

expire on April 15, 2018, unless extended. This notice gives the public an opportunity to comment on the application and to request a public meeting. This notice also corrects an error in the legal description.

**DATES:** Comments and public meeting requests must be received by July 20, 2017.

**ADDRESSES:** Comments and meeting requests should be sent to the BLM Oregon/Washington State Director, P.O. Box 2965, Portland, OR 97208-2965, Attention: Jacob Childers, OR 936.1. Records related to the application may be examined by contacting Mr. Childers at this address.

**FOR FURTHER INFORMATION CONTACT:** Jacob Childers, BLM Oregon/Washington State Office, 503-808-6225, or Candice Polisky, USFS Pacific Northwest Region, 503-808-2479. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact either of the above individuals. The FRS is available 24 hours a day, 7 days a week. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The USFS has filed an application requesting that the Secretary of the Interior extend PLO No. 4145 (32 FR 214 (1967)), as modified by PLO No. 7322 (63 FR 13069 (1998)), for an additional 20-year term, subject to valid existing rights. In order to protect the recreational values of West Eagle Meadow Campground, PLO No. 4145, as modified, withdrew National Forest System lands from location and entry under the United States mining laws, but not from leasing under the mineral leasing laws.

#### **Willamette Meridian**

*Wallowa-Whitman National Forest*  
West Eagle Meadow Campground  
T. 5 S., R. 43 E.,  
PB 43

The area described contains 32 acres in Union County.

The subject land is identical in size, shape, and location to the legal description in PLO No. 7322 (63 FR 13069 (1998)). The original survey, which determined that the area was 20 acres, was incorrect. The difference in acreage, between what is stated in PLO No. 7322 and what is stated here stems from the original survey's use of protraction blocks, which are essentially estimates. Following the initial withdrawal, the land was resurveyed using more advanced technology, and the area was determined to contain 32

acres, not 20 acres. This notice corrects the description to read as listed above.

The USFS would not need to acquire water rights to fulfill the purpose of the requested withdrawal extension.

Records related to the application may be examined by contacting Jacob Childers at the address or phone number listed above.

For a period until July 20, 2017, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal extension may present their views in writing to the BLM Oregon/Washington State Office, State Director at the address indicated above.

Comments, including names and street addresses of respondents, will be available for public review at the address indicated above during regular business hours. Be advised that your entire comment, including your personal identifying information, may be made publicly available. While you can ask us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with this withdrawal extension application. All interested parties who desire a public meeting for the purpose of being heard on the proposed withdrawal extension application must submit a written request to the BLM State Director at the address indicated above by July 20, 2017. Upon determination by the authorized officer that a public meeting will be held, a notice of the time and place will be published in the **Federal Register** and a local newspaper at least 30 days before the scheduled date of the meeting.

This extension will be processed in accordance with 43 CFR 2310.4.

#### **Leslie A. Frewing,**

*Acting Chief, Branch of Land, Mineral, and Energy Resources.*

[FR Doc. 2017-08012 Filed 4-20-17; 8:45 am]

**BILLING CODE 3411-15-P**

## **INTERNATIONAL TRADE COMMISSION**

[USITC SE-17-015]

### **Change of Time to Government in the Sunshine Meeting**

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

**DATE:** April 21, 2017.

**ORIGINAL TIME:** 11:00 a.m.

**NEW TIME:** 9:00 a.m.

**PLACE:** Room 101, 500 E Street SW., Washington, DC 20436, Telephone: (202) 205-2000.

**STATUS:** Open to the public.

In accordance with 19 CFR 201.35(d)(2)(i), the Commission hereby gives notice that the Commission has determined to change the time of the meeting of April 21, 2017, from 11:00 a.m. to 9:00 a.m.

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. Earlier notification of this change was not possible.

By order of the Commission.

Issued: April 18, 2017.

**William R. Bishop,**

*Supervisory Hearings and Information Officer.*

[FR Doc. 2017-08152 Filed 4-19-17; 11:15 am]

**BILLING CODE 7020-02-P**

## **INTERNATIONAL TRADE COMMISSION**

[Investigation Nos. 701-TA-318 and 731-TA-538 and 561 (Fourth Review)]

### **Sulfanilic Acid From China and India**

#### **Determinations**

On the basis of the record<sup>1</sup> developed in these subject five-year reviews, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that revocation of the antidumping duty order on sulfanilic acid from China and the antidumping duty and countervailing duty orders on sulfanilic acid from India would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

#### **Background**

The Commission, pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)), instituted these reviews on September 1, 2016 (81 FR 60386) and determined on December 5, 2016 that it would conduct expedited reviews (81 FR 92854, December 20, 2016).

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on April 17, 2017. The views of the Commission are contained in USITC Publication 4680 (April 2017), entitled *Sulfanilic Acid From China and*

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

*India: Investigation Nos. 701-TA-318 and 731-TA-538 and 561 (Fourth Review).*

By order of the Commission.

Issued: April 17, 2017.

**Lisa R. Barton,**

*Secretary to the Commission.*

[FR Doc. 2017-08064 Filed 4-20-17; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

[Docket No. 17-8]

#### William H. Wyttbach, M.D.; Decision and Order

On October 4, 2016, the Assistant Administrator, Diversion Control Division, issued an Order to Show Cause to William H. Wyttbach, M.D. (Respondent), of Fort Myers, Florida. The Show Cause Order proposed the revocation of Respondent's DEA Certificate of Registration No. BW1311997, on the ground that he "do[es] not have authority to handle controlled substances in the State of Florida, the [S]tate in which [he is] registered with the" Agency. Show Cause Order, at 1 (citing 21 U.S.C. 823(f), 824(a)(3)).

As to the jurisdictional basis for the proceeding, the Show Cause Order alleged that Respondent is registered "as a practitioner in [s]chedules II-V," pursuant to the above registration number, at the registered address of 16329 South Tamiami Trail, Units 5&6, Fort Myers, Florida. *Id.* The Order further alleged that Respondent's registration "expires by its terms on May 31, 2018." *Id.*

As to the substantive basis for the proceeding, the Show Cause Order alleged that effective June 15, 2016, the Florida Board of Medicine "suspended [his] authority to practice medicine," and that he is "without authority to handle controlled substances in Florida, the [S]tate in which [he is] registered with" DEA. *Id.* The Order thus alleged that Respondent's registration is subject to revocation.<sup>1</sup> *Id.* (citing 21 U.S.C. 802(21), 823(f), 824(a)(3)).

On November 3, 2016, Respondent submitted a request for a hearing. The matter was placed on the docket of the Office of Administrative Law Judges and assigned to ALJ Charles Wm. Dorman. Thereafter, the ALJ issued an order which directed the Government to

submit its evidence in support of the allegation and any motion for summary disposition on this ground by 2 p.m. on November 28, 2016. *See* Briefing Schedule for Lack of State Authority Allegations, at 1. The ALJ also ordered that if the Government filed such motion, Respondent's reply was due by 2 p.m. on December 12, 2016. *Id.*

On November 8, 2016, the Government filed its Motion for Summary Disposition, which asserted that "on June 15, 2016, the State of Florida Board of Medicine suspended Respondent's state medical license." Mot. at 2. As support for its Motion, the Government attached a June 15, 2015 Final Order issued by the Florida Board of Medicine which suspended Respondent's Florida medical license "until such time as he personally appears before the Board and demonstrates that his license to practice medicine in all jurisdictions is free from all encumbrances." Appendix C, at 4. The Government also attached an affidavit by a DEA Diversion Investigator attesting to the authenticity of the Florida Board's Final Order, *see* Appendix B, as well as a copy of Respondent's DEA registration. *See* Appendix A.

Based on this evidence, the Government argued that Respondent is without authority to handle controlled substances in Florida and therefore, he does not meet the statutory definition of a practitioner. Motion, at 3-4 (citing 21 U.S.C. 802(21)). Invoking cases holding that revocation is warranted even when a registrant's state authority has been summarily suspended, the Government maintained that because possessing authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for maintaining a DEA registration and Respondent does not possess such authority, revocation of his registration is warranted. *Id.* at 4 (citing *Gary Alfred Shearer*, 78 FR 19,009, 19012 (2013) (other citation omitted)).

On December 5, 2016, Respondent filed his Response to the Government's Motion. Therein, Respondent stated that he "agrees[ ] he has no authority to practice medicine in Florida and has not done so since June 4, 2015 and ongoing." Response, at 1. Respondent asserted, however, that he does have an active and unrestricted medical license in Wyoming. *Id.* He further asserted that the suspension of his Florida license was illegal, that the Florida Board had violated his Due Process rights, and that he is suing the Florida Board as well as the medical boards of Tennessee, Colorado, Kentucky, and Washington,

and a DEA Agent for civil rights violations in federal district court in Fort Myers, Florida. *Id.* at 2. He also asserted that this proceeding violates his "constitutional right of due process to appeal a non final order" and that "no alleged final order exists until ALL final appeals are exhausted." *Id.* at 2-3.

On review, the ALJ noted that under the CSA, "a practitioner must be currently authorized to handle controlled substances in the jurisdiction in which [he] is registered" in order to maintain his registration. R.D. at 3 (citing 21 U.S.C. 802(21), 823(f)). The ALJ also noted that under agency precedent, revocation is warranted "where the practitioner lacks state authority, even if the practitioner has not had the opportunity to contest the charges" brought by the state board, "or if there is a possibility that the Respondent's state license will be reinstated in the future." *Id.* (citing *Richard H. Ng.*, 77 FR 29694, 29695 (2012); other citations omitted). Finding that there was no dispute over the material fact that "Respondent lacks state authorization to handle controlled substances in Florida, where [he] is registered," the ALJ concluded that Respondent is not entitled to maintain his registration and granted the Government's motion, with the recommendation that I revoke his registration. *Id.* at 4.

On January 12, 2017, after the expiration of the time period for filing exceptions, the ALJ forwarded the record to my Office for final agency action. More than two months later, Respondent submitted a pleading titled as: "Motion To Reconsider And/OR Motion for Telephonic Hearing, And/OR Motion To Dismiss Administrative Revocation."

I decline to consider Respondents' motions. To the extent Respondent seeks reconsideration, his motion is not ripe,<sup>2</sup> and even if it were ripe, it would fail. First, his motion presents no newly discovered evidence. *See ICC v. Brotherhood of Locomotive Engineers*, 482 U.S. 270, 278 (1987). Second, he does not point to any "changed circumstance" that would render my adoption of the ALJ's factual findings, legal conclusions and recommended order inappropriate. *Id.* As for all three motions, they simply raise legal arguments which could have, and should have, been raised in a brief of exceptions to the ALJ's recommended decision. Respondent did not, however,

<sup>1</sup> The Show Cause Order also notified Respondent of his right to submit a corrective action plan and the procedure for doing so. Show Cause Order, at 2-3 (citing 21 U.S.C. 824(c)(2)(C)).

<sup>2</sup> The ALJ's recommended decision is not a final order of the Agency, and thus a motion for reconsideration is not ripe until the Agency issues its Decision and Order.