administrative proceeding ''is not an appropriate forum for wholesale review of state criminal and administrative actions taken by the State of New York arising out of the laws of the State of New York. To allow it to be so would be to permit a wide collateral attack upon such convictions. See Lowell O. Kir, M.D., 58 FR 15,378 (1993). The convictions in state court are considered res judicata and [the] Respondent may not relitigate these matters. See Robert A. Leslie, M.D., 60 FR 14,004 (1995).''

Therefore, it is well-settled that when no question of material fact is involved, a plenary, adversary administrative proceeding involving evidence and cross-examination of witnesses is not obligatory. See Dominick A. Ricci, M.D., *supra*. See also Phillip 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 AS5232979, issued to Shahid Musud Siddiqui, M.D., be, and it hereby is, revoked. The Deputy Administrator further orders that any pending applications for the renewal of such registration be, and they hereby are, denied. This order is effective May 3, 1996.

Dated: March 28, 1996.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 96–8043 Filed 4–2–96; 8:45 am]

BILLING CODE 4410–09–M

[Docket No. 95–52]

Stan White; Denial of Application

On July 20, 1995, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Stan White (Respondent), of Hardwick, Massachusetts, notifying him of an opportunity to show cause as to why DEA should not deny his application for a DEA Certificate of Registration as a practitioner under 21 U.S.C. 823(f), because he lacked authorization to handle controlled substances within the Commonwealth of Massachusetts.

In a letter dated August 17, 1995, the Respondent, acting pro se and responding to the Order to Show Cause, requested a hearing, and the matter was docketed before Administrative Law Judge Mary Ellen Bittner. On August 30, 1995, counsel for the Government filed a Motion for Summary Disposition, asserting that the Respondent was not duly authorized to possess, prescribe, dispense, or otherwise handle controlled substances under State law in the Commonwealth of Massachusetts, the jurisdiction in which he proposed to conduct his business. Attached to the motion was a copy of the Respondent's application for registration and a copy of a letter dated August 28, 1995, from the Massachusetts Executive Office of Health and Human Services, denying the Respondent's application to obtain Schedule II controlled substances as a researcher.

The Respondent did not file a response to the Government's motion. Further, the Respondent has not filed anything denying his lack of a state registration to handle controlled substances.

On October 3, 1995, Judge Bittner issued her Opinion and Recommended Decision, finding that the Respondent lacked authorization to handle controlled substances in the Commonwealth of Massachusetts, and that there was no genuine issue of material fact in that regard. Accordingly, Judge Bittner granted the Government's Motion for Summary Disposition and recommended that the Respondent's application for a DEA Certificate of Registration be denied. Neither party filed exceptions to her decision, and on November 6, 1995, 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 C.F.R. 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 DEA does not have statutory authority under the Controlled Substances Act to issue a registration if the applicant is without state authority to handle controlled substances in the state in which he conducts his business. 21 U.S.C. 802(21), 823(f), and 824(a)(3). 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). As Judge Bittner correctly noted, ''[i]n the instant case it is clear that [the] Respondent is not currently authorized to handle controlled substances in Massachusetts. It is equally clear that because [the] Respondent lacks this state authority, he is not currently entitled to a DEA registration.''

Judge Bittner also properly granted the Government's Motion for Summary Disposition. Here, the parties did not dispute the fact that the Respondent was unauthorized to handle controlled substances in Massachusetts. Therefore, it is well-settled that when no question of material fact is involved, a plenary, adversary administrative proceeding involving evidence and cross-examination of witnesses is not obligatory. See Dominick A. Ricci, M.D., *supra,* (finding it well settled that where there is no question of material fact involved, a plenary, adversarial administrative hearing was not required); see also Phillip 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 the application submitted by Stan White for a DEA Certificate of Registration be, and it hereby is, denied. This order is effective May 3, 1996.

Dated: March 28, 1996.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 96–8042 Filed 4–2–96; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

March 28, 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), by May 3, 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: Application for Alien Employment Certification

OMB Number: 1205–0015

Agency Number: ETA 750 A and B

Frequency: On occasion

Affected Public: Individuals or households; Business or other for-profit; Not-for-profit institutions; State, Local or Tribal Government

Number of Respondents: 54,000

Estimated Time per Respondent: 3 hours

Total Burden Hours: 151,200

Total Annualized capital/startup costs:: 0

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

Description: The ETA 750 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. 96–8076 Filed 4–2–96; 8:45 am]

BILLING CODE 4510–30–M

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and NAFTA Transitional Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA–W) issued during the period of March, 1996.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) that sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) that increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations for Worker Adjustment Assistance

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–31,793; Pershield, Inc., Campaign, TN

TA–W–31,891; Medical Textiles, Inc., South Boston, VA

TA–W–31,979; Quality Aluminum Castings Co., Waukesha, WI

TA–W–31,759; Carr Leather Co., Inc., Lynn, MA

TA–W–31,718; Controlled Power Corp., Canton, OH

TA–W–32,036; Imperial Metal & Chemical Co., Philadelphia, PA

TA–W–32,059; Triangle Wire & Cable, Inc., Glen Dale, WV

TA–W–31,935; Parsons Textile, Arizona City, AZ

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

TA–W–31,758; Campbell Industries, San Diego, CA

TA–W–31,967; GE Corporated Computer Services (CCS), Schenectady, NY

TA–W–31,890; Christian Brothers Logging, Inc., Cascade, ID

Increased imports did not contribute importantly to worker separations at the firm.

TA–W–31,888; Porter house Ltd (AKA Regina Porter), New York, NY

The workers' firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued; the date following the company name & location for each determination references the impact date for all workers for such determination.

TA–W–31,834; Windsurfing Hawaii, Stevenson, WA: January 5, 1995.

TA–W–31,818; Cytec Industries, Inc., Marietta, OH: December 29, 1994.

TA–W–31,927; Selmet, Inc., Golf Products Div., Albany, OR: January 19, 1995.

TA–W–31,952; St. Mary's Sewing Ind., Edcouch, TX: January 29, 1995.

TA–W–31,903; West Point Stevens, Inc., AKA West Point Pepperell, Biddeford, ME.

TA–W–31,874; Seacraft Instrument, Batavia, NY: January 23, 1995.

TA–W–31,779; Dayton Racquet Co., Inc., Arcanum, OH: December 1, 1994.

TA–W–31,948; Molycorp, Inc., Washington, PA: January 2, 1995.

TA–W–31,842; DDJ Mfg., Madera, PA: January 9, 1995.

TA–W–32,055; Simpson Street Cutting, Luzerne, PA: March 1, 1995.

TA–W–31,996; Dutchess Lingerie dba Sylvester Textile, Sylvester, GA: February 22, 1995.

TA–W–32,008; Fun-Tees, Inc., Dadeville, AL: April 27, 1996.

TA–W–31,845; G-Tee, Cullman, AL: January 9, 1995.

TA–W–31,875; Rivera Mfg., Pontotoc, MS: April 27, 1995.

TA–W–32,028; General Electric Co., GE Lighting Bucyrus Lamp Plant, Bucyrus, OH: February 14, 1995.

TA–W–31,809; Eaton Corp.—Cutler Hammer Products, Bowling Green, KY: December 13, 1994.

TA–W–31,911; Bausch & Lomb, Eyewear Div., Oakland, MD: January 26, 1995.

TA–W–31,980; Santana, Inc., West Blocton, AL: February 15, 1995.

TA–W–31,960 & A; Bausch & Lomb, 465 Paul Rd., Rochester, NY & 1 Bausch & Lomb Rd., Rochester, NY: February 23, 1995.