

This rate has been computed in accordance with Section 80(a), Pub. L. 93-251 (88 Stat. 34) and 18 CFR 704.39, which: (1) specify that the rate shall be based upon the average yield during the preceding fiscal year on interest-bearing marketable securities of the United States which, at the time the computation is made, have terms of 15 years or more remaining to maturity (average yield is rounded to nearest one-eighth percent); and (2) provide that the rate shall not be raised or lowered more than one-quarter of 1 percent for any year. The Treasury Department calculated the specified average to be 6.87 percent. Rounding this average yield to the nearest one-eighth percent is 6.875 percent, which exceeds the permissible one-quarter of 1 percent change from fiscal year 1996 to 1997. Therefore, the change is limited to one-quarter of 1 percent.

The rate of 7.375 percent shall be used by all Federal agencies in the formulation and evaluation of water and related land resources plans for the purpose of discounting future benefits and computing costs or otherwise converting benefits and costs to a common time basis.

Dated November 4, 1996.  
Wayne O. Deason,  
*Deputy Director, Program Analysis Office.*  
[FR Doc. 96-30495 Filed 11-27-96; 8:45 am]  
BILLING CODE 4310-94-P

**AGENCY FOR INTERNATIONAL DEVELOPMENT**

**Food Aid Consultative Group**

Notice is hereby given that pursuant to Section 205(b)(6) of the Agricultural Trade Development and Assistance Act of 1954 (Pub. L. 480), as amended, the composition of the Food Aid Consultative Group (FACG), shall include representatives from agricultural producer groups in the United States. The FACG meets regularly to review issues, regulations, and procedures relating to food aid programs under Title II of Public Law 480.

Agricultural producer groups in the United States who wish to be considered for membership should contact the Office of Food for Peace, Room 323, SA-8, Agency for International Development, Washington, D.C. 20523-0809 and explain the group's interest in membership and why it believes it can contribute to the FACG functions regarding Title II programs. Contact person: Tim Lavelle, (703) 351-

0138. Individuals who have questions should also contact Mr. Lavelle. The thirty-day comment period will begin on the date that this announcement is published in the Federal Register.

Dated: October 23, 1996.  
Jeanne Marukas,  
*Acting Director, Office of Food and Peace, Bureau for Humanitarian Response.*  
[FR Doc. 96-30493 Filed 11-27-96; 8:45 am]  
BILLING CODE 6116-01-M

**DEPARTMENT OF STATE**

**Notice of Meeting**

Pursuant to the Federal Advisory Committee Act, notice is hereby given of a meeting of the Advisory Committee on Voluntary Foreign Aid (ACVFA).

*Date:* December 4, 1996 (9:00 a.m. to 5:00 p.m.).  
*Location:* State Department, Loy Henderson Auditorium, 23rd Street Entrance.

The purpose of the meeting is to discuss and provide nongovernmental input on the partnership between the U.S. Agency for International Development and private voluntary organizations (PVOs).

The meeting is free and open to the public. However, notification by November 29, 1996, through the Advisory Committee Headquarters is required. Persons wishing to attend the meeting must call Lisa J. Douglas (703) 351-0243 or Susan Saragi (703) 351-0244 or FAX (703) 351-0228/0212. Persons attending must include their name, organization, birthdate and social security number for security purposes.

Dated: October 29, 1996.  
John Grant,  
*Director, Office of Private and Voluntary Cooperation, Bureau for Humanitarian Response.*  
[FR Doc. 96-30492 Filed 11-27-96; 8:45 am]  
BILLING CODE 6116-01-M

**DEPARTMENT OF JUSTICE**

**Antitrust Division**

**Notice Pursuant to the National Cooperative Research and Production Act of 1993—Petrotechnical Open Software Corporation ("POSC")**

Notice is hereby given that, on October 22, 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"), Petrotechnical Open Software Corporation ("POSC") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were

filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, the following additional parties have become new non-voting members of POSC: SAS Institute Inc., Cary, NC; GeorForschungsZentrum, Potsdam, GERMANY; and Ark Geophysics Ltd., Milton Keynes, UK.

No other changes have been made in either the membership or planned activity of POSC.

On January 14, 1991, POSC filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the Federal Register pursuant to Section 6(b) of the Act on February 7, 1991, (56 FR 5021).

The last notification was filed with the Department on July 16, 1996. A notice was published in the Federal Register pursuant to Section 6(b) of the Act on August 13, 1996, (61 FR 42055). Constance K. Robinson,  
*Director of Operations Antitrust Division.*  
[FR Doc. 96-30491 Filed 11-27-96; 8:45 am]  
BILLING CODE 4410-11-M

**Drug Enforcement Administration**

**Importer of Controlled Substances; Notice of Registration**

By Notice dated June 27, 1996, and published in the Federal Register on July 15, 1996, (61 FR 36913), Applied Science Labs, Inc., Division of Altech Associates, Inc., 2701 Carolean Industrial Drive, P.O. Box 440, State College, Pennsylvania 16801, made application to the Drug Enforcement Administration (DEA) to be registered as an importer of the basic classes of controlled substances listed below:

Drug	Schedule
Heroin (9200) .....	I
Morphine (9300) .....	II

No comments or objections have been received. DEA has considered the factors in Title 21, United States Code, Section 823(a) and determined that the registration of Applied Science Labs, Inc. to import the listed controlled substances is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on May 1, 1971, at this time. Therefore, pursuant to Section 1008(a) of the Controlled Substances Import and Export Act and in accordance with Title 21, Code of Federal Regulations, Section 1311.42, the above firm is granted registration as an importer of the basic

classes of controlled substances listed above.

Dated: October 21, 1996.

Gene R. Haislip,

*Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.*

[FR Doc. 96-30356 Filed 11-27-96; 8:45 am]

BILLING CODE 4410-09-M

**[Docket No. 95-11]**

**Stanley Dubin, D.D.S.; Revocation of Registration**

On September 29, 1994, the Deputy Assistant Administrator (then-Director), Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Stanley Dubin, D.D.S. (Respondent) of Philadelphia, Pennsylvania, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, AD5534842, and deny any pending applications for renewal of such registration as a practitioner, under 21 U.S.C. §§ 823(f) and 824(a)(5).

By letter dated January 8, 1995, the Respondent, acting *pro se*, filed a timely request for a hearing, and following prehearing procedures, a hearing was held in Philadelphia, Pennsylvania on December 12, 1995, before Administrative Law Judge Paul A. Tenney. At the hearing, counsel for DEA presented the testimony of witnesses and introduced documentary evidence, and Respondent testified on his own behalf. After the hearing, both parties submitted briefs in support of their positions. On March 15, 1996, Judge Tenney issued his Findings of Fact, Conclusions of Law, and Recommended Ruling, recommending that Respondent's DEA Certificate of Registration be revoked until such time as he may be reinstated under 42 U.S.C. § 1320a-7(a).

Neither party filed exceptions to Judge Tenney's decision, and on April 17, 1996, the record of these proceedings was transmitted to the Deputy Administrator.

The Acting 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 Acting Deputy Administrator adopts, in full, the Findings of Fact, and Conclusions of Law, and Recommended Ruling of the Administrative Law Judge. 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 Acting Deputy Administrator finds that Respondent graduated from Temple University dental school in 1964. In 1996, he bought an existing dental practice that included a large number of Medical Assistance patients. Effective January 26, 1977, Respondent was permanently terminated by the State Office of Medical Programs, Bureau of Medical Assistance, from participation in the Pennsylvania Medical Assistance Program, based upon his fraudulent billing of the Medical Assistance Program and the quality of treatment rendered to his patients. Respondent was notified of this action by a letter dated December 27, 1976, which also indicated that he was "prohibited from organizing, arranging, rendering, or ordering any service for Medical Assistance recipients for which [he] may receive payments in the form of administrative expenses, shared fees or rebates through any group practice, clinic, medical center or other facility."

In January 1977, Respondent appealed his termination from the Medical Assistance Program. On September 10, 1979, Respondent's case was dismissed based upon his failure to pursue the appeal, and his termination was affirmed.

In late 1983, the Medicare Fraud Control Unit of the Pennsylvania Office of Attorney General (Fraud Control Unit) received information that Respondent was billing the Medical Assistance Program for dental work performed on Medical Assistance patients. Subsequently, an undercover agent posing as a Medical Assistance recipient received dentures from Respondent, for which Respondent billed the Medical Assistance Program. The Fraud Control Unit also interviewed dentists who were employed by Respondent, as well as other office personnel. It was discovered that Respondent did all of the hiring for his dental practice and that any dentist employed by Respondent had to be enrolled in the Medical Assistance Program. At the time of the investigation, Respondent employed three dentists, and had a fifty-fifty fee sharing arrangement with two of the dentists. For work done by the third dentist, Respondent received fifty-five percent of the fees paid by the Medical Assistance Program, and when Respondent treated the Medical Assistance recipients himself, he received the full reimbursement amount.

During the course of the investigation, the investigators learned that the

patients needing denture work were treated by Respondent, and the other patients were treated by his employee dentists. A review of dental records from 1981 through 1985 revealed that many of the Medical Assistance invoices for denture work were submitted for payment with the forged signature and provider identification number of one of the dentists employed by Respondent. The employee dentists stated that they had not authorized their signature on work they had not performed. In addition, records were reviewed from the dental laboratory that filled denture prescriptions from Respondent's practice. Several of the prescriptions had the signature of one of the employee dentists, who indicated that the signatures were not his. The Fraud Control Unit determined that between 1981 and 1985, Respondent had received at a minimum approximately \$162,000 from the Medical Assistance Program through the provider numbers of the dentists he employed.

On December 4, 1987, Respondent was indicted by the Fifth Statewide Investigating Grand Jury for the Commonwealth of Pennsylvania for Medical fraud, criminal conspiracy, forgery, and tampering with or fabricating physical evidence. On May 20, 1991, Respondent pled guilty to one count of Medicaid fraud, and was sentenced to two years probation, fined \$10,000 and ordered to pay costs of \$2,500 and restitution to the Department of Public Welfare in the amount of \$87,500.

As a result of his conviction, Respondent entered into a Consent Agreement with the State Board of Dentistry whereby his license to practice dentistry was suspended for one year, with the suspension stayed in favor of a three month suspension and a nine month probationary period. In addition, Respondent was required to pay a \$1,000 fine.

By letter dated April 8, 1992, Respondent was notified by the United States Department of Health and Human Services of his mandatory ten year exclusion from the Medicare program pursuant to 42 U.S.C. § 1320-7(a).

Respondent testified at the hearing before Judge Tenney that he never received the December 27, 1976 letter notifying him of his permanent termination from the state Medical Assistance Program. Like Judge Tenney, the Acting Deputy Administrator does not credit this testimony, since there is evidence that Respondent appealed this termination. Respondent denied filing the appeal of the termination and stated that he does not know who filed the