

30345. All data and comments must be received within 30 days of the date of this publication.

Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: Permit Coordinator). Telephone: 404/679-7110; Fax: 404/679-7280.

Dated: May 10, 1995.

**Judy L. Jones,**

*Acting Regional Director.*

[FR Doc. 95-11966 Filed 5-15-95; 8:45 am]

BILLING CODE 4310-55-P

**Availability of an Environmental Assessment and Receipt of an Application for an Incidental Take Permit for a Timber Harvest Operation by Red Oak Timber Company in Vernon Parish, Louisiana**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice.

**SUMMARY:** Red Oak Timber Company, (Applicant), is seeking an incidental take permit from the Fish and Wildlife Service (Service), pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (Act), as amended. The permit would authorize the take of up to six endangered red-cockaded woodpecker, *Picoides borealis*, in Vernon Parish, Louisiana, for a period of 6 months. The proposed taking is incidental to otherwise lawful timber harvesting on 137 acres (Project). The entire site is considered occupied by red-cockaded woodpecker and will be permanently altered.

The Service also announces the availability of an environmental assessment (EA) and habitat conservation plan (HCP) for the incidental take application. Copies of the EA or HCP may be obtained by making a request to the Regional Office address below. This notice is provided pursuant to section 10(c) of the Act and National Environmental Policy Act Regulations (40 CFR 1506.6).

**DATES:** Written comments on the permit application, EA, and HCP should be received on or before June 15, 1995.

**ADDRESSES:** Persons wishing to review the application, HCP, and EA may obtain a copy by writing the Service's

Southeast Regional Office, Atlanta, Georgia. Requests must be in writing to be processed. Documents will also be available for public inspection by appointment during normal business hours at the Regional Office, or the Jackson, Mississippi, Field Office. Written data or comments concerning the application, EA, or HCP should be submitted to the Regional Office. Please reference permit under PRT-800149 in such comments.

Regional Permit Coordinator, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345, (telephone 404/679-7110, fax 404/679-7280).

Field Supervisor, U.S. Fish and Wildlife Service, 6578 Dogwood View Parkway, Jackson, Mississippi 39213, (telephone 601/965-4900, fax 601/965-4340).

**FOR FURTHER INFORMATION CONTACT:** Will McDearman at the Jackson, Mississippi, Field Office, or Rick G. Gooch at the Atlanta, Georgia, Regional Office.

**SUPPLEMENTARY INFORMATION:** *Picoides borealis* is a non-migratory resident of mature pine forests of the Southeastern United States. All *Picoides borealis* in the State of Louisiana are considered part of the Louisiana coastal plain population. The two family groups of *Picoides borealis* on the Applicant's property are considered to be part of the Vernon district's population of the Kisatchie National Forest. Populations on the Kisatchie and adjoining Fort Polk have increased in the last several years due to improvements in timber management and overall species management directives.

For purposes of mitigation and minimization of the impacts to the species, the Applicant's HCP proposes to translocate adult and subadult *Picoides borealis* from the project site to the Fort Polk military installation, and conducting habitat enhancement procedures on Kisatchie National Forest lands.

The EA considers the environmental consequences of three alternatives, including the no action, sale of existing timber rights and/or the project for other lawful purposes, and the proposed action.

Dated: May 9, 1995.

**Judy L. Jones,**

*Acting Regional Director.*

[FR Doc. 95-11965 Filed 5-15-95; 8:45 am]

BILLING CODE 4310-55-P

**National Park Service**

**Gettysburg National Military Park/Eisenhower National Historic Site; Final Environmental Impact Statement, Deer Management Plan**

**AGENCY:** National Park Service, Interior.  
**ACTION:** Notice of availability.

**SUMMARY:** Pursuant to Council on Environmental Quality Regulations and National Park Service Policy, the National Park Services (NPS) announces the May 26, 1995, release of the White-tailed Deer Management Plan/Final Environmental Impact Statement (FEIS) for Gettysburg National Military Park/Eisenhower National Historic Site, Pennsylvania.

**SUPPLEMENTARY INFORMATION:** The FEIS presents six alternatives with a preferred alternative identified for the future management of deer at these parks. Following a 30-day review period for the final document, the alternative selected for implementation will be stated in a public Record of Decision.

**FOR FURTHER INFORMATION CONTACT:** Dr. John A. Latschar, Superintendent, Gettysburg National Military Park, 97 Taneytown Road, Gettysburg, PA 17325 (717-334-1124).

Dated: May 8, 1995.

**Marie Rust,**

*Regional Director, Mid-Atlantic Region.*

[FR Doc. 95-11962 Filed 5-15-95; 8:45 am]

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**DEPARTMENT OF JUSTICE**

**Immigration and Naturalization Service  
[INS No. 1721-95]**

**Immigration and Naturalization Service User Fee Advisory Committee: Meeting**

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

**ACTION:** Notice of meeting.

*Committee holding meeting:* Immigration and Naturalization Service User Fee Advisory Committee.

*Date and time:* May 31, 1995, at 9:30 a.m.

*Place:* The Renaissance Hotel at Dulles International Airport, 13869 Park Center Road, Herndon, Virginia, telephone number: (703) 478-2900.

*Status:* Open. Twelfth meeting of this Advisory Committee.

*Purpose:* Performance of advisory responsibilities to the Commissioner of the Immigration and Naturalization Service pursuant to section 286(k) of the Immigration and Nationality Act, as amended, 8 U.S.C. 1356(k) and the Federal Advisory Committee Act 5 U.S.C. app. 2. The responsibilities of this standing Advisory Committee are to

advise the Commissioner of the Immigration and Naturalization Service on issues related to the performance of airport and seaport immigration inspectional services. This advice should include, but need not be limited to, the time period during which such services should be performed, the proper number and deployment of inspection officers, the level of fees, and the appropriateness of any proposed fee. These responsibilities are related to the assessment of an immigration user fee pursuant to section 286(d) of the Immigration and Nationality Act, as amended, 8 U.S.C. 1356(d). The Committee focuses attention on those areas of most concern and benefit to the travel industry, the traveling public, and the Federal government.

#### *Agenda*

1. Introduction of the Committee members.
2. Discussion of administrative issues.
3. Discussion of activities since last meeting.
4. Discussion of specific concerns and questions of Committee members.
5. Discussion of future traffic trends.
6. Discussion of relevant written statements submitted in advance by members of the public.
7. Scheduling of next meeting.

#### *Public Participation*

The meeting is open to the public, but advance notice of attendance is requested to ensure adequate seating. Persons planning to attend should notify the contact person at least two (2) days prior to the meeting. Members of the public may submit written statements at any time before or after the meeting to the contact person for consideration by this Advisory Committee. Only written statements received at least five (5) days prior to the meeting by the contact person will be considered for discussion at the meeting.

#### *Contact Person*

Elaine Schaming, Office of the Assistant Commissioner, Inspections, Immigration and Naturalization Service, room 7223, 425 I Street, NW., Washington, DC 20536, telephone number (202) 514-9587 or fax number 202-514-8345.

Dated: May 10, 1995.

#### **Doris Meissner,**

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 95-11969 Filed 5-15-95; 8:45 am]

BILLING CODE 4410-10-M

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#### **Drug Enforcement Administration**

**[Docket No. 93-18]**

#### **Johnson Matthey, Inc.; Approval of Registration**

On September 14, 1992, Johnson Matthey, Inc. of West Deptford, New Jersey (Johnson Matthey) applied for registration under 21 U.S.C. 823(a) with the Drug Enforcement Administration (DEA) as a bulk manufacturer of methylphenidate, a Schedule II

controlled substance. Notice of Johnson Matthey's application was published in the **Federal Register** on November 13, 1992 (57 FR 53935). On December 11, 1992, MD Pharmaceutical, Inc. of Santa Ana, California (MD), a registered bulk manufacturer of methylphenidate, objected to the proposed registration and filed a request for a hearing on Johnson Matthey's application pursuant to 21 CFR 1301.43(a).

The matter was docketed before Administrative Law Judge Mary Ellen Bittner. On July 27, 1993, Judge Bittner issued a memorandum, ruling and protective order designating as "confidential and protected" certain exhibits, as well as the identification of certain witnesses. Following extensive prehearing proceedings, a hearing was held in Arlington, Virginia on August 10, 11, 12, and 20 and September 28, 1993. Johnson Matthey, MD, the Government and a third party research partner of Johnson Matthey introduced testimony and documentary evidence. During opening statements, the Government stated the DEA, at that time, had no information upon which to base a decision that the application of Johnson Matthey for registration as a bulk manufacturer of methylphenidate should not be approved.

On September 29, 1994 the administrative law judge issued her opinion and recommended ruling, findings of fact, conclusions of law and decision, as well as an order allowing all parties to submit motions to redact confidential and protected information from the opinion pursuant to the terms of the July 27, 1993 protective order. A redacted opinion was issued on November 1, 1994. Exceptions to the opinion were filed by MD, Johnson Matthey and the Government.

The administrative law judge transmitted the record of the proceedings to the Deputy Administrator on November 30, 1994. Portions of the transcript and certain exhibits were designated confidential and protected pursuant to the protective order. Additionally, the Deputy Administrator received redacted versions of the opinion and such motions, briefs, exceptions and other pleadings subject to the protective order. On January 10, 1995, MD filed with the Deputy Administrator a response to the Government's exceptions to the opinion of the administrative law judge.

The Deputy Administrator has carefully considered the record in this matter in its entirety, as well as all exceptions thereto. Pursuant to 21 CFR 1301.57, the Deputy Administrator hereby issues his final order in this

matter based upon findings of fact and conclusions of law as set forth herein.

The administrative law judge made the following findings of fact as background for her opinion.

Methylphenidate, a central nervous system stimulant, is a Schedule II controlled substance. There currently are two DEA registered bulk manufacturers of methylphenidate: CIBA Pharmaceutical Company (CIBA), which manufactures methylphenidate under its brand name "Ritalin"; and MD, which manufactures a generic form of methylphenidate. Johnson Matthey produces some bulk pharmaceuticals and is a major manufacturer of platinum-based anti-cancer drugs. The principal controlled substance manufactured by Johnson Matthey is fentanyl, a Schedule II controlled substance.

The administrative law judge found that Johnson Matthey applied for registration as a researcher and bulk manufacturer of methylphenidate in 1989. The researcher registration was issued by DEA on January 26, 1990. Johnson Matthey withdrew its application for registration as a bulk manufacturer of methylphenidate following the filing of an objection by CIBA.

The administrative law judge referred to testimony that, in the fall of 1990, Johnson Matthey began initial studies on methylphenidate. In November of 1990, Johnson Matthey applied for a researcher registration for methylphenidate, but did not apply for a registration to manufacture it. Judge Bitter noted testimony by Johnson Matthey's compliance and regulatory manager that he was advised by DEA that Johnson Matthey's application for registration as a researcher had been processed and that drug codes did not have to be reported on the application unless Johnson Matthey intended to import or manufacture Schedule II controlled substances as a coincident activity of its researcher registration. The administrative law judge noted evidence that Johnson Matthey responded, by letter dated January 30, 1991, advising DEA that Johnson Matthey does manufacture on a research basis and therefore must be registered. She further noted that the letter did not indicate how much methylphenidate Johnson Matthey had manufactured or intended to manufacture in the future.

The administrative law judge noted testimony that, in 1991, Johnson Matthey discussed with a third party research partner the possibility of Johnson Matthey manufacturing bulk methylphenidate for the third party to market and, if Johnson Matthey