

authorization to others to use a revoked DEA number, and the controlled substances ordered under that number, are clearly conduct and circumstance contemplated under sections 829, 841 and 843.

The Respondent's remaining argument regarding the hearsay nature of the presigned prescriptions at issue is similarly without merit. Despite the Respondent's objections to the admissibility of such evidence, it is well established that hearsay is admissible in these proceedings. *See* Nicholas A. Sychak, d/b/a/ Medicap Pharmacy, 65 FR 75959 (2000); Arthur Sklar, R.Ph., d/b/a King Pharmacy, 54 FR 34627 (1989). "Hearsay is both admissible, and may, standing by itself, constitute substantial evidence in support of an administrative decision." *Klinestiver v. DEA*, 606 F.2d 1128 (D.C. Cir. 1979).

In the DEA Final Order of May 1999, the then-Deputy Administrator found that any determination regarding the Respondent's fitness to obtain a DEA Certificate of Registration was contingent, not merely upon the passage of time, but whether circumstances existing at the time of the prior proceeding had sufficiently changed to warrant issuance of such registration. With the additional passage of time, and the Respondent having obtained a DEA Certificate of Registration (albeit by way of an administrative error), obviously circumstances have changed with respect to the Respondent's handling of controlled substances. The Deputy Administrator also finds it noteworthy that there is no evidence that Respondent has mishandled controlled substances under his present registration. Nevertheless, the Deputy Administrator remains unconvinced that the Respondent possesses the fitness to maintain that registration.

The Deputy Administrator agrees with Judge Bittner that the Respondent refuses to take responsibility for his past misconduct. In addition, the Respondent demonstrated irresponsible conduct by pre-signing prescription pads and providing his revoked DEA registration number for the use of his staff.

The Deputy Administrator finds the Respondent's recalcitrance puzzling. In the face of DEA's repeated concerns regarding his lack of contrition, the Respondent remains steadfast in his insistence upon denying any previous wrongdoing. Despite previous findings that his criminal convictions were *res judicata*, the Respondent in his support of his most recent application for registration attempted yet again to re-litigate his criminal convictions and

attack the quality of his previous legal representation.

In three previous final orders, DEA has essentially provided the Respondent with a roadmap to reacquiring his DEA registration by outlining concerns relating to Respondent's previous misconduct and pointing to his refusal to accept responsibility for such actions. If the Respondent were to satisfactorily address the agency's concerns, and conform his conduct accordingly, he would at the very least, improve his prospects for reacquiring and maintaining a DEA Certificate of Registration. In the absence of such reassurances, the Deputy Administrator is left with the conclusion that the Respondent remains unwilling or unable to accept the obligations that the Controlled Substances Act and its implementing regulations impose upon DEA registrants. Therefore, the Deputy Administrator concludes that the Respondent's continued registration would be 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 0.014, hereby orders that DEA Certificate of Registration BL6652312, previously issued to Robert A. Leslie, M.D., be, and it hereby is, revoked. This order is effective April 28, 2003.

Dated: March 6, 2003.

John B. Brown III,

Deputy Administrator.

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BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Office of the Secretary

Combating Child Labor Through Education (Morocco, Uganda, Dominican Republic Timebound and the Philippines Timebound)

AGENCY: Bureau of International Labor Affairs, Department of Labor.

ACTION: Notice of availability of funds and solicitation for cooperative agreement applications (SGA 03-01).

SUMMARY: This notice contains all of the necessary information and forms needed to apply for cooperative agreement funding. The U.S. Department of Labor, Bureau of International Labor Affairs will award up to U.S. \$14 million through one or more cooperative agreement(s) to an organization or organizations to improve access to quality education as a means to combat

child labor in Morocco (\$3 million), Uganda (\$3 million), the Dominican Republic (\$3 million) and the Philippines (\$5 million). The activities funded will complement and expand upon existing projects and programs to improve basic education in these countries and provide access to basic education to children in areas of high incidence of exploitative child labor. Activities in the Dominican Republic and the Philippines will support and complement Timebound Programs to eliminate child labor being currently implemented in collaboration with the national governments and the International Program on the Elimination of Child Labor of the International Labor Organization (ILO/IPEC). Specific information on Timebound Programs is found in Section III.A of this document.

Applicants must submit a separate application for each country. If applications for countries are combined, they will not be considered.

DATES: The closing date for receipt of application is May 9, 2003. As discussed in Section II.B and C, applications must be received by 4:45 p.m. (Eastern Time) at the address below. No exceptions to the mailing, delivery, and hand-delivery conditions set forth in this notice will be granted. Applications that do not meet the conditions set forth in this notice will not be honored. Telegram, facsimile (FAX), and e-mail applications will not be honored.

ADDRESSES: Application forms will not be mailed. They are published as part of this **Federal Register** Notice, and in the **Federal Register** which may be obtained from your nearest U.S. Government office or public library or online at http://www.archives.gov/federal_register/index.html.

Applications must be delivered to: U.S. Department of Labor, Procurement Services Center, 200 Constitution Avenue, NW., Room N-5416, Attention: Lisa Harvey, Reference: SGA 03-01, Washington, DC 20210. Applications sent by e-mail, telegram, or facsimile (FAX) will not be accepted. Applications sent by other delivery services, such as Federal Express, UPS, etc., will be accepted, however, the applicant bears the responsibility for timely submission.

FOR FURTHER INFORMATION CONTACT: Lisa Harvey. E-mail address: harvey-lisa@dol.gov. All applicants are advised that U.S. mail delivery in the Washington DC area has been slow and erratic due to concerns involving anthrax contamination. All applicants must take this into consideration when