

of-Way Applications and Assignment Fees; Requirements for Filing of Lease Transfers (RIN 1010-AC04, 62 FR 39773). The final rule became effective on September 22, 1997. In the preamble to the final rule, MMS stated that the information collection aspects of the rule had been submitted to OMB for approval and would not take effect until OMB approved the collections. On August 25, 1997, OMB approved both of the related collections of information with expiration dates of August 31, 2000. The information collection aspects of the final rule are effective with the final rule.

*Bureau Clearance Officer:* Jo Ann Lauterbach (202) 208-7744.

Dated: November 21, 1997.

**E.P. Danenberger,**

*Chief, Engineering and Operations Division.*  
[FR Doc. 97-31475 Filed 12-1-97; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before November 22, 1997. Pursuant to section 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127. Written comments should be submitted by December 17, 1997.

**Patrick Andrus,**

*Acting Keeper of the National Register.*

**Florida**

Marion County, Ocala Union Station, 31 NE First Ave., Ocala, 97001557.

**Georgia**

Dooly County, Lilly Historic District, Roughly bounded by CSX RR tracks, and Church, Montezuma, Third, and School Sts., Lilly, 97001558.

**Massachusetts**

Essex County, Peabody Institute, 15 Sylvan St., Danvers, 97001559.

Worcester County, Hope Cemetery, 119 Webster St., Worcester, 97001560.

**New Jersey**

Burlington County, New Jersey Manual Training and Industrial School for Colored Youth, N of Burlington Rd., W of I-295, Bordentown, 97001563.

**North Carolina**

Mecklenburg County, Potts Plantation, (Rural Mecklenburg County MPS), S of Davidson, SW of Cornelius, between NC 2693 and NC 115, Cornelius vicinity, 97001561.

Watauga County, Wilson—Vines House, 3400 Rush Branch Rd., Beaver Dam vicinity, 97001562.

**Ohio**

Auglaize County, Fountain Hotel, The, 100-110 W. Spring St., St. Marys, 97001564.

**Tennessee**

Marion County, RyeMabee, 224 E. Main St., Monteagle, 97001565.

Montgomery County, Tip Top, 15 Trahern Ter., Clarksville, 97001566.

**Utah**

Utah County, Bringham, William and Ann, House, (Springville MPS), 306 S 200 W, Springville, 97001567.

Deal, Roe A. and Louise R., House, (Springville MPS), 39 E 200 N, Springville, 97001568.

Deal—Mendenhall Hall, (Springville MPS), 163 E 200 N, Springville, 97001569.

Johnson, Mont and Harriet, House, (Springville MPS), 153 E 400 N, Springville, 97001570.

Johnson—Kearns Hotel, (Springville MPS), 94 W 200 S, Springville, 97001571.

Kindred, Nephi and Annie, House, (Springville MPS), 188 W Center, Springville, 97001573.

Meneray, William H. and Sarah D., House, (Springville MPS), 190 S 200 W, Springville, 97001574.

Oakley, Ami and Amanda, House, (Springville MPS), 219 E 400 N, Springville, 97001575.

Packard, Milan and Margaret, House, (Springville MPS), 10 W 100 S, Springville, 97001576.

Reynolds, Henry T. and Rebecca, House, (Springville MPS), 270 W 200 S, Springville, 97001577.

Senior Hotel, (Springville MPS), 296 S Main St., Springville, 97001578.

Strang, James P. and Lydia, House, (Springville MPS), 306 S 200 W, Springville, 97001579.

Ward, Patrick L. and Rose O., House, (Springville MPS), 511 S Main St., Springville, 97001580.

Yard—Groesbeck House, (Springville MPS), 157 W 200 S, Springville, 97001581.

**Wisconsin**

Sauk County, Thompson House Hotel, 200 Ash St., Baraboo, 97001583.

[FR Doc. 97-31461 Filed 12-1-97; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

### Sunshine Act Meeting

#### Emergency Notice of Additional Agenda Item

**AGENCY HOLDING THE MEETING:** United States International Trade Commission.

**TIME AND DATE:** December 2, 1997 at 2:30 p.m.

**PLACE:** Room 101, 500 E Street S.W., Washington, DC 20436.

**STATUS:** Open to the public.

#### ADDITIONAL AGENDA ITEM:

6. The Chairman's proposal for Fiscal Year 1998 Expenditure Plan and Fiscal Year 1999 Budget Request.

In accordance with 19 CFR 201.35(d)(2), the Commission is hereby giving notice of the addition of an agenda item for the Commission meeting being held Tuesday, December 2, 1997, at 2:30 p.m. By unanimous consent, the Commission has authorized issuance of the Government in the Sunshine Notice, and hereby announces that earlier announcement of same was not possible.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: November 26, 1997.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 97-31719 Filed 11-28-97; 12:32 pm]

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

[Docket No. 97-26]

#### Anthony P. Dalton, M.D. Revocation of Registration

On June 19, 1997, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Anthony P. Dalton, M.D. (Respondent), of Viroqua, Wisconsin, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration BD0469254, and deny any pending applications for renewal of his registration as a practitioner pursuant to 21 U.S.C. 823(f) and 824(a)(3), for reason that he is not currently authorized to handle controlled substances in the State of Wisconsin.

On July 21, 1997, Respondent filed a request for a hearing, and the matter was docketed before Administrative Law Judge Mary Ellen Bittner. On July 21, 1997, Judge Bittner issued an Order for Prehearing Statements. Thereafter, on July 25, 1997, the Government filed a Motion for Summary Disposition,

alleging that effective January 30, 1996, the Medical Examining Board of the State of Wisconsin (Board) terminated a stay of an earlier suspension of Respondent's license to practice medicine in the State of Wisconsin, and therefore, Respondent is not authorized to handle controlled substances in that state.

By Order dated July 29, 1997, Judge Bittner gave Respondent the opportunity to file a response to the Government's motion by August 19, 1997. No such response was filed by Respondent.

On September 18, 1997, Judge Bittner issued her Opinion and Recommended Decision, finding that Respondent lacked authorization to handle controlled substances in the State of Wisconsin; granting the Government's Motion for Summary Disposition; and recommending that Respondent's DEA Certificate of Registration be revoked. Neither party filed exceptions to her opinion, and on October 22, 1997, Judge Bittner transmitted the record of these proceedings to the Acting Deputy Administrator.

The Acting 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 Acting Deputy Administrator adopts, in full, the Opinion and Recommended Decision of the Administrative Law Judge.

The Acting Deputy Administrator finds that on December 14, 1995, the Board issued its Final Decision and Order, suspending Respondent's Wisconsin medical license for a period of not less than four years, with the provision for successive three-month stays of the suspension conditioned upon compliance with certain conditions and limitations on the license. Subsequently, the Board ordered that the stay of the suspension of Respondent's medical license be terminated, and his license was suspended effective January 30, 1996. Thereafter, on March 1, 1996, and February 3, 1997, the Board denied petitions filed by Respondent for the reinstatement of the stay of suspension of his medical license. Therefore, the Acting Deputy Administrator finds that Respondent is not currently authorized to handle controlled substances in the State of Wisconsin.

The Acting Deputy Administrator finds that in light of the fact that Respondent is not currently licensed to practice medicine in the State of Wisconsin, it is reasonable to infer that he is not currently authorized to handle

controlled substances in that state. Respondent did not file a response to the Government's motion, and therefore does not dispute that he is not currently authorized to practice medicine or handle controlled substances in the State of Wisconsin.

The DEA does not have 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. 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 currently authorized to handle controlled substances in the State of Wisconsin, the state where he is registered with DEA. Therefore, Respondent is not entitled to a DEA registration in that state.

The Acting Deputy Administrator further finds that under the circumstances, Judge Bittner properly granted the Government's Motion for Summary Disposition. 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 nom Kirk v. Mullen*, 749 F.2d 297 (6th Cir. 1984); *NLRB v. International Association of Bridge, Structural and Ornamental Ironworkers*, AFL-CIO, F.2d 634 (9th Cir. 1977); *United States v. Consolidated Mines & Smelting Co.*, 44 F.2d 432 (9th Cir. 1971).

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 BD0469254, previously issued to Anthony P. Dalton, M.D., be, and it hereby is, revoked. The Acting Deputy Administrator further orders that any pending applications for the renewal of such registration, be, and they hereby are, denied. This order is effective January 2, 1998.

Dated: November 20, 1997.

**James S. Milford,**

*Acting Deputy Administrator.*

[FR Doc. 97-31470 Filed 12-1-97; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### Agency Information Collection Activities: Proposed Collection; Comment Request

**ACTION:** Request OMB emergency approval; guarantee of payment.

The Department of Justice, Immigration and Naturalization Service (INS) has submitted the following information collection request (ICR) utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with the section 1320.13(a)(1)(ii) and (a)(2)(iii) of the Paperwork Reduction Act of 1995. The INS has determined that it cannot reasonably comply with the normal clearance procedures under this Part because normal clearance procedures are reasonably likely to prevent or disrupt the collection of information. Therefore, OMB approval has been requested by November 30, 1997. If granted, the emergency approval is only valid for 180 days. All comments and/or questions pertaining to this pending request for emergency approval *Must* be directed to OMB, Office of Information and Regulatory Affairs, Attention: Ms. Debra Bond, 202-395-7316, Department of Justice Desk Officer, Washington, DC 20503. Comments regarding the emergency submission of this information collection may also be submitted via facsimile to Ms. Bond at 202-395-6974.

During the first 60 days of this same period, a regular review of this information collection is also being undertaken. During the regular review period, the INS requests written comments and suggestions from the public and affected agencies concerning the proposed collection of information. Comments are encouraged and will be accepted until [Insert date of the 60th day from the date that this notice is published in the **Federal Register**]. During the 60-day regular review *All* comments and suggestions, or questions regarding additional information, to include obtaining a copy of the proposed information collection instrument with instructions, should be directed to Mr. Richard A. Sloan, 202-514-3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 5307, 425 I Street, NW., Washington, DC 20536. Your comments should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary