

OMB reviewer, Mr. Jeff Hill on (202) 395-7340 and to the Department of Justice's Clearance Officer, Mr. Robert B. Briggs, on (202) 514-4319. If you anticipate commenting on a form/collection, but find that time to prepare such comments will prevent you from prompt submission, you should notify the OMB reviewer and the Department of Justice Clearance Officer and of your intent as soon as possible. Written comments regarding the burden estimate or any other aspect of the collection may be submitted to Office of Information and Regulatory Affairs, 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.

Extension of a Currently Approved Collection

(1) Data Relating to Beneficiary of a Private Bill.

(2) INC Form G-79A. Immigration and Naturalization Service, United States Department of Justice.

(3) Primary: Individuals or households. Others: None. The Form G-79A is used by the Immigration and Naturalization Service (INS) to obtain information from beneficiaries and/or interested parties in Private Bill cases. The INS prepares a report to the appropriate Congressional Committee (Senate or House of Representatives) and advise whether a person for whom a Private Bill has been introduced is or is not in violation of Section 212 of the Immigration and Naturalization Act which identifies classes of aliens not eligible for admission to the United States.

(4) 100 annual respondents at 1.0 hour per response.

(5) 100 annual burden hours.

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

Public comment on this item is encouraged.

Dated: June 17, 1995.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

[FR Doc. 95-17957 Filed 7-20-95; 8:45 am]

BILLING CODE 4410-10-M

Drug Enforcement Administration

[Docket No. 95-18]

Shia Ben-Hur, D.V.M.; Revocation of Registration

On December 22, 1994 the Deputy Assistant Administrator, Office of

Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Shia Ben-Hur, D.V.M., of River Hills, Wisconsin (Respondent), proposing to revoke his DEA Certificate of Registration, AB3559652, and deny any pending applications for registration as a practitioner. The statutory basis for the Order to Show Cause was that Respondent was no longer authorized to handle controlled substances in the State of Wisconsin. 21 U.S.C. 823(f) and 924(a)(3).

By letter dated January 23, 1995, Respondent, through counsel, requested a stay of all proceedings in this matter. Administrative Law Judge Mary Ellen Bittner, before whom this matter was docketed, denied Respondent's request for stay on February 16, 1995, and directed Respondent to file any request for hearing by February 27, 1995. On March 14, 1995, following Respondent's failure to request a hearing on the Order to Show Cause, the administrative law judge issued an Order Terminating Proceedings. The Deputy Administrator hereby enters his final order based upon the record and investigative file pursuant to 21 CFR 1301.57.

On November 2, 1993, Respondent pled guilty to one count of distributing approximately two ounces of cocaine in violation of 21 U.S.C. 841(a) and was sentenced to 30 months incarceration. On January 16, 1994, the Veterinary Examining Board for the State of Wisconsin, by stipulation with Respondent, suspended Respondent's veterinary license until such time as Respondent was released from prison and could address the charges in the complaint filed by the Veterinary Examining Board. As a result, Respondent is no longer authorized to dispense controlled substances in the State of Wisconsin.

The DEA has consistently held that it does not have statutory authority under the Controlled Substances Act to register a practitioner unless that practitioner is authorized to dispense controlled substances by the state in which he proposes to practice. See *Lawrence R. Alexander, M.D.*, 57 FR 22256 (1992); *Bobby Watts, M.D.*, 53 FR 11919 (1988); *Robert F. Witek, D.D.S.*, 52 FR 4770 (1987). In such cases a motion for summary disposition is properly entertained. There is no need for a plenary evidentiary hearing since there are no questions of fact to be resolved by such a hearing. *Phillip E. Kirk, M.D.*, 48 FR 32887 (1983), aff'd sub nom, *Kirk v. Mullen*, 749 F.2d 297 (6th Cir. 1984); *Floyd A. Santner, M.D.*, 47 FR 51831 (1982). Therefore, because Respondent is no longer authorized to handle

controlled substances in the State of Wisconsin, the Deputy Administrator cannot permit him to maintain a DEA Certificate of Registration in that State.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration AB3559652, previously issued to Shia Ben-Hur, D.V.M., be, and it is hereby, revoked, and that any pending applications for renewal of such registration be, and they hereby are, denied. This order is effective August 21, 1995.

Dated: July 14, 1995.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 95-17932 Filed 7-20-95; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Employment Standards Administration

Agency Recordkeeping/Reporting Requirements To Be Reviewed by the Office of Management and Budget (OMB)

The Department of Labor will submit the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995. Copies may be obtained by calling Patricia A. Forkel, ({202} 219-7601). Comments and questions about the ICRs listed below should be directed to Ms. Forkel, Office of Management, Administration and Planning, U.S. Department of Labor, 200 Constitution Ave., N.W., Room S-3201, Washington, D.C. 20210. Dates: Comments on the information collection should be directed to the Agency Clearance Officer within 30 days of this notice.

Type of Review: Extension

Agency: Employment Standards Administration

Title: Reporting and Recordkeeping Requirements for Supply and Service Contractors

OMB Number: 1215-0072

Agency Number: None

Frequency: Annually

Affected Public: State of local governments; Small businesses or organizations; Businesses or other for-profit; Non-profit institutions

	Number of respondents	Hours per response	Subtotal hours
Reporting	64,513	11.01	710,825
Recordkeeping	88,797	155.80	13,836,404
Total Burden Hours	14,547,229		

Description: Recordkeeping and reporting obligations incurred by Federal contractors/subcontractors under E.O. 11246, Section 503 of the Rehabilitation Act of 1973, and 38 USC 2012 are necessary to substantiate compliance with nondiscrimination and affirmative action requirements monitored by the Office of Federal Contract Compliance Programs.

Type of Review: Extension
Agency: Employment Standards Administration

Title: Annual Report of Earnings
OMB Number: 1215-0136
Agency Number: CM-777

Frequency: Annually
Affected Public: Individuals or households

Number of Respondents: 430
Estimated time per respondent: 17 minutes

Total Burden Hours: 122

Description: The Black Lung Beneficiaries' Annual Report of Earnings is used to adjust benefits disbursed for the preceding year and to estimate adjustments, if any, for the following year due to excess earnings.

Type of Review: Extension
Agency: Employment Standards Administration

Title: OWCP Representative Fee Request
OMB Number: 1215-0078
Agency Number: CA-38

Frequency: On occasion
Affected Public: Individuals or households; Business or other for-profit

Number of Respondents: 14,000
Estimated average time per respondent: 1 hour

Total Burden Hours: 10,000

Description: This information collection is submitted by representatives of OWCP claimants to request approval of a fee for services provided to claimants.

Signed at Washington, D.C. this 17th day of July 1995.

Margaret J. Sherrill,
Chief, Branch of Management, Review and Analysis, Division of Financial Management, Employment Standards Administration.

[FR Doc. 95-17997 Filed 7-20-95; 8:45 am]

BILLING CODE 4510-27-M

Wage and Hour Division; Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good clause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersede as decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal**

Register, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., room S-3014, Washington, DC 20210.

New General Wage Determination Decisions

The number of the decisions added to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and related Acts" are listed by Volume and State:

- Volume VI*
- California
CA950029 (Jul. 21. 1994)
- California
CA950030 (Jul. 21. 1994)

Modification to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are