

Office of Management and Budget, Washington, DC 20503, and to Mr. Robert B. Briggs, Department of Justice Clearance Officer, Systems Policy Staff/Information Resources Management/Justice Management Division Suite 850, WCTR, Washington, DC 20530.

#### New Collection

(1) Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act.

(2) Violence Against Women Program Office, United States Department of Justice.

(3) Primary = State, Local or Tribal Government, Others = None. The Crime Act of 1994 enacted the Violence Against Women Program. This program awards grant money to the states, territories, and Indian tribal governments to combat violence against women. The actual legislation dictates that in order to receive federal monies, these grantees must certify that rape exams will be paid for by some entity other than the victim, and the victim will also not incur the cost of filing fees for criminal charges.

(4) 54 annual respondents at .15 hours per response.

(5) 13.5 annual burden hours.

(6) Not applicable under Section 3504(h) of Public Law 96-511.

Public comment on this item is encouraged.

Dated: March 23, 1995.

**Robert B. Briggs,**

*Department Clearance Officer, Department of Justice.*

[FR Doc. 95-7686 Filed 3-28-95; 8:45 am]

BILLING CODE 4410-21-M

#### Drug Enforcement Administration

[Docket No. 94-70]

#### Zack B. Brown, M.D.; Denial of Application

On February 25, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Zack B. Brown, M.D. (Respondent) of Detroit, Michigan, proposing to deny his application for registration as a practitioner. The statutory basis for the Order to Show Cause was the Respondent's registration would be inconsistent with the public interest pursuant to 21 U.S.C. 823(f).

Respondent, through counsel, requested a hearing on the issues raised in the Order to Show Cause and the matter was docketed before Administrative Law Judge Mary Ellen Bittner.

On September 30, 1994, following prehearing procedures and prior to any evidentiary hearing, the Government filed a motion for summary disposition alleging that Respondent no longer held state authorization to handle controlled substances following the suspension of Respondent's license to practice medicine in Michigan by the Michigan Board of Medicine. Respondent did not file a response to the Government's motion and did not deny that his state license to handle controlled substances had been suspended.

On October 17, 1994, the administrative law judge entered her Opinion and Recommended Decision granting the Government's motion for summary disposition and recommending that the Respondent's application for DEA Certificate of Registration be denied. No exceptions were filed by either party.

On November 21, 1995, the administrative law judge transmitted the record to the Deputy Administrator. After a careful consideration of the record in its entirety, the Deputy Administrator enters his final order in this matter pursuant to 21 CFR 1316.67, based on findings of fact and conclusions of law as set forth herein.

On August 17, 1994, the Michigan Board of Medicine summarily suspended the Respondent's state license to practice medicine. On September 26, 1994, an Order Continuing the Summary Suspension of August 17 was issued by the Michigan Office of Legal Services (Department of Commerce). Judge Bittner found that, by virtue of the suspension of Respondent's license to practice medicine in Michigan, it was reasonable to infer, and Respondent did not deny, that because he is not authorized to practice medicine in Michigan, he also is not authorized to handle controlled substances within that state. Judge Bittner concluded that DEA has no authority to register a practitioner, unless that practitioner is authorized by the state to dispense controlled substances. The DEA has consistently held this position. See *Bobby Watts, M.D.*, 53 FR 11919 (1988); *Lawrence R. Alexander, M.D.*, 57 FR 22256 (1992).

In cases such as the present, where a Respondent is not authorized to handle controlled substances in the state in which he proposes to practice, a motion for summary disposition is properly entertained. It is well settled that where no question of fact exists, or where the material facts are agreed, a plenary administrative proceeding is not required. See *Phillip E. Kirk, M.D.*, 48 FR 32877 (1983), *aff'd sub nom Kirk v. Mullen*, 749 F.2d 297 (6th Cir. 1984).

Congress did not intend for administrative agencies to conduct hearings where no issues remain in dispute. *United States v. Consolidated Mines and Smelting Company, Ltd.*, 445 F.2d 432, 453 (9th Cir. 1971); *N.L.R.B. v. International Association of Bridge, Structural and Ornamental Ironworkers, AFL-CIO*, 549 F.2d 634 (9th Cir. 1977).

The Deputy Administrator adopts the opinion and recommended decision of the administrative law judge in its entirety. Based on the foregoing, the Deputy Administrator concludes that Respondent's application for registration must be denied. 21 U.S.C. 823(f) and 824(a)(3). Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority invested in him by 21 U.S.C. 823 and 824, and 28 CFR 0.100(b) and 0.104, hereby orders that the application for registration of Zack B. Brown be, and hereby is, denied. This order is effective April 28, 1995.

Dated: March 23, 1995.

**Stephen H. Greene,**

*Deputy Administrator.*

[FR Doc. 95-7642 Filed 3-28-95; 8:45 am]

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#### Immigration and Naturalization Service

[INS No. 1689-95; AG Order No. 1959-95]

RIN 1115-AC30

#### Extension of Designation of Liberia Under Temporary Protected Status Program

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Notice.

**SUMMARY:** This notice extends, until March 28, 1996, the Attorney General's designation of Liberia under the Temporary Protected Status program provided for in section 244A of the Immigration and Nationality Act, as amended ("the Act"). Accordingly, eligible aliens who are nationals of Liberia, or who have no nationality and who last habitually resided in Liberia, may re-register for Temporary Protected Status and extension of employment authorization. This re-registration is limited to persons who already registered for the initial period of Temporary Protected Status, which ended on March 27, 1992. In addition during the extension period, some aliens may be eligible for late initial registration pursuant to 8 CFR 240.2(f)(2).

**EFFECTIVE DATES:** This extension of designation is effective on March 29,