

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 *Romeo J. Perez, M.D.*, 62 FR 16,193 (1997); *Demetris A. Green, M.D.*, 61 FR 60,728 (1996); *Dominick A. Ricci, M.D.*, 58 FR 51,104 (1993).

Here, it is clear that Respondent is not licensed to handle controlled substances in South Carolina. Since Respondent lacks this state authority, he is not entitled to a DEA registration in that state.

In light of the above, Judge Randall properly granted the Government's Motion for Summary Disposition. The parties did not dispute the fact that Respondent is currently unauthorized to handle controlled substances in South Carolina. Therefore, it is well-settled that when no question of material fact is involved, a plenary, adversary administrative proceeding involving evidence and cross-examination of witnesses is not obligatory. See *Phillip E. Kirk, M.D.*, 48 FR 32,887 (1983), *aff'd sub non Kirk v. Mullen*, 749 F.2d 297 (6th Cir. 1984); *NLRB v. International Association of Bridge, Structural and Ornamental Ironworkers, AFL-CIO*, 549 F.2d 634 (9th Cir. 1997); *United States v. Consolidated Mines & Smelting Co.*, 44 F.2d 432 (9th Cir. 1971).

Since DEA does not have the statutory authority to maintain Respondent's DEA registration because he is not currently authorized to handle controlled substances in South Carolina, the Acting Deputy Administrator concludes that it is unnecessary to determine whether Respondent's DEA registration should be revoked based upon his exclusion by the United States Department of Health and Human Services from participating in the Medicare, Medicaid and any state health care programs.

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 DEA Certificate of Registration BC0373465, previously issued to *Dong Ha Chung, M.D.*, be, and it hereby is, revoked. The Acting Deputy Administrator further orders that any pending applications for renewal of such registration be, and they hereby are, denied. This order is effective April 9, 1998.

Dated: March 3, 1998.

Donnie R. Marshall,

Acting Deputy Administrator.

[FR Doc. 98-6103 Filed 3-9-98; 8:45 am]

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DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

March 5, 1998.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of each individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor, Departmental Clearance Officer, Todd R. Owen (202) 219-5096 ext. 143) or by E-Mail to Owen-Todd@dol.gov. Individuals who use a telecommunications device for the deaf (TTY/TDD) may call (202) 219-4720 between 1:00 p.m. and 4:00 p.m. Eastern time, Monday-Friday.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS, Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: Employment and Training Administration.

Title: Center for Employment and Training (CET) 24 Month Follow-up Study.

OMB Number: 1205-ONEW (New Collection).

Frequency: One-time.

Affected Public: Individuals or households.

Number of Respondents: 1,875.

Estimated Time Per Respondent: 37 minutes.

Total Burden Hours: 925 hours.

Total Annualized capital/startup costs: 0.

Total annual costs (operating/maintaining systems or purchasing services): 0.

Description: The purpose of this data collection is to evaluate the CET model in the selected sites to assess whether the model can be replicated outside of San Jose, and whether the replication sites have similarly positive employment impacts on out-of-school youth.

Agency: Employment Standards Administration.

Title: Claim for Compensation by Dependents Information Reports.

OMB Number: 1215-0155 (extension).

Frequency: Forms CA-5, CA-5b, CA-1615, CA-1093, CA-1074, and CA-1085 are required once. Forms CA-1617 and CA-1618 are required semiannually. Form CA-1031 is sent out on occasion, but no more than once a year.

Affected Public: Individuals or households.

Number of Respondents: 3,615.

Estimated Time Per Respondent: It is estimated to take 90 minutes for respondents to complete forms CA-5 and CA-5b; 60 minutes for form CA-1074; 45 minutes for form CA-1085; 30 minutes for forms CA-1615, CA-1617, CA-1093, CA-1618, and 15 minutes for CA-1031.

Total Burden Hours: 1,835 hours.

Total Annualized capital/startup costs: 0.

Total annual costs (operating/maintaining systems or purchasing services): \$1,157.00.

Description: The forms in this clearance request are used by Federal employees and their dependents to claim benefits, prove continued eligibility for benefits, and to show entitlement to the remaining compensation of a deceased beneficiary under the Federal Employees' Compensation Act. There are nine forms in this clearance request; they are the CA-5; CA-5b; CA-1031; CA-1085; CA-1093; CA-1615, CA-1617; CA-1618, and CA-1074.

Todd R. Owen,

Departmental Clearance Officer.

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