

Tennessee Department of Health License Verification, <https://apps.health.tn.gov/Licensure/default.aspx> (last visited date of signature of this Order); Virginia Department of Health Professions License Lookup, <https://dhp.virginiainteractive.org/lookup> (last visited date of signature of this Order).

Accordingly, the Agency finds that Respondent is not currently licensed to practice medicine in either Tennessee or Virginia, the states in which he is registered with the DEA.⁵

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under section 823 of the Controlled Substances Act (CSA) “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, the 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 condition⁶ for obtaining and maintaining a practitioner’s registration. *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).⁷

email to the other party and to Office of the Administrator, Drug Enforcement Administration at dea.addo.attorneys@dea.gov.

⁵ Because Respondent’s DEA registrations at issue here are based on his Tennessee and Virginia medical licenses, which have undeniably been revoked and suspended, it is of no consequence that he may maintain a valid medical license and separate DEA registration based in North Carolina, *see Respondent’s Opposition*, at 4. RD, at 7; *Omar Garcia, M.D.*, 87 FR 32186, 32187 n.6 (2022).

⁶ As such, the Agency finds Respondent’s arguments regarding the discretionary nature of 21 U.S.C. 824(a)(3), *see Respondent’s Response in Opposition to Government’s Motion for Summary Disposition (Respondent’s Opposition)*, at 4, to be unavailing. RD, at 6; *see also Bhanoo Sharma, M.D.*, 87 FR 41355, 41356 n.4 (2022).

⁷ 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) (this section, formerly § 823(f), was redesignated as part of the Medical Marijuana and Cannabidiol Research

According to Tennessee statute, “dispense” means “to deliver a controlled substance to an ultimate user 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”; a “practitioner” means a “physician . . . or other person licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in [the] state.” Tenn. Code Ann. § 39–17–402(7), (23)(A) (West 2024). Similarly, under Virginia statute, “dispense” means “to deliver a drug to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing and administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery”; a “practitioner” means a “physician . . . or other person licensed, registered, or otherwise permitted to distribute, dispense, prescribe and administer, or conduct research with respect to a controlled substance in the course of professional practice or research in the [state].” Va. Code Ann. § 54.1–3401 (West 2023).

Here, the undisputed evidence in the record is that Respondent lacks authority to practice medicine in both Tennessee and Virginia. As discussed above, in both Tennessee and Virginia, a physician must be a licensed practitioner to dispense a controlled substance. Thus, because Respondent

Expansion Act, Pub. L. 117–215, 136 Stat. 2257 (2022)). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, the 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 at 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*, 43 FR at 27617. Moreover, because “the controlling question” in a proceeding brought under 21 U.S.C. 824(a)(3) is whether the holder of a practitioner’s registration “is currently authorized to handle controlled substances in the [S]tate,” *Hooper*, 76 FR at 71371 (quoting *Anne Lazar Thorn*, 62 FR 12847, 12848 (1997)), the Agency has also long held that revocation is warranted even where a practitioner is still challenging the underlying action. *Bourne Pharmacy*, 72 FR 18273, 18274 (2007); *Wingfield Drugs*, 52 FR 27070, 27071 (1987). Thus, it is of no consequence that Respondent is still challenging the underlying action here, *see Respondent’s Opposition*, at 4. RD, at 6–7. What is consequential is the Agency’s finding that Respondent is not currently authorized to dispense controlled substances in either Tennessee or Virginia, the states in which he is registered with the DEA. *Adley Dasilva, P.A.*, 87 FR 69341, 69341 n.2 (2022).

lacks authority to practice medicine in both Tennessee and Virginia and, therefore is not authorized to handle controlled substances in either Tennessee or Virginia, Respondent is not eligible to maintain a DEA registration in those states. RD, at 6–7. Accordingly, the Agency will order the Respondent’s DEA registrations 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 Certificates of Registration Nos. FR0673548 and FR0004589 issued to Ralph Reach, M.D. 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 Ralph Reach, M.D., to renew or modify these registrations, as well as any other pending application of Ralph Reach, M.D., for additional registration in Tennessee or Virginia. This Order is effective May 6, 2024.

Signing Authority

This document of the Drug Enforcement Administration was signed on April 1, 2024, by Administrator Anne Milgram. 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. 2024–07236 Filed 4–4–24; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On April 1, 2024, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Western District of New York in the lawsuit entitled *U.S. v. Kyocera AVX Components Corporation*, Civil No. 1:24–cv–305.

In this action, the United States seeks, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. 9601, *et seq.*, injunctive relief and recovery of response costs regarding the Olean Wellfield Superfund Site in the City of Olean, the Town of Olean, and the Town of Portville, New York (the “Site”). The proposed Consent Decree will require the Kyocera AVX Components Corporation (“KAVX”) to perform the “Operable Unit 5” (“OU5”) remedial action at the Site, and to reimburse the U.S. Environmental Protection Agency for its past and future costs regarding the OU5 remedial action. The OU5 remedial action comprises the performance of a soil cleanup at a parcel of property owned by KAVX.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *U.S. v. Kyocera AVX Components Corporation*, D.J. Ref. No. 90–11–3–181/2. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email	pubcomment-ees.enrd@usdoj.gov .
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Any comments submitted in writing may be filed in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. If you require assistance accessing the Consent Decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

Henry Friedman,
Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.
[FR Doc. 2024–07269 Filed 4–4–24; 8:45 am]
BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Veterans’ Employment and Training Service

Advisory Committee on Veterans’ Employment, Training and Employer Outreach (ACVETEO): Meeting

AGENCY: Veterans’ Employment and Training Service (VETS), Department of Labor (DOL).

ACTION: Notice of open meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the ACVETEO. The ACVETEO will discuss the DOL core programs and services that assist veterans seeking employment and raise employer awareness as to the advantages of hiring veterans. There will be an opportunity for individuals or organizations to address the committee. Any individual or organization that wishes to do so should contact Mr. Gregory Green at ACVETEO@dol.gov. Additional information regarding the Committee, including its charter, current membership list, annual reports, meeting minutes, and meeting updates may be found at <https://www.dol.gov/agencies/vets/about/advisorycommittee>. This notice also describes the functions of the ACVETEO. This document is intended to notify the general public.

DATES: Tuesday, April 23, 2024 beginning at 9 a.m. and ending at approximately 12 p.m. (EDT).

ADDRESSES: This ACVETEO meeting will be held via TEAMS and teleconference. Meeting information will be posted at the link below under the Meeting Updates tab. <https://www.dol.gov/agencies/vets/about/advisorycommittee>.

Notice of Intent to Attend the Meeting: All meeting participants should submit a notice of intent to attend by Friday, April 19, 2024, via email to Mr. Gregory Green at ACVETEO@dol.gov, subject line “April 2024 ACVETEO Meeting.” Individuals who will need accommodations for a disability in order to attend the meeting (e.g., interpreting services, assistive listening devices, and/or materials in alternative format) should notify the Advisory Committee no later than Friday, April 19, 2024, by contacting Mr. Gregory Green at ACVETEO@dol.gov.

Requests made after this date will be reviewed, but availability of the requested accommodations cannot be guaranteed.

FOR FURTHER INFORMATION CONTACT: Mr. Gregory Green, Designated Federal Official for the ACVETEO, ACVETEO@dol.gov, (202) 693–4734.

SUPPLEMENTARY INFORMATION: The ACVETEO is a Congressionally mandated advisory committee authorized under title 38, U.S. Code, section 4110 and subject to the Federal Advisory Committee Act, 5 U.S.C. 10. The ACVETEO is responsible for: assessing employment and training needs of veterans; determining the extent to which the programs and activities of the U.S. Department of Labor meet these needs; assisting to conduct outreach to employers seeking to hire veterans; making recommendations to the Secretary, through the Assistant Secretary for Veterans’ Employment and Training Service, with respect to outreach activities and employment and training needs of veterans; and carrying out such other activities necessary to make required reports and recommendations. The ACVETEO meets at least quarterly.

Agenda

- 9:00 a.m. Welcome and remarks, James D. Rodriguez, Assistant Secretary, Veterans’ Employment and Training Service
- 9:05 a.m. Administrative Business, Gregory Green, Designated Federal Official
- 9:15 a.m. Briefing on Apprenticeships
- 9:45 a.m. Briefing on Partnerships
- 10:15 a.m. Break
- 10:30 a.m. Briefing on Grants
- 11:00 a.m. Briefing on Military Spouse/USERRA
- 11:30 a.m. Public Forum, Gregory Green, Designated Federal Official
- 12:00 p.m. Adjourn

Signed in Washington, DC, this 1st day of April 2024.

James D. Rodriguez,
Assistant Secretary, Veterans’ Employment and Training Service.

[FR Doc. 2024–07206 Filed 4–4–24; 8:45 am]

BILLING CODE 4510–79–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: 024–028]

NASA Advisory Council; STEM Engagement Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, as amended, the National Aeronautics and Space Administration announces a meeting of the Science, Technology, Engineering and Mathematics (STEM) Engagement Committee of the NASA