

listed on the application. Instead, Respondent has indicated that it intends to manufacture marijuana on farms in a number of different states, however it has not submitted applications for registration for these locations. Therefore, since Respondent's manufacturer application fails to identify the principal place(s) of business where it intends to manufacture marijuana, it does not comply with 21 U.S.C. 822.

Regarding Respondent's application to conduct research, pursuant to 21 U.S.C. 823(f), DEA is authorized to register "practitioners" to conduct research with controlled substances. "Practitioner" is defined in 21 U.S.C. 802(21) as:

[A] physician, dentist, veterinarian, scientific investigator, pharmacy, hospital, or other person licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices or does research, to distribute, dispense, conduct research with respect to, administer, or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

Therefore, state authorization to conduct research is a prerequisite to DEA registration. See also 21 U.S.C. 823(f). Like with its manufacturer application, Respondent's researcher application lists an address where Respondent has conceded that it has no intention of conducting research. Instead, in its research protocol, Respondent merely lists 20 states from which it intends to obtain hemp, and acknowledges that it has not yet obtained laboratory space. Because Respondent has not identified the specific location(s) where it intends to conduct its research on marijuana, DEA cannot determine whether Respondent is authorized to do so in the jurisdiction(s) where the proposed research will take place. Therefore, the Acting Deputy Administrator concurs with Judge Randall's conclusion that "DEA lacks the authority under 21 U.S.C. 823(f) to register the Respondent as a researcher."

It is well settled that where there is no material question of fact involved, or when the facts are agreed upon, there is no need for a plenary, administrative hearing. Congress did not intend for administrative agencies to perform meaningless tasks. *Gilbert Ross, M.D.*, 61 FR 8664 (1996); *Dominick A. Ricci, M.D.*, 58 FR 51,104 (1993); *Philip E. Kirk, M.D.*, 48 FR 32,887 (1983), *aff'd sub nom Kirk v. Mullen*, 749 F.2d 297 (6th Cir. 1984).

In this case, there does appear to be some dispute as to whether or not Respondent refused to allow DEA to

conduct on-site inspections of the locations where it is proposing to manufacture or conduct research on marijuana. However, the Acting Deputy Administrator finds it unnecessary to reach this issue, since as Judge Randall found, it is undisputed that "(1) the Respondent has failed to submit separate manufacturing [applications] for each proposed manufacturing site; (2) the address on the pending manufacturing application is not a proposed manufacturing site; and (3) the Respondent has failed to identify the location where it intends to do research with a controlled substance." Therefore, Judge Randall concluded that Respondent "has not complied with the statutory and regulatory requirements pertaining to the content of its applications[,] \* \* \* that there are no relevant factual matters in dispute concerning the information lacking in the Respondent's applications[,] \* \* \* [and] that the DEA lacks the authority to grant the Respondent's currently pending, incomplete applications for DEA Certificates of Registration."

As a result, Judge Randall granted the Government's Motion for Summary Disposition and recommended that Respondent's applications for registration be denied. The Acting Deputy Administrator concurs with Judge Randall's conclusions. DEA is precluded by statute to issue Respondent a manufacturer registration at a location where Respondent does not intend to manufacture a controlled substance which would authorize Respondent to manufacture marijuana at different locations in a number of states. Further, since Respondent has failed to specifically identify the state(s) where it intends to conduct its research on marijuana, DEA cannot determine whether Respondent is properly authorized by the state(s) to conduct such research, and therefore, DEA is precluded by statute from issuing Respondent a researcher registration.

Consequently, the Acting Deputy Administrator concludes that Respondent's applications for registration cannot be granted. The Acting Deputy Administrator agrees with Judge Randall that since "the current applications [are] so defective that the DEA lack[s] authority to grant them in their current state . . . it [is] unnecessary to make any further findings or conclusions concerning any of the other issues raised by the parties about the propriety of granting or denying the Respondent's applications."

In her November 21, 1997 letter transmitting the record to the Acting Deputy Administrator, Judge Randall noted that Respondent had filed with

her office several exhibits including "hemp paper, fiber, hurds and stalks (whole and chipped)." Judge Randall asked to be advised whether the Acting Deputy Administrator "would like for these items to be destroyed or retrieved for [his] viewing." In light of the conclusions made in this matter, the Acting Deputy Administrator finds it unnecessary to view these exhibits.

Accordingly, the Acting 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 the applications dated March 14, 1995, and May 18, 1995, submitted by Hemp Products Research Company, for DEA Certificates of Registration as a researcher and as a manufacturer, be, and they hereby are, denied. This order is effective February 4, 1998.

Dated: December 22, 1997.

**James S. Milford,**

*Acting Deputy Administrator.*

[FR Doc. 98-024 Filed 1-2-98; 8:45 am]

BILLING CODE 4410-09-M

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## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Docket 97-170]

### Notice of Prospective Patent License

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of prospective patent license.

**SUMMARY:** NASA hereby gives notice that Automated Analysis Corporation, 2805 South Industrial, Suite 100, Ann Arbor, Michigan 48104-6767, has applied for an exclusive copyright license for computer software entitled "Structural Acoustics Optimization (SAOpt) Software." NASA received assignment of the copyright on September 18, 1997, from Lockheed Martin Aeronautical Systems Company. Written objections to the prospective grant of a license should be sent to Ms. Robin W. Edwards, Patent Attorney, NASA Langley Research Center.

**DATES:** Responses to this notice must be received by March 6, 1998.

#### FOR FURTHER INFORMATION CONTACT:

Ms. Robin W. Edwards, Patent Attorney, NASA Langley Research Center, Mail Code 212, Hampton, VA 23681-0001, telephone (757) 864-3230.

Dated: December 22, 1997.

**Edward A. Frankle,**  
*General Counsel.*

[FR Doc. 98-133 Filed 1-2-98; 8:45 am]

BILLING CODE 7510-01-M

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Docket 97-172]

### Notice of Prospective Patent License

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of prospective patent license.

**SUMMARY:** NASA hereby gives notice that Dataforce Development Corporation of Scotts Valley, California 95067-7425, has applied for a partially exclusive patent license to practice the inventions described and claimed in U.S. Patent Numbers 5,426,512 and 5,629,780, both entitled "Image Data Compression Having Minimum Perceptual Error," for which United States Patents were issued on June 20, 1995 and May 13, 1997, respectively, to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to Ames Research Center.

**DATES:** Responses to this notice must be received by March 6, 1998.

**FOR FURTHER INFORMATION CONTACT:** Mr. William Sheehan, Patent Attorney, Ames Research Center, Mail Stop 202A-3, Moffett Field, CA 94035, telephone (650) 604-5104.

Dated: December 22, 1997.

**Edward A. Frankle,**  
*General Counsel.*

[FR Doc. 98-136 Filed 1-2-98; 8:45 am]

BILLING CODE 7510-01-M

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 97-171]

### Prospective Patent License

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of prospective patent license.

**SUMMARY:** NASA hereby gives notice that Vacuum Arc Technologies, Inc. of Scottsboro, Alabama, has applied for an exclusive license to practice the invention described and claimed in U.S. Patent No. 5,380,415, entitled "Vacuum Vapor Deposition," and the invention

described in NASA Case No. MFS-30,119-1, for "Enhanced Vacuum Arc Vapor Deposition Electrode," which are assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to Marshall Space Flight Center.

**DATES:** Responses to this notice must be received by March 6, 1998.

**FOR FURTHER INFORMATION CONTACT:** Robert L. Broad, Jr., Patent Counsel, Marshall Space Flight Center, Mail Code CC01, Huntsville, Alabama 35812, telephone (205) 544-0021, fax (205) 544-0258.

Dated: December 22, 1997.

**Edward A. Frankle,**  
*General Counsel.*

[FR Doc. 98-135 Filed 1-2-98; 8:45 am]

BILLING CODE 7510-01-M

## NATIONAL GAMBLING IMPACT STUDY COMMISSION

### Meeting

**AGENCY:** National Gambling Impact Study Commission.

**ACTION:** Notice of public meeting.

**DATES:** Wednesday, January 21, 1998, 9:00 a.m. to 9:00 p.m. and Thursday, January 22, 1998, 8:30 a.m. to 5:00 p.m.

**ADDRESSES:** The meeting site will be: The Atlantic City Convention Center, Room 302, 2001 Kirkman Blvd., Atlantic City, NJ 08401. Written comments can be sent to the Commission at 800 North Capitol Street, N.W., Suite 450, Washington, D.C. 20002.

**STATUS:** The meeting will be open to the public both days. However, the meeting will adjourn in the afternoon for approximately six hours on January 21<sup>st</sup> while the Commission conducts its first two site visits. Additionally, the meeting will adjourn on January 22<sup>nd</sup> before the Commission conducts the meeting's final site visit.

**SUMMARY:** At its first on-site meeting the National Gambling Impact Study Commission, established under Pub. L. 104-169, dated August 3, 1996, will hear presentations from invited panels of speakers, conduct site visits, receive public comment, and conduct its normal meeting business.

**CONTACT PERSONS:** For further information contact Amy Ricketts at (202) 523-8217 or write to 800 North Capitol St., N.W., Suite 450, Washington, D.C. 20002.

**SUPPLEMENTARY INFORMATION:** The meeting agenda will include

presentations from Federal, State, and local officials; testimony from invited panels of speakers on the social and economic impact of gambling; testimony from an expert panel on pathological gambling; site visits to the Atlantic City Rescue Mission, Trump Taj Mahal Casino, and boardwalk area; normal meeting business; and an open forum period for public comment.

An open forum for public participation will be held from 7:00 p.m. to 9:00 p.m. on January 21 on issues relevant to the Commission's work. Anyone wishing to make an oral presentation at the meeting must contact Mr. Tim Bidwill by telephone only at (202) 523-8217 no later than 5:00 p.m., January 16, 1998. No requests will be accepted before 9:00 a.m. (EST) the day this notice appears in the **Federal Register**.

Open forum participants will be asked to provide name, organization (if applicable), address, and telephone number. No requests will be accepted via mail, facsimile, e-mail, or voice mail. A waiting list will be compiled once the allotted number of slots becomes filled. Oral presentations will be limited to three (3) minutes per speaker. If this is not enough time to complete comments, please restrict to three minutes a summary of your comments and bring a typed copy of full comments to file with the Commission. Persons speaking at the forum are requested, but not required, to supply twenty (20) copies of their written statements to the registration desk prior to the evening session on January 21. Members of the public, on the waiting list or otherwise, are always invited to send written comments to the Commission at any time. However, if individuals wish to have their written comments placed into the official record of the meeting, the Commission must receive them by February 11, 1998. Each speaker is kindly asked to be prepared prior to their presentation; to refrain from any use of profanity, vulgar language, or obscene signage; to refrain from making any comments or disrupting sounds during the presentation of another speaker; and to remain seated. If visual aids are necessary during the course of a speaker's presentation, each speaker is responsible for providing the equipment to run the visual aid.

**Nancy Mohr Kennedy,**

*Executive Director.*

[FR Doc. 98-89 Filed 1-2-98; 8:45 am]

BILLING CODE 6802-ET-P