

Registration. Gov. Mot. for Summ. Disp., Ex. A (letter from Keith Kamita, Administrator, Narcotics Enforcement Division, Hawaii Dept. of Public Safety to Shepard Ginandes, M.D.) Based on Administrator Kamita's letter, I further find that Respondent is "no longer authorized to administer, prescribe, dispense or possess any controlled substance" in Hawaii. *Id.*

Under the Controlled Substances Act (CSA), a practitioner must be currently authorized to handle controlled substances in "the jurisdiction in which he practices" in order to maintain a DEA registration. See 21 U.S.C. 802(21) ("[t]he term 'practitioner' means a physician \* \* \* licensed, registered, or otherwise permitted, by \* \* \* the jurisdiction in which he practices \* \* \* to distribute, dispense, [or] administer \* \* \* a controlled substance in the course of professional practice"). See also *id.* § 823(f) ("The Attorney General shall register practitioners \* \* \* if the applicant is authorized to dispense \* \* \* controlled substances under the laws of the State in which he practices."). As these provisions make plain, possessing authority under state law to handle controlled substances is an essential condition for holding a DEA registration.

Accordingly, DEA has held repeatedly that the CSA requires the revocation of a registration issued to a practitioner whose state license has been suspended or revoked. *David Wang*, 72 FR 54297, 54298 (2007); *Sheran Arden Yeates*, 71 FR 39130, 39131 (2006); *Dominick A. Ricci*, 58 FR 51104, 51105 (1993); *Bobby Watts*, 53 FR 11919, 11920 (1988). See also 21 U.S.C. 824(a)(3) (authorizing the revocation of a registration "upon a finding that the registrant \* \* \* has had his State license or registration suspended [or] revoked \* \* \* and is no longer authorized by State law to engage in the \* \* \* distribution [or] dispensing of controlled substances").

The record here establishes that the Respondent's State of Hawaii Controlled Substances Registration has been suspended/revoked by the Administrator of the Narcotics Enforcement Division, Department of Public Safety, State of Hawaii. As the Administrator's letter makes clear, Respondent is "no longer authorized to administer, prescribe, dispense or possess any controlled substance" under Hawaii law and thus, he no longer meets the requirement for obtaining and maintaining a registration under Federal law. Because Respondent is not entitled to maintain his DEA registration, his registration will be revoked and his pending application to renew his registration will be denied.

## Order

Pursuant to the authority vested in me by 21 U.S.C. 823(f) & 824(a), as well as 28 CFR 0.100(b) & 0.104, I hereby order that DEA Certificate of Registration, BG0241024, issued to Shepard Ginandes, M.D., be, and it hereby is, revoked. I further order that the pending application to renew this registration be, and it hereby is, denied. This order is effective immediately.

Dated: February 25, 2010.

**Michele M. Leonhart,**

*Deputy Administrator.*

[FR Doc. 2010-13144 Filed 6-1-10; 8:45 am]

**BILLING CODE 4410-09-P**

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### Proposed Extension of the Approval of Information Collection Requirements

**AGENCY:** Wage and Hour Division, Labor.

**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). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Wage and Hour Division is soliciting comments concerning its proposal to extend Office of Management and Budget (OMB) approval of the Information Collection: Special Employment Under the Fair Labor Standards Act (Forms WH-2, WH-46, WH-75, WH-200, WH-201, WH-202, WH-205, and WH-209). A copy of the proposed information collection request can be obtained by contacting the office listed below in the **FOR FURTHER INFORMATION CONTACT** section of this Notice.

**DATES:** Written comments must be submitted to the office listed in the **ADDRESSES** section below on or before August 2, 2010.

**ADDRESSES:** You may submit comments identified by Control Number 1235-

0001, by either one of the following methods:

*E-mail:* [WHDPRAComments@dol.gov](mailto:WHDPRAComments@dol.gov);  
*Mail, Hand Delivery, Courier:*

Regulatory Analysis Branch, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, NW., Washington, DC 20210.

*Instructions:* Please submit one copy of your comments by only one method. All submissions received must include the agency name and Control Number identified above for this information collection. Because we continue to experience delays in receiving mail in the Washington, DC area, commenters are strongly encouraged to transmit their comments electronically via e-mail or to submit them by mail early. Comments, including any personal information provided, become a matter of public record. They will also be summarized and/or included in the request for OMB approval of the information collection request.

#### FOR FURTHER INFORMATION CONTACT:

Michel Smyth, Acting Director, Division of Interpretations and Regulatory Analysis, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-0406 (this is not a toll-free number). Copies of this notice must be obtained in alternative formats (Large Print, Braille, Audio Tape or Disc), upon request, by calling (202) 693-0023 (not a toll-free number). TTY/TDD callers may dial toll-free (877) 889-5627 to obtain information or request materials in alternative formats.

#### SUPPLEMENTARY INFORMATION:

I. *Background:* Fair Labor Standards Act (FLSA) section 11(d) authorizes the Secretary of Labor to regulate, restrict, or prohibit industrial homework as necessary to prevent circumvention or evasion of the minimum wage requirements of the Act. 29 U.S.C. 211(d). The Department of Labor (DOL) restricts homework in seven industries (*i.e.*, knitted outerwear, women's apparel, jewelry manufacturing, gloves and mittens, button and buckle manufacturing, handkerchief manufacturing, and embroideries) to those employers who obtain certificates. See 29 CFR 530.1-.2. The DOL may also issue individual certificates in any industry for an individual homemaker who is unable to leave home because of a disability or must remain at home to care for an invalid. See 29 CFR 530.3-.4. The DOL allows employers to obtain general (employer) certificates to employ homeworkers in all restricted industries, except women's apparel and hazardous jewelry manufacturing

operations. See 29 CFR 530.101. Consistent with FLSA sections 11(d) and 14(c), the Wage and Hour Division (WHD) of DOL regulates the employment of industrial homeworkers and workers with disabilities covered by special certificates and governs the application and approval process for obtaining the certificates.

The FLSA also requires that the Secretary of Labor, to the extent necessary to prevent curtailment of employment opportunities, provide certificates authorizing the employment of full-time students at not less than 85 percent of the applicable minimum wage or less than \$1.60, whichever is higher, in (1) retail or service establishments and agriculture (29 U.S.C. 214(b)(1); 29 CFR 519.1(a)); and (2) institutions of higher education (29 U.S.C. 214(b)(3); 29 CFR 519.11(a)). The FLSA and the regulations set forth the application requirements as well as the terms and conditions for the employment of full-time students at subminimum wages under certificates and temporary authorization to employ such students at subminimum wages. The subminimum wage programs are designed to increase employment opportunities for full-time students. Regulations issued by the U.S. Department of Labor (DOL), Bureau of Apprenticeship and Training (BAT) no longer permit the payment of subminimum wages to apprentices in an approved program. 29 CFR 29.5(b)(5). The DOL, thus, has issued no apprentice certificates since 1987; however, the WHD must maintain the information collection in order for the agency to fulfill its statutory obligation under FLSA to maintain this program. In order to improve the management of its information collections, the DOL is proposing to consolidate the information collections related to special employment under the FLSA into a single OMB control number, 1235-0001. A list of the current control numbers appears near the end of this Notice.

II. *Review Focus:* The DOL 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 submissions of responses.

III. *Current Actions:* The DOL seeks approval for the extension of this information collection in order to ensure effective administration of various special employment programs.

*Type of Review:* Extension.

*Agency:* Wage and Hour Division.

*Title:* Special Employment Under the Fair Labor Standards Act.

*OMB Numbers:* 1235-0001, 1235-0019, 1235-0020, 1235-0022.

*Agency Numbers:* Forms WH-2, WH-46, WH-75, WH-200, WH-201, WH-202, WH-205, WH-209, WH-226, WH-226a.

*Affected Public:* Businesses or other for-profits and non-profits.

*Respondents:* 308,055.

*Total Annual Responses:* 308,055.

*Estimated Total Burden Hours:* 614,688.

*Estimated Time per Response:* 30 to 60 minutes.

*Frequency:* On occasion.

*Total Burden Costs (capital/startup):* \$0.

*Total Burden Costs (operation/maintenance):* \$1,957.08.

Dated: May 27, 2010.

**Michel Smyth,**

*Acting Director, Division of Interpretations and Regulatory Analysis.*

[FR Doc. 2010-13282 Filed 6-1-10; 8:45 am]

**BILLING CODE 4510-27-P**

## **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**[Notice (10-062)]**

### **Notice of Intent To Grant Partially Exclusive License**

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

**ACTION:** Notice of intent to grant partially exclusive license.

**SUMMARY:** This notice is issued in accordance with 35 U.S.C. 209(c)(1) and 37 CFR 404.7(a)(1)(i). NASA hereby gives notice of its intent to grant a partially exclusive license in the United States to practice the inventions described and claimed in U.S. Patent No. 6,918,970 "High Strength

Aluminum Alloy for High Temperature Applications" and Foreign Patent Application Serial No. PCT/US/03/10372 "High Strength Aluminum Alloy for High Temperature Applications" to Twin City Fan Companies Ltd, having its principal place of business in Minneapolis, MN. The patent rights in this invention have been assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. The prospective exclusive license will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. NASA has not yet made a determination to grant the requested license and may deny the requested license even if no objections are submitted within the comment period.

**DATES:** The prospective exclusive license may be granted unless, within fifteen (15) days from the date of this published notice, NASA receives written objections including evidence and argument that establish that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7. Competing applications completed and received by NASA within fifteen (15) days of the date of this published notice will also be treated as objections to the grant of the contemplated exclusive license.

Objections submitted in response to this notice will not be made available to the public for inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

**ADDRESSES:** Objections relating to the prospective license may be submitted to Mr. James J. McGroary, Chief Patent Counsel/LS01, Marshall Space Flight Center, Huntsville, AL 35812, (256) 544-0013.

### **FOR FURTHER INFORMATION CONTACT:**

Sammy A. Nabors, Technology Transfer Program Office/ED10, Marshall Space Flight Center, Huntsville, AL 35812, (256) 544-5226. Information about other NASA inventions available for licensing can be found online at <http://technology.nasa.gov>.

Dated: May 26, 2010.

**Richard W. Sherman,**

*Deputy General Counsel.*

[FR Doc. 2010-13242 Filed 6-1-10; 8:45 am]

**BILLING CODE 7510-13-P**