

not entitled to a DEA registration in that state.

In light of the above, Judge Bittner 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 the State of Nevada. 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 Philip E. Kirk, M.D., 48 FR 32887 (1993), *aff'd sub nom* Kirk v. Mullen, 749 F.2d 297 (6th Cir. 1984); see also NLRB v. International Association of Bridge, Structural and Ornamental Ironworkers, AFL-CIO, 549 F.2d 634 (9th Cir. 1977); United States v. Consolidated Mines & Smelting Co., 44 F.2d 432 (9th Cir. 1971).

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 the application for registration submitted by Dietrich A. Stoemer, M.D., be, and it hereby is, denied. This order is effective August 6, 1999.

Dated: July 27, 1999.

**Donnie R. Marshall,**

*Deputy Administrator.*

[FR Doc. 99-20235 Filed 8-5-99; 8:45 am]

BILLING CODE 4410-09-M

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### **Richard M. Wodka, M.D., Revocation of Registration**

On February 26, 1999, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA) issued an Order to Show Cause to Richard M. Wodka, M.D., of Arizona, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, BW3512173 pursuant to 21 U.S.C. 824(a)(3), and deny any pending applications for renewal of such registration pursuant to 21 U.S.C. 823(f), for reason that he is not currently authorized to handle controlled substances in the State of Arizona. The order also notified Dr. Wodka that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

The Order to Show Cause was sent by registered mail to Dr. Wodka's DEA registered address in Tucson, Arizona,

but was returned to DEA with a notation that Dr. Wodka had moved without leaving a forwarding address. A copy of the Order to Show Cause was also sent by regular mail to Dr. Wodka at his last known address in Marana, Arizona. This copy has not been returned and therefore is considered to have been delivered.

No request for a hearing or any other reply was received by the DEA from Dr. Wodka or anyone purporting to represent him in this matter. It is evident that Dr. Wodka is no longer practicing medicine at the address listed on his DEA Certificate of Registration. Dr. Wodka is therefore deemed to have waived his opportunity for a hearing. The Deputy Administrator now enters his final order in this matter without a hearing and based on the investigative file pursuant to 21 CFR 1301.43(d) and (e) and 1301.46.

The Deputy Administrator finds that Dr. Wodka currently possesses DEA Certificate of Registration BW3512173, issued to him in Arizona. On July 17, 1996, the Arizona Board of Medical Examiners (Board) placed Dr. Wodka's license to practice medicine in inactive status and totally revoked his prescribing privileges.

The Deputy Administrator concludes that Dr. Wodka is not currently licensed to practice medicine in the State of Arizona, and is not authorized to handle controlled substances in that state. The DEA does not have the statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without state authority to handle controlled substances in the state in which he conducts his business. See 802(21), 823(f), and 824(a)(3). This prerequisite has been consistently upheld. See Romeo J. Perez, M.D., 62 FR 16193 (1997); Demetris A. Green, M.D., 61 FR 60728 (1996); Dominick A. Ricci, M.D., 58 FR 51104 (1993).

Here it is clear that Dr. Wodka is not currently authorized to handle controlled substances in the State of Arizona. As a result, he is not entitled to a DEA registration in that state.

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 BW3512173, previously issued to Richard M. Wodka, M.D., be, and it hereby is, revoked. The Deputy Administrator further orders that any pending applications for the renewal of such registration, be, and they hereby are, denied. This order is effective September 7, 1999.

Dated: July 27, 1999.

**Donnie R. Marshall,**

*Deputy Administrator.*

[FR Doc. 99-20240 Filed 8-5-99; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

[INS No. 2009-99; AG Order No. 2239-99]

#### **Extension of the Registration Period for Hondurans and Nicaraguans Under the Temporary Protected Status Program**

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

**ACTION:** Notice.

**SUMMARY:** On January 5, 1999, the Attorney General designated Honduras and Nicaragua under the Temporary Protected Status (TPS) program for a period of 18 months. Under the terms of the designation, applicants could apply for TPS during the registration period lasting from January 5, 1999, through July 5, 1999. This notice extends the registration period until August 20, 1999. Applications must be received with the appropriate fee for a fee waiver request by the Immigration and Naturalization Service (Service) service center with jurisdiction over the applicant's place of residence by close of business on August 20, 1999. The extension of the registration period does not extend the period of the designation. In order to be eligible for TPS under the Honduras or Nicaragua designations, applicants must demonstrate that they have been continuously present in the United States since January 5, 1999, and have continuously resided in the United States since December 30, 1998. The Service is extending the registration period to allow eligible applicants who have not yet filed an application an additional 45 days to register for TPS. There will be no further extension of the registration deadline.

**DATES:** This notice is effective July 7, 1999.

**FOR FURTHER INFORMATION CONTACT:** Michael Valverde, Immigration and Naturalization Service, Adjudications Division, 425 I Street, NW, Room 3040, Washington, DC 20536, telephone (202) 514-4754.

#### **SUPPLEMENTARY INFORMATION:**

#### **When did the Attorney General designate Honduras and Nicaragua under the TPS Program?**

On January 5, 1999, the Attorney General designated Honduras and

Nicaragua under the TPS program for a period of 18 months in two separate **Federal Register** notices. See 64 FR 524; 64 FR 526. The registration period for these designations was limited to 180 days, from January 5, 1999, to July 5, 1999.

**What authority does the Service have to extend the registration period?**

Section 244(c)(1)(A)(iv) of the Immigration and Nationality Act, as amended (Act), authorizes the Attorney General to provide TPS applicants a "registration period of not less than 180 days" and requires aliens to register "to the extent and in a manner which the Attorney General establishes." 8 U.S.C. 1254a(c)(1)(A)(iv). The registration period for Hondurans and Nicaraguans under the TPS Program initially lasted for 180 days, from January 5, 1999, to July 5, 1999. Under section 244(c)(1)(A)(iv) of the Act, the Attorney General has decided to extend the registration period for an additional 45 days, until August 20, 1999. 8 U.S.C. 1254a(c)(1)(A)(iv).

**Why is the Attorney General extending the registration period?**

The Attorney General is extending the registration period in order to provide those applicants who have not yet filed an application for TPS under the Honduras or Nicaragua programs with an additional 45 days in which to gather and submit the documentation necessary to provide eligibility for TPS. The Attorney General has been advised that Honduran and Nicaraguan applicants have been having difficulty obtaining nationality and identity documents. This action is not a redesignation of TPS and does not expand the designation to include Hondurans and Nicaraguans who entered the country after December 30, 1998. There will be no further extensions of the registration period.

**Can I apply for TPS even if I do not have all of the necessary documentation?**

Yes. Applicants do not need to wait to apply for TPS until they have obtained all of the evidence necessary to establish their eligibility. The application, Form I-821, Application for Temporary Protected Status, contains instructions for applicants who cannot obtain identity and nationality documentation. Applicants who do not submit appropriate documentation establishing identity or nationality with their applications must, under the regulations, submit an affidavit showing proof of unsuccessful efforts to obtain the documents, explaining why the

consular process was unavailable to them, and affirming that they are nationals of Honduras or Nicaragua (or aliens having no nationality who last habitually resided in either Honduras or Nicaragua). Applicants who submit an affidavit and receive the proper documentation prior to adjudication may provide the missing documentation to the Service. While the Service encourages applicants to submit proper documentation with their applications, the Service will only accept and process applications received on or before the extended August 20, 1999, registration deadline. To be considered properly filed, an application must be received, with the appropriate fee or a fee waiver request, at the service center with jurisdiction over the applicant's place of residence by close of business on August 20, 1999.

**What happens to an application that is submitted without the proper fee or the fee waiver request is denied?**

Applications submitted without the proper fee will be rejected and returned to the applicant. The Service will also reject and return to the applicant any application in which a fee waiver request has been denied.

**Can I apply for TSP after the end of the registration period?**

In addition to timely registration, late registration is possible for some persons under 8 CFR 244.2. The requirements for late registration specify that at the time of the initial registration period the applicant must (1) have been in valid nonimmigrant status or been granted relief from removal, (2) have had an application for change of status, adjustment of status, asylum, voluntary departure, or any relief from removal which is pending or subject to further review or appeal, (3) have been a parolee or had a pending request for reparole, or (4) have been a spouse or child of an alien currently eligible to be a TPS registrant. 8 CFR 244.2(f)(2). An applicant for late registration must register no later than 60 days from the expiration or termination of the qualifying condition. 8 CFR 244.2(g).

Dated: July 25, 1999.

**Janet Reno,**

*Attorney General.*

[FR Doc. 99-20279 Filed 8-5-99; 8:45 am]

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**DEPARTMENT OF LABOR**

**Office of the Secretary**

**Submission for OMB Review;  
Comment Request**

July 30, 1999.

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, Ira Mills ((202) 219-5096 ext. 143) or by E-Mail to Mills-Ira@dol.gov.

Comments should be sent to the 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) 295-7316), 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;
- Enhance 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:* Revenue Quality Control-Tax Performance System.

*OMB Number:* 1205-0332.

*Frequency:* Annually.

*Affected Public:* State, Local, or Tribal govt.

*Number of Respondents:* 52.

*Estimated Time Per Response:* 1,750.

*Total Burden Hours:* 91,000.

*Total Annualized capital/startup costs:* \$0.