research and development projects, and related activities.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96–8041 Filed 4–2–96; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Springback Predictability Venture

Notice is hereby given that, on February 26, 1996, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), parties to the Springback Predictability Venture filed notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Aluminum Company of America, Alcoa Technical Center, Alcoa Center, PA; The Budd Company, Troy, MI; Chrysler Corporation, Auburn Hills, MI; Environmental Research Institute of Michigan, Ann Arbor, MI; Ford Motor Company, Dearborn, MI; General Motors Corporation, Warren, MI; and US Steel Group, USX Corporation, Troy, MI. The purpose of the joint venture is to conduct certain specified research to develop and validate a three-dimensional computer code to accurately predict stress, strain, fracture and geometrical imperfection, such as highs, lows, wrinkles and sidewall curling, in sheet metal draw, restrike and flanging dies, with an emphasis on springback after removal from the die and after trimming, using an incremental theory of elastro-plasticity. The activities of this project will be partially funded by an award from the Advanced Technology Program, National Institute of Standards and Technology, Department of Commerce.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96–8047 Filed 4–2–96; 8:45 am]

BILLING CODE 4410–01–M

Drug Enforcement Administration

[Docket No. 94–81]

Shahid Musud Siddiqui, M.D.; Revocation of Registration

On September 8, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Shahid Musud Siddiqui, M.D. (Respondent), of Brooklyn, New York, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration AS5232979, under 21 U.S.C. 824(a)(4) and (5), and deny any pending applications for renewal of this registration under 21 U.S.C. 823(f), because his continued registration under 21 U.S.C. 823(f), because his continued registration would be inconsistent with the public interest, and because he had been mandatorily excluded from participation in a program pursuant to 42 U.S.C. 1310a–7(a).

In a letter dated September 21, 1994, the Respondent, through counsel, requested a hearing, and the matter was docketed before Administrative Law Judge Paul A. Tenney. The Respondent requested numerous delays. On March 16, 1995, he filed his Prehearing Statement, writing that at that time he was proceeding *pro se* in this matter.

On September 1, 1995, counsel for the Government field 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 State of New York, the jurisdiction in which he is registered with the DEA. Attached to the motion was a copy of the State of New York Department of Health, State Board for Professional Medical Conduct's (Medical Board) Determination and Order dated October 26, 1994, revoking the Respondent's license to practice medicine in the State of New York. Also attached was a copy of the Administrative Review Board's Decision and Order issued on March 13, 1995, which sustained the Medical Board's revocation of the Respondent's medical license.

On September 20, 1995, the Respondent filed a response to the Government's motion, asserting that factual and legal errors were made in the proceedings resulting in the revocation of his medical license in the State of New York. However, the Respondent did not dispute the authenticity of the Medical Board's revocation order or of the Administrative Review Board's order sustaining the actions of the Medical Board.

On September 27, 1995, Judge Tenney issued his Opinion and Recommended Ruling, finding that the Respondent (1) lacked authorization to practice medicine in the State of New York, (2) lacked authorization to handle controlled substances in that State, and (3) that there was no genuine issue of material fact in that regard. Accordingly, Judge Tenney granted the Government's Motion for Summary Disposition and recommended that the Respondent's DEA Certificate of Registration be revoked. Neither party filed exceptions to his decision, and on October 27, 1995, Judge Tenney transmitted the record of these proceedings and his 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 the statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant 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 Tenney correctly noted, ''[i]n the instant case, it is clear [that] the Respondent is not authorized to practice medicine in the State of New York, nor is he authorized to handle controlled substances in that State.'' Although the Respondent asserted that he was licensed to practice medicine in New Jersey, as Judge Tenney noted, such an assertion is irrelevant. The DEA Certificate of Registration at issue in these proceedings was granted to allow the Respondent to handle controlled substances for his medical practice in New York.

Judge Tenney 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 New York. The Respondent did assert that the Medical Board wrongfully had revoked his medical license. However, as Judge Tenney correctly noted, the DEA

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]