United States after importation certain integrated circuits that infringed certain patents held by Fujitsu.

The Commission instituted the above-captioned *SDRAMs* investigation (Inv. No. 337–TA–404) on November 13, 1997, based on a complaint by Samsung that Fujitsu violated section 337 by importing, selling for importation, or selling within the United States after importation certain integrated circuits that infringed certain patents held by Samsung.

On September 11, 1998, Fujitsu and Samsung jointly moved to terminate both investigations on the basis of a settlement and cross-license agreement. In their motions, Fujitsu and Samsung represented that their agreement reflects the entire and only agreement between them relating to the subject matter of these two investigations, and that there no longer exists a basis upon which to continue either investigation in view of the cross-licenses granted to each party.

On September 24, 1998, the ALJ issued two IDs (Order No. 24 in *Integrated Circuits;* Order No. 26 in *SDRAMs*) terminating the two investigations on the basis of the parties' settlement and cross-license agreement. The ALJ found that each motion complied with the Commission's rules regarding termination of an investigation, and that termination of the investigations would favor the public interest by avoiding needless litigation and the consumption of public resources. In addition, the ALJ found that the parties' agreement would not adversely affect the supply or pricing of any product or otherwise adversely affect consumers or the public generally in the United States.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42. Copies of the ALJ's IDs and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202–205–2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810. General information concerning the Commission may also be obtained by accessing its Internet server (http://www.usitc.gov).

Issued: October 20, 1998.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 98–28891 Filed 10–27–98; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 97–16]

Penick Corporation, Newark, New Jersey; Notice of Administrative Hearing, Summary of Comments and Objections; Notice of Hearing

This Notice of Administrative Hearing, Summary of Comments and Objections, regarding the application of Penick Corporation (Penick) for registration as an importer of coca leaves, raw opium, opium poppy and poppy straw concentrate, all Schedule II controlled substances, is published pursuant to 21 CFR 1301.42(a). On May 12, 1997, notice was published in the **Federal Register** [1] stating that Penick has applied to be registered as an importer of coca leaves, raw opium, opium poppy and poppy straw concentrate.

On June 12, 1997, Noramco of Delaware, Inc. (Noramco), filed comments and objections on the application and requested a hearing in the event that the application is not denied. Mallinckrodt Chemical, Inc. (Mallinckrodt), also filed comments and objections to the application. Notice is hereby given that a hearing with respect to Penick's application to be registered as an importer of coca leaves, raw opium, opium poppy and poppy straw concentrate will be conducted pursuant to the provisions of 5 U.S.C. 952(a) and 958 and 21 CFR 1311.42.

HEARING DATE: The hearing will begin at 9:30 a.m. on November 30, 1998, and will be held at the Drug Enforcement Administration Headquarters, 600 Army Navy Drive, Hearing Room, Room E–2103, Arlington, Virginia.

NOTICE OF APPEARANCE: Any person entitled to participate in this hearing pursuant to 21 CFR 1301.42(a), and desiring to do so, may participate by filing a notice of intention to participate in accordance with 21 CFR 1301.54, in triplicate, with the Hearing Clerk, Office of the Administrative Law Judges, Drug Enforcement Administration, Washington, D.C. 20537, within 30 days of the date of publication of this notice in the **Federal Register.** Each notice of appearance must be in the form prescribed in 21 CFR 1216.48. Penick, Noramco, Mallinckrodt, and DEA Office of Chief Counsel need not file a notice of intention to participate.

FOR FURTHER INFORMATION CONTACT: Helen Farmer, Hearing Clerk, Drug Enforcement Administration, Washington, D.C. 20537; Telephone (202) 307–8188.

Summary of Comments and Objections

Mallinckrodt's Comments

Mallinckrodt states that as a result of Penick's financial difficulties, which led to Penick's Chapter 11 bankruptcy petition, Penick has not produced significant quantities of controlled substances since 1991 and does not have the present ability to do so. Mallinckrodt further asserts that Penick's bankruptcy trustee, appointed by the bankruptcy court, has no experience in the controlled substance business, and that the goal of Penick and its bankruptcy trustee has not been to ressurect the business, but rather, to sell the business in order to pay off Penick's creditors. Mallinckrodt asserts that Penick has previously stated that it views its DEA registrations as its most valuable assets. Mallinckrodt argues that because DEA has a policy of not granting ''shelf registrations,'' i.e., registrations that the applicant intends to use only in the future, Penick should not be granting a DEA registration because ''[a]llowing Penick to treat its DEA registrations as assets is not the proper use of [a] DEA registration or the DEA registration process.''

Noramco's Comments

Noramco argues that Penick cannot meet the burden of demonstrating that its registration is in the public interest due to a combination of its financial status and its management by a court-appointed bankruptcy trustee. Noramco first argues that Penick has substantial financial difficulties, which has resulted in Penick producing only small amounts of controlled substances since 1991 and that also caused Penick, in June 1994, to file for bankruptcy under Chapter 11 of the Bankruptcy Code. Normaco states that the management of Penick is now controlled by a bankruptcy trustee who does not have experience in the controlled substances industry. Moreover, Noramco asserts that the trustee's primary function is to market Penick's assets, with Penick's DEA registrations being the corporation's most significant assets. Noramco claims that the bankruptcy trustee's desire to make the sale of Penick more lucrative is not a lawful purpose for registration under the Controlled Substances Act.

[1] 62 FR 25972.

Finally, Noramco has expressed concern that Penick's poor financial situation and management may increase the risk of diversion of any controlled substances that it imports.

The Government's Comments

The Government asserts that the above-captioned proceeding is a combination of a rulemaking to determine whether the Schedule II raw materials coca leaves, raw opium, poppy straw, and poppy straw concentrate may be imported lawfully into the United States pursuant to 21 U.S.C. 952(a)(1) and also an adjudication pursuant to 21 U.S.C. 958(a) on Penick's pending application for a DEA registration as an importer of Schedule II raw materials. The Government argues that because DEA does not maintain a ''contingency reserve'' of DEA registrants Penick must first demonstrate that raw opium and poppy straw concentrate may be imported into the United States pursuant to 21 U.S.C. 952(a)(1). The Government further asserts that Penick, which is involved in Chapter 11 bankruptcy proceedings, must next demonstrate to the Deputy Administrator that it is able to satisfy the requirements of 21 U.S.C. 823(a) and 958(a) and 21 CFR 1301.34(b)–(f) before the Deputy Administrator will renew its DEA registration to import the above-listed Schedule II raw materials into the United States.

The Government also requests that all interested parties be afforded the opportunity to provide comments for such rulemaking. Due to the length of time between the notice of Penick's application for renewal of its DEA registration, see 62 FR 25972 (1997), and this Notice of Hearing, the Government's request is granted. All interested parties shall have until November 30, 1998, to file comments regarding the above-mentioned rulemaking.

Dated: October 22, 1998.

Donnie R. Marshall,

Acting Deputy Administrator, Drug Enforcement Administration.

[FR Doc. 98–28897 Filed 10–27–98; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Office of Justice Programs

Agency Information Collection Activities: Proposed Collection; Comment Request; The National Judicial Reporting Program, Form NJRP–1

ACTION: Notice of Information Collection Under Review; (Reinstatement, without change of a previously approved collection for which approval has expired).

The Department of Justice, Office of Justice Programs, Bureau of Justice Statistics (BJS) has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. This proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until December 28, 1998.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Patrick Langan, 202–616–3490, Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, N.W., Washington, DC 20531.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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.

Overview of this information collection:

(1) *Type of Information Collection:* Reinstatement, without change, of a previously approved collection for which approval has expired.

(2) *Title of the Form/Collection:* National Judicial Reporting Program.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form NJRP–1. Bureau of Justice Statistics, Office of Justice Programs, United States Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* State Court authorities. The National Judicial Reporting Program (NJRP) is the only collection effort that provides an ability to maintain important statistics on felons convicted and sentenced in state courts. The NJRP enables the Bureau, Federal, State, and local correctional administrators; legislators; researchers; and planners to track change in the numbers and types of offenses and sentences felons convicted in state courts receive; as well as track changes in the demographics, conviction type, number of charges, sentence length, and time between arrest and conviction and sentencing of felons convicted in state courts.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that 344 respondents will take 11.5 hours per response.

(6) An estimate of the total public burden (in hours) associated with the collection: The total annual burden hours are 3,956.

If additional information is required, contact: Ms. Brenda E. Dyer, Deputy Clearance Office, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW, Washington, DC 20530.

Dated: October 23, 1998.

Brenda E. Dyer,

Department Deputy Clearance Officer, United States Department of Justice.

[FR Doc. 98–28895 Filed 10–27–98; 8:45 am]

BILLING CODE 4410–18–M