

by the MOA, amounts to no sanction at all. In short, adopting the ALJ's proposed sanction would send the wrong message to both Respondent . . . as well as other applicants/registrants"). For this reason, I find that suspending Respondent's DEA registration for one month (concurrently with the sanction I imposed for Respondent's unlawful pre-signing of prescriptions) is necessary to protect the public interest. In addition, I impose the same restrictions to Respondent's registration as proposed by the ALJ, and I direct that these restrictions—set forth *infra*—are set to begin at the conclusion of Respondent's one-month suspension.

The Agency's interests in both specific and general deterrence support this two-part sanction. As for the Agency's interest in specific deterrence, and as already noted, the one-month suspension of his DEA registration is not a bar on his practice, much less a permanent bar. In addition, the restrictions that I impose in this Decision and Order will hopefully deter Respondent from engaging in future misconduct. As for the Agency's interest in general deterrence, not only does the Agency have an obvious and manifest interest in deterring violations of the CSA and DEA's regulations by members of the regulated community, the Agency also has a manifest interest in ensuring that those members to whom it extends the forbearance of an MOA will comply with the terms of those agreements. *Roberto Zayas, M.D.*, 82 FR 21410, 21430 (2017).

I therefore conclude that the suspension of Respondent's DEA registration for one month, in addition to the imposition of the ALJ's recommended restrictions at the conclusion of Respondent's one-month suspension, are necessary to protect the public interest.

Order

Pursuant to the authority vested in me by 21 U.S.C. 823(f) and 824(a), as well as 28 CFR 0.100(b), I order that DEA Certificate of Registration No. BN4578057, issued to Brian Thomas Nichol, M.D., be, and it hereby is, suspended for one month. At the conclusion of this one-month suspension, I impose the following restrictions on Brian Thomas Nichol's DEA Certificate of Registration No. BN4578057:

1. That he may not participate in any drug studies in which he is required to order, maintain, store, or dispense controlled substances for a period of four years.
2. That he may not order, maintain, store, or dispense any controlled substances at his registered location for a period of four years.

3. That restrictions one and two, above, will not be lifted, even after four years, until the Respondent has completed a course in controlled substance recordkeeping, a course in controlled substance storage, and a course in the administration of controlled substances, and provides the DEA with evidence of completion of these courses. These courses may not be used to meet any continuing medical education requirement.

4. That prior to renewal of the Respondent's DEA registration, he sign a document consenting to inspections by DEA personnel of his medical practice without the need for DEA personnel to obtain an administrative inspection warrant prior to conducting an inspection. By the terms contained in the consent form, the consent shall be valid for four years from the date his current renewal application for a DEA registration is approved. This consent form is to be delivered to the Respondent's local DEA Field Office.

5. That prior to renewal of the Respondent's DEA registration, he sign a document consenting to the conditions set forth in Paragraphs one and two above and acknowledging his understanding that his failure to comply with the terms of those conditions will constitute an independent basis for administrative enforcement proceedings by the DEA. This consent and acknowledgement document shall be delivered to the Respondent's local DEA Field Office.

This Order is effective October 19, 2018.

Dated: September 5, 2018.

Uttam Dhillon,

Acting Administrator.

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DEPARTMENT OF JUSTICE

[OMB Number 1121-0065]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Currently Approved Collection: National Corrections Reporting Program

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 30 days until October 19, 2018.

FOR FURTHER INFORMATION CONTACT: If you have additional comments

especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Elizabeth Ann Carson, Statistician, Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531 (email: elizabeth.carson@usdoj.gov; telephone: 202/616.3496).

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, 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;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; 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.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension of a Currently Approved Collection.

(2) *The Title of the Form/Collection:* National Corrections Reporting Program. The collection includes the following parts: Prisoner Admission Report, Prisoner Release Report, Prisoners in Custody at Year-end Report, Post-Custody Community Supervision Entry Report, Post-Custody Community Supervision Exit Report.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number(s): NCRP-1A, NCRP-1B, NCRP-1D, NCRP-1E, NCRP-1F. The applicable component within the Department of Justice is the Bureau of Justice Statistics (Corrections Unit), in the Office of Justice Programs.

(4) *Affected public who will be asked or required to respond, as well as a brief*

abstract: Primary: 50 state departments of corrections (DOCs) and 7 parole supervising agencies (in six states and the District of Columbia). The National Corrections Reporting Program (NCRP) is the only national data collection furnishing annual individual-level information for state prisoners at five points in the incarceration process: Prison admission, prison release, annual year-end prison custody census, entry to post-custody community corrections supervision, and exits from post-custody community corrections supervision. BJS, the U.S. Congress, researchers, and criminal justice practitioners use these data to describe annual movements of adult offenders through state correctional systems, as well as to examine long-term trends in time served in prison, demographic and offense characteristics of inmates, sentencing practices in the states that submit data, transitions between incarceration and community corrections, and recidivism. Providers of the data are personnel in the states' Departments of Corrections and Parole, and all data are submitted on a voluntary basis. The NCRP collects the following administrative data on each inmate in participating states' custody:

- County of sentencing
- State and federal inmate identification numbers
- Dates of: Birth, prison admission, prison release, projected prison release, mandatory prison release, eligibility hearing for post-custody community corrections supervision, post-custody community corrections supervision entry, post-custody community corrections supervision exit
- First, middle, and last names
- Demographic information: Sex, race, Hispanic origin, education level, prior military service, date and type of last discharge from military
- Offense type and number of counts per inmate for a maximum of three convicted offenses per inmate
- Total sentence length imposed
- Type of facility where inmate is serving sentence (for year-end custody census records only, the name of the facility is also requested)
- Type of prison admission
- Type of prison release
- Location of post-custody community supervision exit or post-custody community supervision office (post-custody community supervision records only)
- Social security number
- Address of last residence prior to incarceration
- Prison security level at which the inmate is held

For consideration, BJS is proposing to add the following items to the NCRP collection, all of which are likely available from the same databases as existing data elements and should likely pose minimal additional burden to the respondents, while enhancing BJS' ability to characterize the corrections systems and populations it serves:

- Status of current U.S. citizenship
- Country of current citizenship
- Country of birth

Finally, BJS is proposing to remove the following 7 items from the NCRP collection, based on a combination of low response rates (less than 50% of states) and/or high levels of missing data (30% or higher missing) among states that do respond:

- Prior prison time served by the offender
- Additional offenses since admission date
- Additional sentence time since admission date
- Whether the offender was on AWOL or escape while serving sentences
- Whether the offender was serving time concurrently on community release prior to prison release
- The number of days on community release prior to prison release served by the offender
- Offender's supervision status prior to release from post-custody community supervision

BJS uses the information gathered in NCRP in published reports and statistics. The reports will be made available to the U.S. Congress, Executive Office of the President, practitioners, researchers, students, the media, others interested in criminal justice statistics, and the general public via the BJS website.

BJS received 3 comments to its 60-day **Federal Register** Notice (<https://www.federalregister.gov/documents/2018/07/09/2018-14599/agency-information-collection-activities-proposed-ecollection-ecomments-requested-extension-of-a>). Responses to these comments will be included in the final clearance package submitted to OMB and available at the NCRP page on www.reginfo.gov (<https://www.reginfo.gov/public/do/PRAOMBHistory?ombControlNumber=1121-0065>).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* BJS anticipates 57 respondents to NCRP by 2021: 50 state DOC respondents and seven separate parole supervising agencies (in six states and the District of Columbia). Burden hours for the three collection years (2019–2021) differ based on whether a state

has previously submitted NCRP prison and PCCS data in recent years. All 50 DOCs have recently submitted NCRP prison data, but currently, only 32 DOCs have submitted PCCS data in the last four years.

Burden Hours for Prison Records (NCRP–1A, NCRP–1B, NCRP–1D)

All 50 DOCs have recently submitted NCRP prison data, so the average time needed to continue providing prison data is expected to be 8 hours per respondent for both prisoner admissions and releases (NCRP–1A and NCRP–1B) and 8 hours for data on persons in prison at year-end (NCRP–1D). For 2019, the total burden estimate of 16 hours per DOC for these three record types is increased by 45 minutes from the previous NCRP OMB submission, to account for the addition and removal of variables from states' extract programs (a 30 minute increase to add citizenship questions to NCRP–1A and NCRP–1D, and a 15 minute increase to remove the 7 variables). The total amount of time estimated for 50 DOCs to submit NCRP–A, –B, and –D records in 2019 is 837.5 hours (16.75 hours * 50 = 837.5 hours).

In 2020 and 2021, BJS expects to have all 50 DOCs providing NCRP prison data. The burden for provision of the NCRP prison data will decrease to 14 hours per respondent due to the removal of the 7 items (7 hours for the prison admission and release records combined, and 7 hours for the year-end custody records), for a total of 700 hours annually for the 50 DOCs in 2020 and 2021 (14 hours * 50 = 700 hours).

Burden Hours for PCCS Records (NCRP–1E, NCRP–1F)

There are currently 37 jurisdictions submitting PCCS data (32 DOCs and 5 parole boards), and BJS estimates that extraction and submission of both the PCCS entries and exits takes an average of 8 hours per jurisdiction. In 2019, BJS anticipates that 8 additional DOCs and one parole supervising agency (likely the District of Columbia) will submit data, with the burden for each new jurisdiction being 24 hours to set up extraction programs and make the submission. Thus, the burden for PCCS records is 296 hours for those already submitting (8 hours * 37 = 296 hours), and 216 hours for new submissions (24 hours * 9 = 216). The total amount of time for all PCCS submissions in 2019 is 512 hours.

In 2020, BJS hope to recruit an additional 2 DOCs and the remaining parole supervising agency to submit NCRP PCCS data. The total estimate for submission of PCCS for new jurisdictions in 2020 is 72 hours (24

hours * 3 = 72 hours). For those 40 DOCs and 6 parole boards currently responding, provision of the PCCS data in 2020 will total 368 hours (8 hours * 46 = 368 hours). The total amount of time for all PCCS submissions in 2020 is 440 hours.

Similarly, BJS hopes that the remaining 2 DOCs will submit PCCS data for the first time in 2021. The remaining non-reporting DOCs would need a total of 48 hours to create data extraction programs and begin data submission (24 hours * 2 = 48 hours). Those jurisdictions (42 DOCs and 7 parole supervising agencies) who provided NCRP PCCS data in 2020 will require 392 hours total to do the same in 2021 (8 hours * 49 = 392 hours). The total amount of time for all PCCS submissions in 2021 is 440 hours.

Burden Hours for Data Review/Follow-Up Consultations

Follow-up consultations with respondents are usually necessary while processing the data to obtain further information regarding the definition, completeness and accuracy of their report. The duration of these follow-up consultations will vary based on the number of record types submitted, so BJS has estimated an average of 3 hours per jurisdiction to cover all of the records (prison and/or PCCS) submitted. In 2019, BJS anticipates that one of the two parole supervising agencies not currently submitting PCCS data will begin to submit, so the number of jurisdictions requiring follow-up consultations is 51 (50 DOCs submitting at least the prison data, and one parole supervising agency submitting only PCCS data). This yields a total of 153 hours of follow-up consultation after submission (3 hours * 51 = 153 hours).

This total estimate of 153 hours for data review/follow-up consultations remains the same for 2020 and 2021.

Total Burden Hours for Submitting NCRP Data

BJS anticipates that the total burden for provision and data follow-up of all NCRP data across the participating jurisdictions in 2019 is 1,502.5 hours (837.5 hours for prison records, 512 hours for PCCS records, and 153 hours for follow-up consultation). This is equivalent to roughly 29 hours per respondent. The total annual burden for provision and follow-up of NCRP data in 2020 and 2021 is anticipated to be 1,293 hours (700 hours for prison records, 440 hours for PCCS records, and 153 hours for follow-up consultation).

(6) *An estimate of the total public burden (in hours) associated with the*

collection: There are an estimated 1,502.5 total burden hours associated with this collection in 2019, and 1,293 hours in both 2020 and 2021.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405B, Washington, DC 20530.

Dated: September 14, 2018.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

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NATIONAL SCIENCE FOUNDATION

Notice of Intent To Seek Approval To Establish an Information Collection

AGENCY: National Science Foundation.

ACTION: Notice and request for comments.

SUMMARY: The National Science Foundation (NSF) is announcing plans to request a new, one time data collection. The primary purpose of this data collection is to provide critical evidence for the Evaluation of the Centers for Chemical Innovation (CCI) Program. The National Science Foundation (NSF) has submitted this information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1995. This is the second notice for public comment; the first was published in the **Federal Register** at 83 FR 23301, and no comments were received. NSF is forwarding the proposed new information collection submission to the Office of Management and Budget (OMB) for clearance simultaneously with the publication of this second notice. The full submission may be found at: <http://www.reginfo.gov/public/do/PRAMain>.

DATES: Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification.

FOR FURTHER INFORMATION CONTACT: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for National Science Foundation, 725 17th Street NW, Room 10235, Washington, DC 20503, and Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314, or send email to splimpto@nsf.gov. Individuals who use a

telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including federal holidays).

Copies of the submission(s) may be obtained by calling 703-292-7556.

SUPPLEMENTARY INFORMATION: NSF may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to 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 should be addressed to the points of contact in the **FOR FURTHER INFORMATION CONTACT** section.

Title of Collection: Evaluation of the Centers for Chemical Innovation (CCI) Program Surveys and Interviews.

OMB Number: 3145-NEW.

Type of Request: Intent to seek approval for a new information collection.

Proposed Project: The National Science Foundation established the Centers for Chemical Innovation (CCI) Program (formerly known as Chemical Bonding Centers) in 2004 to support research centers focused on major, long-term fundamental chemical research challenges. The goals that NSF set forth for the CCI Program include that Centers will (a) produce transformative research, leading to innovation, and attract broad scientific and public interest; (b) be agile structures that can respond rapidly to emerging opportunities through enhanced collaborations; and (c) integrate research, innovation, education, broaden participation, and informal science communication.

The NSF Division of Chemistry has undertaken a comprehensive assessment of the Centers for Chemical Innovation