

of these proceedings 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 decision of the Administrative Law Judge. The Drug Enforcement Administration cannot 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), 832(f), and 824(a)(3). This prerequisite has been consistently upheld. See *Dominick A. Ricci, M.D.*, 58 FR 51104 (1993); *James H. Nickens, M.D.*, 57 FR 59847 (1992); *Roy E. Hardman, M.D.*, 57 FR 49195 (1992); *Myong S. Yi, M.D.*, 54 FR 30618 (1989); *Bobby Watts, M.D.*, 53 FR 11919 (1988).

Judge Bittner also properly granted the Government's motion for summary disposition. Here, the parties did not dispute that the Respondent was unauthorized to practice medicine and to handle controlled substances in New York, the State in which he maintains his DEA Certificate of Registration. Although the Respondent disagreed with the action of the Medical Board, he presented no evidence to contradict the fact that he is currently without authorization to handle controlled substances. 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 51104 (finding it "well settled that where there is no material question of fact involved, a plenary, adversarial administrative hearing [was] not required. Congress did not intend administrative agencies to perform meaningless tasks."); see also *Phillip E. Kirk, M.D.*, 48 FR 32887 (1983), *aff'd sub nom Kirk v. Mullen*, 749 F.2d 297 (6th Cir. 1984); *Alfred Tennyson Smurthwaite, M.D.*, 43 FR 11873 (1978); *NLRB v. International Association of Bridge, Structural and Ornamental Ironworkers, AFL-CIO*, 549 F.2d 634 (9th Cir. 1977).

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 AR5677060, previously issued to Gilbert Ross, M.D., be, and it hereby is, revoked, and that any pending applications for renewal of such registration be, and they hereby

are, denied. This order is effective April 4, 1996.

Dated: February 28, 1996.
Stephen H. Greene,
Deputy Administrator.
[FR Doc. 96-5006 Filed 3-4-96; 8:45 am]
BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Employment and Training Administration

Proposed Information Collection Request Submitted for Public Comment and Recommendations; Employment Service Reporting System

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)).

The Employment Service Program Reporting System provides data on State public employment service agency program activities and expenditures, including services to veterans, for use at the Federal level by the U.S. Employment Service and the Veterans Employment and Training Service in program administration and provides reports to the President and Congress. Currently, the Employment and Training Administration is soliciting comments concerning the proposed revision of information collection for the Employment Service Reporting System, on Form ETA 9002 A-C, ETA Quarterly Report; Form VET 200 A & B, VETS 200 DVOP/LVER Quarterly Report; Form VETS 300, VETS 300 Cost Accounting Report; and the Manager's Report on Services to Veterans.

Proposed revisions are: (1) To delete the line item reporting Non-Personal Service and Administrative Overhead on the VETS 300 Cost Accounting Report—minimal burden reduction; and (2) to reduce burden hours by eliminating the need for reprogramming of information on the SMOCTA program; and (3) to incorporate the approved burden hours for the Manager's Report on Services to Veterans.

A copy of the proposed information collection request can be obtained by contracting the employee listed below in the contact section of this notice.

DATES: Written comments must be submitted on or before May 6, 1996. Written comments should 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.

ADDRESSES: Pearl Wah, U.S. Employment Service, Employment and Training Administration, Department of Labor, Room N-4470, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 202-219-5185 (This is not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

Information on basic labor exchange services is necessary to assure that States are complying with legal requirements of the Wagner-Peyser Act as amended by the Job Training Partnership Act (JTPA). Program data items are required from States reporting to the Department of Labor as part of other information in order to determine if States are complying with the basic labor exchange requirements.

Information regarding employment and training services provided to veterans by State public employment service agencies must be collected by the Department of Labor to satisfy legislative requirements, as follows: (a) To report annually to Congress on specific services (38 U.S.C. 2007(c) and 2012(c)); (b) to establish administrative controls (38 U.S.C. 2007(b)); and (c) for administrative purposes.

II. Current Actions

This is a request for OMB approval under the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A) to revise the collection of information previously approved and assigned OMB Control No. 1205-0240. This package will incorporate the burden activity and hours previously approved and assigned OMB Control No. 1293-0007 for the Manager's Report on Services to Veterans.

Type of Review: Revision.
Agency: Employment and Training Administration.

Titles: Employment Service Program Reporting System.
Form Numbers: ETA 9002 Quarterly Report; VETS 200 LVER Quarterly

Report; and VETS 300 Cost Accounting Report.
Agency Number: 1205-1240.
Estimated Burden Hours: 8249.

Reports	Respondents	Frequency	Responses	Avg. time per response	Burden
USES Rpt.	54	4	216	2.75	594
VETS Rpt.	54	4	216	.25	54
USES Rec.	54	1	54	12.00	648
VETS 200A	54	4	216	.75	162
VETS 200B	54	4	216	.75	162
VETS 300	54	4	216	1.00	216
Mgt. Rpt.	1,600	4	6,400	.83	5,333
Totals	7,534	8,249

Comments submitted in response to this notice will be summarized and/or included in the request for Office Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: February 23, 1996.

John M. Robinson,
Deputy Assistant Secretary, Employment Training Administration.

[FR Doc. 96-5047 Filed 3-4-96; 8:45 am]

BILLING CODE 4510-30-M

Office of Federal Contract Compliance Programs

Rampart Electric, Inc., Debarment

AGENCY: Office of Federal Contract Compliance Programs, Labor.

ACTION: Notice of debarment, Rampart Electric, Inc.

SUMMARY: This notice advises of the debarment of Rampart Electric, Inc. (hereafter "Rampart"), as an eligible bidder on Government contracts and subcontracts and federally assisted construction contracts and subcontracts. The debarment is effective immediately.

FOR FURTHER INFORMATION CONTACT: Annie Blackwell, Director Program Policy, Office of Federal Contract Compliance Programs, U.S. Department of Labor, 200 Constitution Ave., NW, Room C-3325, Washington, DC. 20210 (202-219-9430).

SUPPLEMENTARY INFORMATION: On September 11, 1995, pursuant to 41 CFR 60-30.30, the Secretary of Labor issued a Final Decision and Order of Debarment and Related Sanctions: (1) Finding Rampart in violation of Executive Order 11246, as amended, and its implementing regulations; (2) cancelling all Federal contracts and subcontracts and all federally assisted construction contracts and subcontracts of Rampart, and of its officers,

(including Jeff Dwyer a/k/a Jeff Droyer and Jeff Dryer), agents, servants, employees, direct or beneficial owners, divisions or subsidiaries, and of those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise; declaring Rampart ineligible for extensions or other modifications of any existing Government contracts or subcontracts; and declaring Rampart and its successors, officers, agents, servants, employees, direct or beneficial owners, divisions or subsidiaries, and those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise, ineligible for the award of any Government contracts or subcontracts until Rampart satisfies the Deputy Assistant Secretary for Federal Contract Compliance Programs that is in compliance with Executive Order 11246, as amended. A copy of the Decision and Order is attached.

Signed October 26, 1995, Washington, DC.
 Shirley J. Wilcher,

Deputy Assistant Secretary For Federal Contract Compliance Programs.

U.S. Department of Labor
Secretary of Labor, Washington, DC

Date: September 11, 1995
 Case No. 89-OFC-14.

In the Matter of *Office of Federal Contract Compliance Programs, United States Department of Labor*, Plaintiff v. *Rampart Electric, Inc.*, Defendant.

Before: The Secretary of Labor

Final Decision and Order of Debarment and Related Sanctions

This proceeding arises under Executive Order No. 11,246, 3 CFR 339 (1964-65), *reprinted as amended* in 42 U.S.C. 2000e note (1988). Upon the Defendant's failure to respond and participate in these proceedings, the Administrative Law Judge (ALJ) issued

a [Recommended] Decision and Order (R.D. and O.), holding that the Defendant had thereby admitted the material allegations of fact in Plaintiff Office of Federal Contract Compliance's (OFCCP's) Administrative Complaint and had waived its right to a hearing. The ALJ recommended cancellation, termination, and suspension of existing Government contracts¹ and federally assisted construction contracts, and prohibition against extensions or other modifications of current contracts. R.D. and O. at 3.

After referring to the Defendant's failures to respond to the ALJ's Notice of Docketing and the Show Cause Order directing the Defendant to show why its failure to file either an answer to OFCCP's complaint or to the Notice of Docketing should not constitute an admission of OFCCP's allegations under 41 CFR 60-30.6, the ALJ held the following:

Defendants [sic] persistent refusal to pursue this matter has left this forum no alternative other than to find that it has ADMITTED all the material allegations of fact contained in the complaint and has hereby WAIVED its right to a hearing on this matter. Accordingly it is FOUND that:

1. Defendant Rampart Electric, Inc., at all times material hereto, has been a corporation engaged in construction, and has maintained corporate offices at 6605 Alberta Drive, Colorado Springs, Colorado 80918.

2. Defendant, at all times material hereto, has had a contract with the Army and Air Force Exchange Service as the subcontractor in an expansion project in Colorado Springs, Colorado, the value of which was in excess of \$10,000. Defendant was therefore a Government contractor within the meaning

¹ Contracts also connote subcontracts. See 41 CFR 60-1.3 (1995) (definitions of contract, contractor, federally assisted construction contract, government contract, prime contractor, subcontract, subcontractor); 41 CFR 60-4.1.