order issued in the above-captioned investigation and what if any enforcement measures are appropriate.

The following were named as parties to the formal enforcement proceeding: (1) Crucible Materials Corporation, State Fair Boulevard, P.O. Box 977, Syracuse, New York 13201–0977 (complainant in the above-captioned investigation and requester of the formal enforcement proceeding); (2) San Huan New Materials High Tech, Inc., No. 8 South 3rd Street, Zhong Guan Cun Road, Beijing, Peoples Republic of China 100080 (enforcement proceeding respondent); (3) Ningbo Konit Industries, Inc., Ningbo Economic and Technical Development Zone, Zhejiang Province, People's Republic of China (enforcement proceeding respondent); (4) Tridus International, Inc., 8527 Alondra Boulevard, Suite 205, Paramount California 90723 (enforcement proceeding respondent); and (5) a Commission investigative attorney to be designated by the Director, Office of Unfair Import Investigations.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and section 210.75 of the Commission's Rules of Practice and Procedure (19 CFR 210.75).

Copies of the Commission's order and all other nonconfidential documents filed in connection with this enforcement proceeding are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202–205–2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810.

By order of the Commission.

Issued: May 16, 1996.

Donna R. Koehnke,

Secretary.

[FR Doc. 96–13127 Filed 5–23–96; 8:45 am]

BILLING CODE 7020–02–P

JUDICIAL CONFERENCE OF THE UNITED STATES

Meeting of the Judicial Conference Committee on Rules of Practice and Procedure

AGENCY: Judicial conference of the United States, Committee on Rules of Practice and Procedure.

ACTION: Notice of Open Meeting.

SUMMARY: The Committee on Rules of Practice and Procedure will hold a three-day meeting. The meeting will be open to public observation but not participation.

DATES: June 19–21, 1996.

TIME:

June 19, 1:00 p.m.–5:00 p.m.
June 20, 8:30 a.m.–5:00 p.m.
June 21, 8:30 a.m.–5:00 p.m.

ADDRESSES: Thurgood Marshall Federal Judiciary Building, Federal Judicial Center Classrooms, Concourse Level, One Columbus Circle, N.E., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: John K. Rabiej, Chief, Rules Committee Support Office, Administrative Office of the United States Courts, Washington, D.C. 20544, telephone (202) 273–1820.

Dated: May 17, 1996.

John K. Rabiej,

Chief, Rules Committee Support Office.

[FR Doc. 96–13082 Filed 5–23–96; 8:45 am]

BILLING CODE 2210–55–M

Hearings of the Judicial Conference Advisory Committee on Rules of Appellate Procedure

AGENCY: Judicial Conference of the United States, Advisory Committee on Rules of Appellate Procedure.

ACTION; Notice of two open hearings.

SUMMARY: The Advisory Committee on Rules of Appellate Procedure is requesting comments to: Preliminary Draft of Proposed Revision of the Federal Rules of Appellate Procedure Using Guidelines for Drafting and Editing Court Rules and Preliminary Draft of Proposed Amendments to Appellate Rules 27, 28, and 32.

Two public hearings will be held on these proposals in: Washington, D.C. on July 8, 1996, at the Thurgood Marshall Federal Judiciary Building, Fourth Floor Conference Room, One Columbus Circle, N.E.; and Denver, Colorado on August 2, 1996, at the Byron White United States Courthouse, Ceremonial Courtroom, 1823 Stout Street.

The Judicial Conference Committee on Rules of Practice and Procedure submits both the proposed revision and the proposed amendments for public comment. All comments and suggestions with respect to them must be placed in the hands of the Secretary at least 30 days before each hearing.

Anyone interested in testifying should write to Peter G. McCabe, Secretary, Committee on Rules of Practice and Procedure, Administrative Office of the United States Courts, Washington, D.C., at least 30 days before each hearing.

FOR FURTHER INFORMATION CONTACT: John K. Rabiej, Chief, Rules Committee Support Office, Administrative Office of the United States Courts, Washington, D.C. 20544, telephone (202) 273–1820.

A copy of the proposed revision and proposed amendments can be obtained by contacting John K. Rabiej.

Dated: May 17, 1996.

John K. Rabiej,

Chief, Rules Committee Support Office.

[FR Doc. 96–13083 Filed 5–23–96; 8:45 am]

BILLING CODE 2210–01–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 95–32]

Ying-Ming Chang, M.D., Revocation of Registration

On February 23, 1995, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Ying-Ming Chang, M.D., (Respondent), of San Diego, California, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, BC0495122, under 21 U.S.C. 824(a)(4) and deny any pending applications for registration as a practitioner under 21 U.S.C. 823(f), for the reason that his continued registration was inconsistent with the public interest.

The Respondent filed a timely request for a hearing, and the matter was docketed before Administrative Law Judge Mary Ellen Bittner. After a lengthy delay at the request of the Respondent, the hearing was scheduled to commence on March 12, 1996. However, prior to that date, the Government filed a Motion for Summary Disposition, noting that the Respondent's license to practice medicine had been revoked by the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, State of California (Board) by final order effective October 9, 1995, a copy of which was attached to the motion. The Respondent filed a response on October 27, 1995, noting that he had challenged the Board's final order in a pending Writ of Mandamus action in the Superior Court of California, San Diego, California. The Respondent then argued that the Board's final order should not be the basis for granting the motion for summary disposition. The Respondent also argued that an issue of fact remained for determination; whether the Board's

decision was proper. Therefore, he concluded summary disposition of this matter would not be appropriate. However, the Respondent did not deny that his state Physician's and Surgeon's Certificate had been revoked, or that he was, therefore, without authority to hand controlled substances in the State of California.

On November 15, 1995, Judge Bittner issued her Opinion and Recommended Decision, (1) finding that the Board had revoked the Respondent's Physician's and Surgeon's Certificate and that, therefore, the Respondent was without authority to handle controlled substances in California, (2) granting the Government's Motion for Summary Disposition, and (3) recommending that the Respondent's DEA Certificate of Registration be revoked. On December 18, 1995, the Respondent filed a Petition for Reconsideration of Recommendation of Administrative Law Judge to Revoke Respondent's DEA Certificate of Registration, and by ruling dated December 21, 1995, Judge Bittner denied his petition. On January 11, 1996, 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 CFR 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 Opinion and Recommended Decision of the Administrative Law Judge, and his adoption is in no manner diminished by any recitation of facts, issues and conclusions herein, or of any failure to mention a matter of fact or law.

The Deputy Administrator finds that the parties do not dispute that (1) the Board revoked the Respondent's Physician's and Surgeon's Certificate by an order effective October 9, 1995, and (2) consequently, the Respondent is without authority to handle controlled substances in the State of California.

The Drug Enforcement Administration does not have statutory authority under the Controlled Substances Act to register or maintain the registration of a practitioner who is not duly authorized 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).

Further, the Deputy Administrator finds that Judge Bittner properly granted the Government's motion for summary disposition. Here, the parties did not dispute that the Respondent was unauthorized to handle controlled substances in California.Therefore, it is well-settled that when no question of fact is involved, a plenary, adversary administrative proceeding involving evidence and cross-examination of witnesses is not obligatory. See Dominick A. Ricci, M.D., 58 FR at 51,104 (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. *McMullen*, 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).

Also, the Deputy Administrator finds that Judge Bittner appropriately denied the Respondent's petition for reconsideration. The Respondent asserted that, since he was licensed to practice medicine in Hawaii, the ''issue of whether [his] DEA registration should be revoked is not moot,'' and that the hearing in this matter should proceed as scheduled. However, as Judge Bittner noted, the Order to Show Cause proposed to revoke the Respondent's registration to handle controlled substances at his California place of business, and thus, the status of the Respondent's licenses in other jurisdictions has no bearing on the pending matter. On that basis, Judge Bittner denied the Respondent's petition, and the Deputy Administrator concurs with her decision.

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 BC0495122, issued to Ying-Ming Chang, M.D., be, and it hereby is, revoked, and any application to renew this registration is hereby denied. This order is effective June 24, 1996.

Dated: May 17, 1996.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 96–13050 Filed 5–23–96; 8:45 am]

BILLING CODE 4410–09–M

[Docket No. 94–36]

Jeffrey Patrick Gunderson, M.D.; Revocation of Registration

On March 11, 1994, the Deputy Assistant Administrator (then Director), Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Jeffrey Patrick Gunderson, M.D., (Respondent) of Brunswick, Georgia, notifying him of an opportunity to show cause as to why DEA should not revoke his Certificate of Registration, BG1368516, under 21 U.S.C. 824(a), and deny any pending applications for registration as a practitioner under 21 U.S.C. 823(f), for the following reasons:

(1) On August 3, 1992, the Respondent was arrested in St. Paul, Minnesota, for felony possession of LSD, a Schedule I controlled substance, and, at the time of his arrest, he had in his possession LSD, marijuana, and Didrex;

(2) On September 9, 1992, the Respondent pled guilty in state court to a felony charge of possession of a controlled substance, and was convicted of this offense in November of 1992;

(3) In April of 1993, the Respondent was observed inhaling cocaine several hours prior to reporting for duty as an emergency room physician;

(4) On several occasions during 1993, the Respondent discussed plans to purchase and distribute cocaine with confidential informants; and

(5) During recent undercover operations, the Respondent was in possession of cocaine and LSD.

On April 15, 1994, the Respondent, through counsel, filed a timely request for a hearing, and following prehearing procedures, a hearing was held in Atlanta, Georgia, on October 26, 1994, before Administrative Law Judge Mary Ellen Bittner. At the hearing, both parties called witnesses to testify and introduced documentary evidence, and after the hearing, counsel for both sides submitted proposed findings of fact, conclusions of law and argument. On October 31, 1995, Judge Bittner issued her Opinion and Recommended Ruling, recommending that the Respondent's DEA Certificate of Registration be revoked and any pending applications for registration be denied. On December 1, 1995, Judge Bittner transmitted the record of these proceedings to the Deputy Administrator, after noting that neither party had filed timely exceptions to her decision. However, on December 20, 1995, Judge Bittner transmitted the Respondent's request for consideration of exceptions filed on December 18, 1995. A copy of Judge