX-1, NME-1
Maryland .....	MD-1, MMD
Massachusetts .....	MA-10
Micronesia .....	MP-1
Minnesota .....	NMN-1
Mississippi .....	NMS-1
Nebraska .....	NE-4, MNE, NNE-1
Nevada .....	NV-1, NNV-1
New Hampshire .....	NH-1
New Jersey .....	NJ-8, NJ-12, NJ-15, NJ-16, NJ-17, NJ-18, MNJ
New Mexico .....	NM-1, MNM, NNM-2
Ohio .....	OH-5, OH-17
Oregon .....	OR-6, MOR, NOR-1
Pennsylvania .....	PA-11, PA-25
Rhode Island .....	RI-1
South Carolina .....	MSC
Utah .....	UT-1, MUT, NUT-1
Vermont .....	VT-1
Virgin Islands .....	VI-1
Virginia .....	VA-15, VA-16