

practices . . . to distribute, dispense, [or] administer . . . a controlled substance in the course of professional practice”); *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.”). Because Congress has clearly mandated that a physician possess state authority in order to be deemed a practitioner under the Act, DEA has long held that revocation of a practitioner’s registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the State in which he practices medicine. *See Frederick Marsh Blanton, M.D.*, 43 FR 27616, 27617 (1978); *see also Hooper v. Holder*, 481 Fed. Appx. 826, 828 (4th Cir. 2012); *Calvin Ramsey*, 76 FR 20034, 20036 (2011); *Sheran Arden Yeates, M.D.*, 71 FR 39130, 39131 (2006); *Dominick A. Ricci*, 58 FR 51104, 51105 (1993); *Bobby Watts*, 53 FR 11919, 11920 (1988). And because the CSA makes clear that a practitioner must possess state authority to maintain his registration, “revocation is warranted even where a practitioner’s state authority has been summarily suspended and the State has yet to provide the practitioner with a hearing to challenge the State’s action at which he may ultimately prevail.” *Kamal Tiwari*, 76 FR 71604, 71606 (2011); *see also Bourne Pharmacy, Inc.*, 72 FR 18273, 18274 (2007); *Anne Lazar Thorn*, 62 FR 12847 (1997).

As for Respondent’s due process challenge based on the Board’s use of an *ex parte* procedure in issuing the Order of Temporary Suspension, the Order specifically provided that “[a] hearing on the Application for Temporary suspension (WITH NOTICE) will hereby be scheduled before a Disciplinary Panel of the Board at a date to be determined as soon as practicable . . . unless such hearing is specifically waived by Respondent.” Order of Temporary Suspension, at 7. Whether Respondent availed himself of his right to a hearing to challenge the Suspension Order is not disclosed by the record. DEA, however, presumes that the Board’s procedures provide Respondent with a constitutionally adequate means of challenging the Suspension Order. *Cf. Gonzales v. Oregon*, 546 U.S. 243, 270 (2006) (“The structure and operation of the CSA presume and rely upon a functioning medical profession regulated under the States’ police powers.”); *see also Gary Alfred Shearer*, 78 FR 19009 (2013). Because in this proceeding, Respondent was provided

with the opportunity to challenge the only fact which is material for the disposition of this proceeding—whether he currently holds authority under Texas law to dispense controlled substances<sup>2</sup>—the Agency’s procedures provided him with due process.<sup>3</sup>

Accordingly, because Respondent is without authority under Texas law to dispense controlled substances, I will adopt the ALJ’s recommendation that I revoke his registration.<sup>4</sup> *See* 21 U.S.C. 824(a)(3).

#### Order

Pursuant to the authority vested in me by 21 U.S.C. 824(a)(3) and 28 CFR 0.100(b), I order that DEA Certificate of Registration No. FK3499058 issued to Waleed Khan, M.D., be, and it hereby is, revoked. I further order that any application of Waleed Khan, M.D., to renew or modify said registration be, and it hereby is, denied. This Order is effective immediately.<sup>5</sup>

Dated: October 28, 2016.

**Chuck Rosenberg,**

*Acting Administrator.*

[FR Doc. 2016–27117 Filed 11–9–16; 8:45 am]

**BILLING CODE 4410–09–P**

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### National Endowment for the Arts

#### Arts Advisory Panel Meetings

**AGENCY:** National Endowment for the Arts, National Foundation on the Arts and Humanities.

**ACTION:** Notice of meetings.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, as amended, notice is hereby given that 27 meetings of the Arts Advisory Panel to the

<sup>2</sup> Since the ALJ’s ruling, Respondent has not submitted any evidence to the Agency showing that the Board’s suspension is no longer in effect.

<sup>3</sup> As for Respondent’s contention that his lack of state authority should not be given weight under the public interest standard, the Government did not seek revocation based upon a finding that he committed acts which render his registration inconsistent with the public interest. Show Cause Order, at 1. Rather, the Government sought revocation solely based upon a finding that Respondent’s state license had been suspended and he is no longer authorized to dispense controlled substances. *Id.* (citing 21 U.S.C. 824(a)(3)). The latter is an independent and adequate ground for revocation. *See* 21 U.S.C. 824(a).

<sup>4</sup> Respondent’s registration does not expire until December 31, 2018. Mot. for Summ. Disp., at Appendix A.

<sup>5</sup> For the same reasons that led the Medical Board to order the emergency suspension of Respondent’s medical license, I concluded that the public interest necessitates that this Order be effective immediately. 21 CFR 1316.67.

National Council on the Arts will be held by teleconference.

**DATES:** All meetings are Eastern time and ending times are approximate:

*Arts Education* (review of applications): This meeting will be closed.

*Date and time:* December 1, 2016; 1:30 p.m. to 3:30 p.m.

*Arts Education* (review of applications): This meeting will be closed.

*Date and time:* December 6, 2016; 1:30 p.m. to 3:30 p.m.

*Dance* (review of applications): This meeting will be closed.

*Date and time:* December 6, 2016; 12:00 p.m. to 2:00 p.m.

*Dance* (review of applications): This meeting will be closed.

*Date and time:* December 6, 2016; 3:00 p.m. to 5:00 p.m.

*Museums* (review of applications): This meeting will be closed.

*Date and time:* December 6, 2016; 11:30 a.m. to 1:30 p.m.

*Museums* (review of applications): This meeting will be closed.

*Date and time:* December 6, 2016; 2:30 p.m. to 4:30 p.m.

*Presenting and Multidisciplinary Works* (review of applications): This meeting will be closed.

*Date and time:* December 6, 2016; 2:00 p.m. to 4:00 p.m.

*Dance* (review of applications): This meeting will be closed.

*Date and time:* December 7, 2016; 12:00 p.m. to 2:00 p.m.

*Literature* (review of applications): This meeting will be closed.

*Date and time:* December 7, 2016; 3:00 p.m. to 5:00 p.m.

*Museums* (review of applications): This meeting will be closed.

*Date and time:* December 7, 2016; 11:30 a.m. to 1:30 p.m.

*Museums* (review of applications): This meeting will be closed.

*Date and time:* December 7, 2016; 2:30 p.m. to 4:30 p.m.

*Presenting and Multidisciplinary Works* (review of applications): This meeting will be closed.

*Date and time:* December 7, 2016; 2:00 p.m. to 4:00 p.m.

*Arts Education* (review of applications): This meeting will be closed.

*Date and time:* December 8, 2016; 11:00 a.m. to 1:00 p.m.

*Literature* (review of applications): This meeting will be closed.

*Date and time:* December 8, 2016; 3:00 p.m. to 5:00 p.m.

*Media Arts* (review of applications): This meeting will be closed.

*Date and time:* December 8, 2016; 11:30 a.m. to 1:30 p.m.

*Media Arts* (review of applications): This meeting will be closed.

*Date and time:* December 8, 2016; 2:30 p.m. to 4:30 p.m.

*Music* (review of applications): This meeting will be closed.

*Date and time:* December 8, 2016; 1:00 p.m. to 3:00 p.m.

*Presenting and Multidisciplinary Works* (review of applications): This meeting will be closed.

*Date and time:* December 8, 2016; 2:00 p.m. to 4:00 p.m.

*Media Arts* (review of applications): This meeting will be closed.

*Date and time:* December 9, 2016; 11:30 a.m. to 1:30 p.m.

*Presenting and Multidisciplinary Works* (review of applications): This meeting will be closed.

*Date and time:* December 9, 2016; 2:00 p.m. to 4:00 p.m.

*Folk and Traditional Arts* (review of applications): This meeting will be closed.

*Date and time:* December 13, 2016; 1:00 p.m. to 3:00 p.m.

*Media Arts* (review of applications): This meeting will be closed.

*Date and time:* December 13, 2016; 11:30 a.m. to 1:30 p.m.

*Media Arts* (review of applications): This meeting will be closed.

*Date and time:* December 14, 2016; 11:30 a.m. to 1:30 p.m.

*Media Arts* (review of applications): This meeting will be closed.

*Date and time:* December 14, 2016; 2:30 p.m. to 4:30 p.m.

*Folk and Traditional Arts* (review of applications): This meeting will be closed.

*Date and time:* December 15, 2016; 1:00 p.m. to 3:00 p.m.

*Local Arts Agencies* (review of applications): This meeting will be closed.

*Date and time:* December 15, 2016; 1:00 p.m. to 3:00 p.m.

*Local Arts Agencies* (review of applications): This meeting will be closed.

*Date and time:* December 15, 2016; 3:30 p.m. to 5:30 p.m.

**ADDRESSES:** National Endowment for the Arts, Constitution Center, 400 7th St. SW., Washington, DC 20506.

**FOR FURTHER INFORMATION CONTACT:** Further information with reference to these meetings can be obtained from Ms. Kathy Plowitz-Worden, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC, 20506; [plowitzk@arts.gov](mailto:plowitzk@arts.gov), or call 202/682-5691.

**SUPPLEMENTARY INFORMATION:** The closed portions of meetings are for the purpose of Panel review, discussion,

evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman of July 5, 2016, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of title 5, United States Code.

Dated: November 7, 2016.

**Kathy Plowitz-Worden,**

*Panel Coordinator, National Endowment for the Arts.*

[FR Doc. 2016-27170 Filed 11-9-16; 8:45 am]

**BILLING CODE 7537-01-P**

## NATIONAL SCIENCE FOUNDATION

### Notice of Permit Modification Issued Under the Antarctic Conservation Act of 1978

**AGENCY:** National Science Foundation.

**ACTION:** Notice of permit modification issued under the Antarctic Conservation Act of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

**FOR FURTHER INFORMATION CONTACT:** Nature McGinn, ACA Permit Officer, Division of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Or by email: [ACApermits@nsf.gov](mailto:ACApermits@nsf.gov).

**SUPPLEMENTARY INFORMATION:** On October 4, 2016 the National Science Foundation published a notice in the *Federal Register* of a permit modification request received. The permit modification was issued on November 7, 2016 to: Jerry McDonald, Program Director, Antarctic Support Contract, Principal in Charge, Leidos Innovations Group, Permit No. 2015-010.

**Nadene G. Kennedy,**

*Polar Coordination Specialist, Division of Polar Programs.*

[FR Doc. 2016-27216 Filed 11-9-16; 8:45 am]

**BILLING CODE 7555-01-P**

## NATIONAL TRANSPORTATION SAFETY BOARD

### Sunshine Act Meeting

**AGENCY:** National Transportation Safety Board (NTSB).

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** 81 FR 75858.

**PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING:** 9:30 a.m., Tuesday, November 15, 2016.

**PLACE:** NTSB Conference Center, 429 L'Enfant Plaza SW., Washington, DC 20594.

**CHANGES IN THE MEETING:** The first item will not be a Sunshine Meeting, it will be a Staff Presentation.

8791 ADMS Briefs on Two Midair Collisions—July 7, 2015, accident involving a Cessna 150M and a Lockheed Martin F-16CM near Moncks Corner, South Carolina (ERA15MA259A/B); and August 16, 2015, accident involving a Cessna 172M and a North American Rockwell NA265-60SC Sabreliner near San Diego, California (WPR15MA243A/B); and Safety Alert—Preventing Midair Collisions: Don't Depend on Vision Alone

### FOR FURTHER INFORMATION CONTACT:

Candi R. Bing, *Federal Register* Liaison National Transportation Safety Board, 490 L'Enfant Plaza SW., Washington, DC 20594-0001, (202)314-6403.

**Candi R. Bing,**

*Federal Register Liaison.*

[FR Doc. 2016-27352 Filed 11-8-16; 4:15 pm]

**BILLING CODE 7533-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2015-0283]

### Information Collection: NRC Forms 541 and 541A, Uniform Low-Level Radioactive Waste Manifest, Container and Waste Description, and Continuation Page

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of submission to the Office of Management and Budget; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a request for renewal of an existing collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, "NRC Forms 541 and 541A, 'Uniform Low-Level Radioactive Waste Manifest, Container and Waste Description, and Continuation Page.'"

**DATES:** Submit comments by December 12, 2016.

**ADDRESSES:** Submit comments directly to the OMB reviewer at: Vlad Dorjets, Desk Officer, Office of Information and Regulatory Affairs (3150-0166), NEOB-