Respondent further stated that he understood that when the patient asked for drugs in order to ''mellow out'', that the term meant ''easing of the pain''.

Judge Tenney questioned Respondent's credibility based on findings that Respondent never learned that the undercover officer ostensibly had a job unloading trucks until the second office visit, and thus could not provide a justification for prescribing controlled substances on the first visit. In addition, although Respondent attributed back pain to the undercover officer, which he apparently diagnosed by visual observation, there were no attempts at alternative treatment, no record of a prior history or specific diagnosis, and no verbal indication of pain by the patient. The administrative law judge found that Respondent's question of ''[a]re you addicted?'' to the undercover officer's statement about wanting to ''mellow out'', indicated that Respondent had knowledge of this reference to a street use of Vicodin. The administrative law judge found that Respondent did not prescribe Vicodin for legitimate medical purpose and in the usual course of professional practice.

The administrative law judge found that Respondent made entries in the patient medical record of the undercover officer indicating ''pains and aches'', and notations of ''backaches and headaches'', or ''pain in the lower back'' due to the fact that the patient ''loads and unloads the truck''. The testimony of the Government witnesses and the transcriptions of the tapes had no reference to any pain or aches by the undercover officer. Judge Tenney concluded that Respondent's medical record entries were not consistent with the conversations that were monitored, recorded and transcribed.

Under 21 U.S.C. 824(a)(4), the Deputy Administrator of the Drug Enforcement Administration may revoke the registration of a practitioner upon a finding that the registrant has committed such acts as would render his registration under Section 823 inconsistent with the public interest.

Pursuant to 21 U.S.C. 823(f), ''[i]n determining the public interest, the following factors will be considered:

(1) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(2) The applicant's experience in dispensing, or conducting research with respect to controlled substances.

(3) The applicant's conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(4) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(5) Such other conduct which may threaten the public health and safety.''

It is well established that these factors are to be considered in the disjunctive, i.e., the Deputy Administrator may properly rely on any one or a combination of factors, and give each factor the weight he deems appropriate. Henry J. Schwarz, Jr., M.D., 54 FR 16422 (1989).

Of the stated factors, the administrative law judge found that the Government established a prima facie case for revocation under 21 U.S.C. 823(f) (2), (4), and (5) in that Respondent prescribed controlled substances on three occasions, absent a valid medical indication; that he violated Federal and State law by prescribing controlled substances on three occasions without a legitimate medical purpose; and that his conduct in falsifying patient records posed a threat to the public health and safety. Judge Tenney found little evidence that Respondent attempted to treat a medical condition, in that he neglected to learn the patient's medical history or ask the patient about his actual physical complaint before prescribing Vicodin. Judge Tenney also found that Respondent's conviction and sentence of probation and deferred adjudication under Texas law may be considered under factor (3).

Judge Tenney concluded that the preponderance of the evidence establishes that Respondent's registration is not in the public interest. However, Judge Tenney also recommended that in light of Respondent's successful completion of deferred adjudication in the state district court, that favorable consideration be given to Respondent's application after the passage of one year.

The Deputy Administrator adopts the findings of fact, conclusions of law, and recommended ruling of the administrative law judge in its entirety. Based on the foregoing, the Deputy Administrator concludes that Respondent's continued registration is inconsistent with the public interest. 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, AA9610850, issued to Mukand Lal Arora, M.D., be and it hereby is, revoked, and any pending applications, be, and they hereby are, denied. This order is effective February 22, 1995.

Dated: January 13, 1995.

Stephen H. Greene.

Deputy Administrator.

[FR Doc. 95–1560 Filed 1–20–95; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Employment and Training Administration

Revised Schedule of Remuneration for the UCX Program

Under Section 8521(a)(2) of title 5 of the United States Code, the Secretary of Labor is required to issue from time to time a Schedule of Remuneration specifying the pay and allowances for each pay grade of members of the military services. The schedules are used to calculate the base period wages and benefits payable under the program of Unemployment Compensation for Ex-servicemembers (UCX Program).

The revised schedule published with this Notice reflects increases in military pay and allowances which were effective in January 1995.

Accordingly, the following new Schedule of Remuneration, issued pursuant to 20 CFR 614.12, applies to ''First Claims'' for UCX which are effective beginning with the first day of the first week which begins after April 1, 1995.

Pay grade	Monthly rate
(1) Commissioned Officers:	
0–10	$10,561
0–9	10,005
0–8	9,172
0–7	8,265
0–6	7,030
0–5	5,874
0–4	4,833
0–3	3,893
0–2	3,107
0–1	2,321
(2) Commissioned Officers With Over 4 Years Active Duty As An Enlisted Member Or Warrant Officer:	
0–3E	$4,460
0–2E	3,725
0–1E	3,062
(3) Warrant Officers:	
W–5	$5,242
W–4	4,485
W–3	3,746
W–2	3,171
W–1	2,644
(4) Enlisted Personnel:	
E–9	$4,046
E–8	3,429
E–7	2,975
E–6	2,582
E–5	2,201
E–4	1,828

Pay grade	Monthly rate
E–3	1,603
E–2	1,472
E–1	1,304

The publication of this new Schedule of Remuneration does not revoke any prior schedule or change the period of time any prior schedule was in effect.

Signed at Washington, D.C., on January 13, 1995.

Doug Ross,

Assistant Secretary.

[FR Doc. 95–1638 Filed 1–20–95; 8:45 am]

BILLING CODE 4510–30–M

NATIONAL SCIENCE FOUNDATION

Privacy Act of 1974: Revision to Two Systems of Records

AGENCY: National Science Foundation.

ACTION: Notice of revised systems of records.

SUMMARY: Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a), the National Science Foundation is providing notice of a revision to two systems of records—NSF–12, ''Fellowships and other Awards'' and NSF–50, ''Principal Investigator/Proposal File and Associated Records''. Both systems include records maintained by NSF as a result of applications for financial support and subsequent evaluation of applicants and their proposals. System 12 contains records on fellowship applicants and on nominees for fellowships submitted by an institution on behalf of the nominee, and on nominees for other awards. Fellowship awards are usually administered by the applicant or nominee's home institution. System 50 contains records on research and other proposals jointly submitted by individual applicants (principal investigators) and their home academic or other institutions. NSF makes awards to these institutions under which the individual applicants serve as principal investigators.

NSF revised these system notices to eliminate two redundant or otherwise unnecessary routine uses and to alter existing routine uses to make them consistent between each related system. Both system notices are reprinted in their entirety.

In accordance with the requirements of the Privacy Act, NSF has provided a report on the proposed systems of records to the Office of Management and Budget; the Chairman, Senate Committee on Governmental Affairs, and the Chairman, House Committee on Government Operations (now Government Reform and Oversight).

EFFECTIVE DATE: Sections 552a(e) (4) and (11) of Title 5 of the U.S. Code provides the public thirty days to comment on the routine uses of systems of records. The altered routine uses in this notice will take effect on February 22, 1995, unless modified by a subsequent notice to incorporate comments received from the public.

ADDRESSES: Written comments should be submitted to the NSF Privacy Act Officer, National Science Foundation, Division of Contracts, Policy and Oversight, 4201 Wilson Boulevard, room 485, Arlington, Virginia 22230.

Dated: January 17, 1995.

Herman G. Fleming,

NSF Privacy Act Officer.

NSF–12

SYSTEM NAME:

Fellowships and other Awards.

SYSTEM LOCATION:

Decentralized. Numerous separate files are maintained by individual offices and programs at the National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Others are maintained by NSF contractors such as the National Academy of Sciences (NAS), 2101 Constitution Avenue, NW., Washington, DC, and Oak Ridge Associated Universities, PO Box 3010, Oak Ridge, Tennessee 37831–2010.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons applying or nominated for and/or receiving NSF support, either individually or through an academic institution, including fellowships or awards of various types.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information varies depending on type of fellowship or award. Normally the information includes personal information supplied with the application or nomination; reference reports; transcripts and Graduate Record Examination scores to the extent required during the application process; abstracts; evaluations and recommendations, review records and selection process results; administrative data and correspondence accumulating during fellows' tenure; and other related materials. There is a cumulative index of all persons applying for or receiving NSF Graduate and NATO fellowships.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

1. Information from the system may be merged with other computer files in order to carry out statistical studies. Disclosure may be made for this purpose to NSF contractors and collaborating researchers, other Government agencies, and qualified research institutions and their staffs. NSF contractors are subject to the provisions of the Privacy Act. The results of such studies are statistical in nature and do not identify individuals.

2. Disclosure of information from the system may be made to qualified reviewers for their opinion and evaluation of applicants or nominees as part of the application review process; to other Government agencies needing data regarding applicants or nominees as part of the application review process, or in order to coordinate programs; and to contractors assisting NSF staff in the performance of their duties. Contractors are subject to the provisions of the Privacy Act.

3. Information (such as name, Social Security Number, field of study, and other information directly relating to the fellowship, review status including the agency's decision, year of first award, tenure pattern, start time, whether receiving international travel allowance or a mentoring assistantship) is given to the institution the applicant or fellow is attending or planning to attend or employed by for purposes of facilitating review or award decisions or administering fellowships or awards. Notice of the agency's decision may be given to nominators.

4. In the case of Fellows or awardees receiving stipends directly from the Government, information is transmitted to the Department of the Treasury for preparation of checks or electronic fund transfer authorizations.

5. Awardees' name, home institution, and field of study may be released for public information/affairs purposes including press releases.

6. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

7. Information from the system may be given to contractors, grantees, volunteers and other individuals who perform a service or work on or under a contract, grant, cooperative agreement, or other arrangement with or for the Federal government.

8. Information from the system may be given to the Department of Justice or the Office of Management and Budget for the purpose of obtaining advice on the application of the Freedom of Information Act or Privacy Act to the records.

9. Information from the system may be given to another Federal agency, a