

a limited license in Wisconsin, lacked authorization to handle controlled substances there, (2) granting the Government's Motion for Summary Disposition, and (3) recommending that the Respondent's DEA Certificate of Registration be revoked. Neither party filed exceptions to her decision, and on March 15, 1996, Judge Bittner transmitted the record of these proceedings and her opinion to the Deputy Administrator.

The Deputy Administrator has considered the record in its entirety, and pursuant to 21 CFR 1316.67, hereby issues his final order based upon findings of fact and conclusions of law as hereinafter set forth. The Deputy Administrator adopts, in full, the decision of the Administrative Law Judge. The Drug Enforcement Administration cannot register or maintain the registration of a practitioner who is not duly authorized to handle controlled substances in the State in which he conducts his business. See 21 U.S.C. 823 (f) (authorizing the Attorney General to register a practitioner to dispense controlled substances only if the applicant is authorized to dispense controlled substances under the laws of the state in which he or she practices); 802(21) (defining "practitioner" as one authorized by the United States or the state in which he or she practices to handle controlled substances in the course of professional practice or research); and 21 U.S.C. 824(a)(3) (authorizing the Attorney General to revoke a registration upon as finding that the registrant "has had his State license or registration suspended, revoked, or denied by competent State authority and is no longer authorized by State law to engage in * * * dispensing of controlled substances * * *"). This prerequisite has been consistently upheld. See Dominick A. Ricci, M.D., 58 FR 51,104 (1993); James H. Nickens, M.D., 57 FR 59,847 (1992); Roy E. Hardman, M.D., 57 FR 49,195 (1992); Myong S. Yi, M.D., 54 FR 30,618 (1989); Bobby Watts, M.D., 53 FR 11,919 (1988).

Here, it is clear and undisputed that the Respondent currently is not authorized to handle controlled substances in Wisconsin. Likewise, since the respondent lacks state authority to handle controlled substances, DEA lacks authority to continue his registration.

Judge Bittner also properly granted the Government's motion for summary disposition. The parties did not dispute that the Respondent was unauthorized to handle controlled substances in Wisconsin, the state in which he conducts his practice. Therefore, it is

well-settled that when no question of fact is involved, a plenary, adversary administrative proceeding involving evidence and cross-examination of witnesses is not obligatory. Dominick A. Ricci, M.D., 58 FR at 51,104; see also Philip E. Kirk, M.D., 48 FR 32,887 (1983), aff'd sub nom Kirk V. Mullen, 749 F.2d 297 (6th Cir. 1984); Alfred Tennyson Smurthwaite, M.D., 43 FR 11,873 (1978); NLRB v. International Association of Bridge, Structural and Ornamental Ironworkers, AFL-CIO, 549 F.2d 634 (9th Cir. 1977).

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 AN7645229, previously issued to David R. Nahin, M.D., be, and it hereby is, revoked, and any pending application for renewal of such registration is hereby denied. This order is effective August 29, 1996.

Dated: July 24, 1996.
Stephen H. Greene,
Deputy Administrator.
[FR Doc. 96-19257 Filed 7-29-96; 8:45 am]
BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

July 25, 1996.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of this individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor Acting Departmental Clearance Officer, Theresa M. O'Malley (202-219-5095). Individuals who use a telecommunications device for the deaf (TTY/TDD) may call (202) 219-4720 between 1:00 p.m. and 4:00 p.m. Eastern time, Monday through Friday.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employment and Training Administration, Office of Management and Budget, Room 10235, Washington, DC 20503 (202-395-7316), on or before August 29, 1996.

The OMB 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, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: Employment and Training Administration.

Title: State Alien Labor Certification Activity Report.

OMB Number: 1205-0319.

Agency Number: ETA 9037.

Frequency: Biennially.

Affected Public: State, Local or Tribal Government.

Number of Respondents: 54.

Estimated Time Per Respondent: 2 hours.

Total Burden Hours: 216.

Total Annualized capital/startup costs: 0.

Total annual costs (operating/maintaining systems or purchasing services): 0.

Description: The ETA 9037 provides the necessary information required to implement the labor certification process. This record is used to compile internal reports to management as well as answering public inquiries about the status.

Theresa M. O'Malley,

Acting Departmental Clearance Officer.

[FR Doc. 96-19336 Filed 7-29-96; 8:45 am]

BILLING CODE 4510-30-M

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

Sunshine Act Meeting; Meeting of the U.S. National Commission on Libraries and Information Science

TIME, DATE, AND PLACE: 3:00 p.m. to 5:45 p.m., July 19, 1996, Koret Auditorium, San Francisco Public Library, San Francisco, CA.

MATTERS TO BE DISCUSSED: San Francisco Bay Area Library and Information

Services Panel discussion with NCLIS Members, Tour of SFPL new main library.

TIME, DATE, AND PLACE: 9:00 a.m. to 12:00 noon, July 20, 1996, San Francisco Public Library, Latino-Hispanic Community Room.

MATTERS TO BE DISCUSSED: NCLIS activity review and planning for FY 1996, Public comment.

TIME, DATE, AND PLACE: 8:15 a.m. to 9:30 a.m., July 21, 1996, San Diego Sheraton Hotel, Seabreeze II Room, 1380 Harbor Island Drive, San Diego, CA.

MATTERS TO BE DISCUSSED: Meeting with the Interactive Services Board.

TIME, DATE, AND PLACE: 10:00 a.m. to 4:00 p.m., Seabreeze I Room, San Diego Sheraton Hotel.

MATTERS TO BE DISCUSSED: NCLIS Plans for FY 1997.

TIME, DATE, AND PLACE: 8:30 a.m. to 11:30 p.m., July 22, 1996, San Diego Sheraton Hotel, 8:30 a.m. to 11:30 a.m., July 23, 1996, Interactive Services Association Conference.

TIME, DATE, AND PLACE: 1:00 p.m. to 5:00 p.m., July 22, 1996, San Diego Sheraton Hotel, Belaire Ballroom.

MATTERS TO BE DISCUSSED: NCLIS Hearing: Libraries and Interactive Services on the Information Highway: Toll Roads Freeways, Highway Robbery. The hearing will focus on polices related to libraries' roles in and use of interactive and online information services, with specific testimony from interactive industry and library representatives.

PORTION CLOSED TO THE PUBLIC: 4:00 p.m. to 5:00 p.m., July 21, 1996: To review staff support requirements.

To request further information or to make special arrangements for physically challenged persons, contact Barbara Whiteleather (202-606-9200) no later than one week in advance of the meeting.

Dated: July 10, 1996.

Peter R. Young,

NCLIS Executive Director.

[FR Doc. 96-19438 Filed 7-26-96; 11:49 am]

BILLING CODE 7527-01-M

LIBRARY OF CONGRESS

Copyright Office

[Docket No. 95-1 CARP DD 92-94]

Distribution of 1992, 1993, and 1994 Digital Audio Recording Technology Royalties

AGENCY: Copyright Office, Library of Congress.

ACTION: Initiation of arbitration.

SUMMARY: The Copyright Office of the Library of Congress is announcing initiation of the 180-day arbitration period for the distribution of 1992-94 digital audio recording technology (DART) royalties.

EFFECTIVE DATES: August 8, 1996.

ADDRESSES: All hearings and meetings for the 1992-94 DART distribution proceeding shall take place in the James Madison Memorial Building, Room 414, First and Independence Avenue SE., Washington, DC 20540.

FOR FURTHER INFORMATION CONTACT: William Roberts, Senior Attorney for Compulsory Licenses, or Tanya Sandros, CARP Specialist, Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington DC. 20024. Telephone (202) 707-8380. Telefax (202) 707-8366.

SUPPLEMENTARY INFORMATION: Section 251.72 of 37 CFR provides:

If the Librarian determines that a controversy exists among claimants to either cable, satellite carrier, or digital audio recording devices and media royalties, the Librarian shall publish in the Federal Register a declaration of controversy along with a notice of initiation of an arbitration proceeding. Such notice shall, to the extent feasible, describe the nature, general structure and schedule of the proceeding.

The notice published today fulfills the requirements of § 251.72 for the distribution of DART royalties for the years 1992, 1993, and 1994.

As provided in section 802 of the Copyright Act, 17 U.S.C., a Copyright Arbitration Royalty Panel (CARP) shall have 180 days from initiation to deliver its written report to the Librarian of Congress. The 180-day period begins on August 8, 1996 and concludes on February 3, 1997. This proceeding requires the CARP to determine the proper distribution of royalties collected under chapter 10 of the Copyright Act for the years 1992, 1993 and 1994. Section 802(b) of the Act instructs the Librarian to select two arbitrators within 10 days of initiation of the proceeding. The Librarian has already completed this task, and the two arbitrators are:

The Honorable Sharon T. Nelson

The Honorable Lewis Hall Griffith

The third arbitrator, who shall serve as Chairperson, will be selected in accordance with section 802(b).

Scheduling of the 1992-94 DART royalty distribution proceeding is within the discretion of the CARP. The Library will publish the schedule of the proceedings, as required by 37 CFR 251.11(b), as soon as it is available.

Recommended by:

Marybeth Peters,
Register of Copyrights.

Approved by:

James H. Billington,
The Librarian of Congress.

[FR Doc. 96-19294 Filed 7-29-96; 8:45 am]

BILLING CODE 1410-33-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 96-088]

Government-Owned Inventions, Available for Licensing

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of availability of inventions for licensing.

SUMMARY: The inventions listed below are assigned to the National Aeronautics and Space Administration, have been filed in the United States Patent and Trademark Office, and are available for licensing.

Copies of patent applications cited are available from the Office of Patent Counsel, Langley Research Center, Mail Code 212, Hampton, VA 23681. Claims are deleted from the patent applications to avoid premature disclosure.

DATES: July 30, 1996.

FOR FURTHER INFORMATION CONTACT: Office of Patent Counsel, Mail Code 212, Langley Research Center, Hampton, VA 23681; telephone (804) 864-9260, fax (804) 864-9190.

NASA Case No. LAR-15058-1: Vapor Generator Wand;

NASA Case No. LAR-15059-1: Digital Mammography With A Mosaic of CCD-Arrays;

NASA Case No. LAR-15062-1: Multi-Channel Electronically Scanned Cryogenic Pressure Sensor;

NASA Case No. LAR-15068-1: Electrically Conductive Polyimide Film Containing Gold (III) Ions;

NASA Case No. LAR-15069-1: Low Power Impressed Current Cathodic Protection of Metal;

NASA Case No. LAR-15088-2: Spiral Microstrip Antenna With Resistance;

NASA Case No. LAR-15094-1: Concept for A Ringless Carbon-Carbon Piston in Internal Combustion Engines;

NASA Case No. LAR-15105-1: Ho: Tm: LuAG-A New Laser Material

NASA Case No. LAR-15112-1-CU: Micro-Sensor Thin-Film Anemometer;

NASA Case No. LAR-15114-1-CU: Dry Powder Process for Preparing Uni-