

pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Herold Pierre-Louis, P.A., to renew or modify this registration, as well as any other pending application of Herold Pierre-Louis, P.A., for additional registration in Arizona. This Order is effective March 10, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on January 31, 2025, by Acting Administrator Derek Maltz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2025-02339 Filed 2-6-25; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

James T. Craig, D.D.S.; Decision and Order

On May 24, 2023, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to James T. Craig, D.D.S., of Aurora, Colorado (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 2, at 1, 3. The OSC proposed the revocation of Registrant's Certificate of Registration No. FC0032348, alleging that Registrant's registration should be revoked because Registrant is "currently without authority to prescribe, administer, dispense, or otherwise handle controlled substances in Colorado, the state in which [he is] registered with DEA." *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).¹

¹ According to Agency records, Registrant's registration expired on August 31, 2024. The fact that a registrant allows his registration to expire during the pendency of an OSC does not impact the Agency's jurisdiction or prerogative under the Controlled Substances Act (CSA) to adjudicate the OSC to finality. *Jeffrey D. Olsen, M.D.*, 84 FR 68474, 68476-79 (2019).

The OSC notified Registrant of his right to file a written request for hearing, and that if he failed to file such a request, he would be deemed to have waived his right to a hearing and be in default. *Id.* at 2 (citing 21 CFR 1301.43). Here, Registrant did not request a hearing. RFAA, at 2.² "A default, unless excused, shall be deemed to constitute a waiver of the registrant's/applicant's right to a hearing and an admission of the factual allegations of the [OSC]." 21 CFR 1301.43(e).

Further, "[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] § 1316.67." *Id.* § 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant's default pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 3; *see also* 21 CFR 1316.67.

Findings of Fact

The Agency finds that, in light of Registrant's default, the factual allegations in the OSC are admitted. According to the OSC, on March 23, 2023, Registrant's Colorado dental license was suspended. RFAAX 2, at 1-2. According to Colorado online records, of which the Agency takes official notice, Registrant's Colorado dentist license is revoked.³ Colorado Division of Professions and Occupations License Search, <https://apps2.colorado.gov/dora/licensing/lookup/licenselookup.aspx> (last visited date of signature of this Order).

² Based on the Government's submissions in its RFAA dated July 18, 2024, the Agency finds that service of the OSC on Registrant was adequate. Specifically, the included Declaration from a DEA Diversion Investigator (DI) indicates that on May 26, 2023, Registrant was personally served a copy of the OSC at the Arapahoe County Detention Center in Centennial, Colorado, where Registrant remained incarcerated. RFAAX 3, at 2.

³ Under the Administrative Procedure Act, an agency "may take official notice of facts at any stage in a proceeding—even in the final decision." United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). Pursuant to 5 U.S.C. 556(e), "[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary." Accordingly, Registrant may dispute the Agency's finding by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by email to the other party and to the DEA Office of the Administrator, Drug Enforcement Administration at dea.addo.attorneys@dea.gov.

Accordingly, the Agency finds that Registrant is not licensed to practice as a dentist in Colorado, the state in which he is registered with DEA.

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under 21 U.S.C. 823 "upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances." With respect to a practitioner, DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *Gonzales v. Oregon*, 546 U.S. 243, 270 (2006) ("The Attorney General can register a physician to dispense controlled substances 'if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.' . . . The very definition of a 'practitioner' eligible to prescribe includes physicians 'licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices' to dispense controlled substances. § 802(21)."). The Agency has applied these principles consistently. *See, e.g., James L. Hooper, M.D.*, 76 FR 71371, 71372 (2011), *pet. for rev. denied*, 481 F. App'x 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.*, 43 FR 27616, 27617 (1978).⁴

According to Colorado statute, "dispense" means "to deliver a controlled substance to an ultimate user,

⁴ This rule derives from the text of two provisions of the CSA. First, Congress defined the term "practitioner" to mean "a physician . . . or other person 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." 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that "[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices." 21 U.S.C. 823(g)(1). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly 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. *See, e.g., James L. Hooper, M.D.*, 76 FR 71371-72; *Sheran Arden Yeates, M.D.*, 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.*, 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.*, 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton, M.D.*, 43 FR 27617.

patient, or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.” Colo. Rev. Stat. section 18–18–102(9) (2024). Further, a “practitioner” means a “physician . . . or other person licensed, registered, or otherwise permitted, by this state, to distribute, dispense, conduct research with respect to, administer, or to use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.” *Id.* section 18–18–102(29).

Here, the undisputed evidence in the record is that Registrant lacks authority to practice as a dentist in Colorado. As discussed above an individual must be a licensed practitioner to dispense a controlled substance in Colorado. Thus, because Registrant lacks authority to practice as a dentist in Colorado and, therefore, is not authorized to handle controlled substances in Colorado, Registrant is not eligible to maintain a DEA registration. Accordingly, the Agency will order that Registrant’s DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. FC0032348, issued to James T. Craig, D.D.S. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of James T. Craig, D.D.S., to renew or modify this registration, as well as any other pending application of James T. Craig, D.D.S., for additional registration in Colorado. This Order is effective March 10, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on January 31, 2025, by Acting Administrator Derek Maltz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA **Federal Register Liaison Officer** has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters

the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2025–02341 Filed 2–6–25; 8:45 am]

BILLING CODE 4410–09–P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

The National Science Board’s Committee on Awards and Facilities (A&F) hereby gives notice of the scheduling of meetings for the transaction of National Science Board business pursuant to the National Science Foundation Act and the Government in the Sunshine Act.

TIME AND DATE: The A&F meeting will be held on Monday, February 10, 2025. The open session will be from 2:30 p.m.–3:00 p.m. The closed session will be from 3:00 p.m.–5:00 p.m.

PLACE: The meetings will be held at NSF headquarters, 2145 Eisenhower Ave., Alexandria, VA 22314, and by videoconference.

STATUS: One session is open, and one session is closed.

MATTERS TO BE CONSIDERED:

A&F open session agenda: Opening Remarks; Information Item: Summit Station Recapitalization.

A&F closed session agenda: Opening Remarks regarding the agenda; Discussion and Vote: National Radio Astronomy Observatory Operations and Maintenance Award Authorization Level Increase; Context Item: Mid-scale Research Infrastructure Program Track 2; Context Item: National Geophysical Facility.

CONTACT PERSON FOR MORE INFORMATION:

Point of contact for this meeting is: Michelle McCrackin, mmccrack@nsf.gov, (703) 292–7000. Members of the public can observe the public portion of this meeting through a YouTube livestream: <https://youtube.com/live/45FMoMrZar8?feature=share>.

Ann E. Bushmiller,

Senior Legal Counsel to the National Science Board.

[FR Doc. 2025–02403 Filed 2–5–25; 11:15 am]

BILLING CODE 7555–01–P

NEIGHBORHOOD REINVESTMENT CORPORATION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m., Thursday, February 18, 2025.

PLACE: via ZOOM.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Regular Board of Directors meeting.

The General Counsel of the Corporation has certified that in her opinion, one or more of the exemptions set forth in the Government in the Sunshine Act, 5 U.S.C. 552b(c)(2) permit closure of the following portion(s) of this meeting:

- Executive (Closed) Session

Agenda

- I. Call to Order
- II. Sunshine Act Approval of Executive (Closed) Session
- III. *Executive Session:* CEO Report
- IV. *Executive Session:* CFO Report
- V. *Executive Session:* General Counsel Report
- VI. *Executive Session:* CIO Report
- VII. *Action Item:* Approval of Meeting Minutes for December 19 Regular Board Meeting
- VIII. *Action Item:* Resolution of Recognition of Service for Former FDIC Chairman Gruenberg
- IX. *Action Item:* Resolution of Recognition of Service for Former Acting HUD Secretary Todman
- X. *Discussion Item:* National NeighborWorks Association Presentation
- XI. *Discussion Item:* Capital Corporations Presentation
- XII. *Discussion Item:* Health Insurance Delegation of Authority
- XIII. *Discussion Item:* Professional Learning and Event Planning Management System (PLEMS)
- XIV. *Discussion Item:* Management Program Background and Updates
 - a. 2025 Board Calendar
 - b. 2025 Board Agenda Planner
 - c. CFO Report
 - i. Financials (through 11/30/24)
 - ii. Single Invoice Approvals \$100K and over
 - iii. Vendor Payments \$350K and over
 - iv. Exceptions
 - d. Housing Stability Counseling Program (HSCP)
 - e. Strategic Plan Scorecard—FY24 Q4 (With Q4 Production)

PORTIONS OPEN TO THE PUBLIC:

Everything except the Executive (Closed) Session.

PORTIONS CLOSED TO THE PUBLIC:

Executive (Closed) Session.

CONTACT PERSON FOR MORE INFORMATION:

Jenna Sylvester, Paralegal, (202) 568–2560; jsylvester@nw.org.

Jenna Sylvester,
Paralegal.

[FR Doc. 2025–02391 Filed 2–5–25; 11:15 am]

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