

DATES: *Effective Date:* May 1, 2011.

SUMMARY: Pursuant to 36 CFR 51.24, public notice is hereby given that the National Park Service proposes to award a temporary concession contract for the conduct of certain visitor services within Assateague Island National Seashore, Maryland for a term not to exceed 3 (three) years. The visitor services include the sale of merchandise and limited pre-packaged food and beverage. This action is necessary to avoid interruption of visitor services.

SUPPLEMENTARY INFORMATION: The temporary concession contract is proposed to be awarded to Assateague Island Alliance, a qualified person (as defined in 36 CFR 51.3). The National Park Service has determined that a temporary concession contract is necessary in order to avoid interruption of visitor services and has taken all reasonable and appropriate steps to consider alternatives to avoid an interruption of visitor services. This action is issued pursuant to 36 CFR 51.24(a). This is not a request for proposals.

FOR FURTHER INFORMATION CONTACT: Jo A. Pendry, Chief, Commercial Services Program, National Park Service, 1201 Eye Street, NW., 11th Floor, Washington, DC 20005, Telephone: 202/513-7156.

Dated: March 25, 2011.

Peggy O'Dell,

Deputy Director, Operations.

[FR Doc. 2011-8525 Filed 4-8-11; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States Of America v. Bar-1 Ranch, Ltd.; Bar 1 Ranch, Llc; Bar-1 Ranch 2, Llc; Bar-One Ranch Management, Llc; and Alfred Barone*, Docket No. 9:09-cv-00130-DWM-JCL, was lodged with the United States District Court for the District of Montana on March 31, 2011.

This proposed Consent Decree concerns a complaint filed by the United States against Bar-1 Ranch, Ltd.; Bar 1 Ranch, Llc; Bar-1 Ranch 2, Llc; Bar-One Ranch Management, Llc; and Alfred Barone, pursuant to 28 U.S.C. 1331, 1345, and 1355, and Sections 301, 309(b), and 404 of the Clean Water Act, 33 U.S.C. 1311, 1319(b) and 1344, to obtain injunctive relief from and impose civil penalties against the Defendants

for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring the Defendants to restore the impacted areas and to pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Daniel Pinkston, Environmental Defense Section, Environment and Natural Resources Division, U.S. Department of Justice, 999 18th Street, South Terrace, Suite 370, Denver, Colorado 80202, and refer to *United States v. Bar-1 Ranch, Ltd.*, DJ #90-5-1-1-18203.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the District of Montana, Russell Smith Courthouse, 201 East Broadway, Missoula, Montana 59801. In addition, the proposed Consent Decree may be viewed at http://www.usdoj.gov/enrd/Consent_Decrees.html.

Cherie L. Rogers,

Assistant Section Chief, Environmental Defense Section, Environment & Natural Resources Division.

[FR Doc. 2011-8501 Filed 4-8-11; 8:45 am]

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DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0058]

Agency Information Collection Activities: Proposed Collection; Comments Requested

ACTION: 60-Day Notice of Information Collection Under Review: Investigator Integrity Questionnaire.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. This notice requests comments from the public and affected agencies concerning the proposed information collection. Comments are encouraged and will be accepted for "sixty days" until June 10, 2011. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed

information collection instrument with instructions or additional information, please contact Renee Reid, Renee.Reid@atf.gov, Chief, Personnel Security Branch, Room 1.E-300, 99 New York Ave, NE., Washington, DC 20226.

Written comments concerning this information collection should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: DOJ Desk Officer. The best way to ensure your comments are received is to e-mail them to oir_submission@omb.eop.gov or fax them to 202-395-7285. All comments should reference the 8 digit OMB number for the collection or the title of the collection. If you have questions concerning the collection, please call Renee Reid at 202-648-9620 or the DOJ Desk Officer at 202-395-3176.

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

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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.

Summary of Collection

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *Title of the Form/Collection:* Investigator Integrity Questionnaire.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: ATF F 8620.7. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. Other: None.

Need for Collection:

ATF utilizes the services of contract investigators to conduct security/suitability investigations on prospective or current employees, as well as those contractors and consultants doing business with ATF. Persons interviewed by contract investigators will be randomly selected to voluntarily complete a questionnaire regarding the investigator's degree of professionalism.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: It is estimated that 2,500 respondents will complete a 5 minute form.

(6) An estimate of the total public burden (in hours) associated with the collection: There are an estimated 250 annual total burden hours associated with this collection.

If additional information is required contact: Lynn Murray, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street, NE., Room 2E-808, Washington, DC 20530.

Dated: April 5, 2011.

Lynn Murray,

Department Clearance Officer, PRA,
Department of Justice.

[FR Doc. 2011-8486 Filed 4-8-11; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—DVD Copy Control Association

Notice is hereby given that, on March 9, 2011, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), DVD Copy Control Association ("DVD CCA") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Behavior Tech Computer Corp., Taipei, TAIWAN; Dongguan ChuDong Electronic Technology Co., Ltd., Dongguan City, Guangdong, PEOPLE'S REPUBLIC OF CHINA; and Wistron Corporation, Taipei Hsien, TAIWAN, have been added as parties to this venture.

Also, Dongguan Qisheng Electronic Industrial Co., Ltd., Dongguan City, Guangdong, PEOPLE'S REPUBLIC OF CHINA; Global Publishing Inc., Fremont, CA; Inventec Corporation, Taipei, TAIWAN; and Marvell International Ltd., Hamilton, BERMUDA, have withdrawn as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and DVD CCA intends to file additional written notifications disclosing all changes in membership.

On April 11, 2011, DVD CCA filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on August 3, 2011 (76 FR 40727).

The last notification was filed with the Department on December 9, 2010. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act January 10, 2011 (76 FR 1460).

Patricia A. Brink,

Director of Civil Enforcement, Antitrust
Division.

[FR Doc. 2011-8366 Filed 4-8-11; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Layfe Robert Anthony, M.D.; Denial of Application

On December 3, 2009, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, issued an Order to Show Cause to Layfe Robert Anthony, M.D. (Respondent), of Salt Lake City, Utah. The Show Cause Order proposed the revocation of Respondent's DEA Certificate of Registration, BA8835449, and the denial of any pending applications to renew or modify the registration, on the ground that because of actions taken by the Utah Division of Occupational and Professional Licensing, he lacks "authority to practice medicine or handle controlled substances in the State of Utah," the State in which he is registered. Show Cause Order at 1 (citing 21 U.S.C. 824(a)(3)). The Show Cause Order also notified Respondent of his right to request a hearing or to submit a written statement in lieu of a hearing, the procedures for doing so, and the consequences for his failing to do so. *Id.* at 2 (citing 21 CFR 1301.43 & 1316.47).

On December 14, 2009, the Show Cause Order was served on Respondent by certified mail addressed to him at his registered location. Since that date, more than thirty days have passed and neither Respondent, nor anyone purporting to represent him, has requested a hearing or submitted a written statement. 21 CFR 1301.43(b) & (c). Accordingly, I conclude that Respondent has waived his right to a hearing and issue this Final Order based on the evidence contained in the investigative record. 21 CFR 1301.43(d) & (e).

Respondent held DEA registration, BA8835449, which authorized him to dispense controlled substances in schedules II through V as a practitioner. According to the Agency's registration records, Respondent's registration expired on June 30, 2007, and Respondent did not submit his renewal application until July 2, 2007. Moreover, the Agency did not automatically renew his registration.

Under 5 U.S.C. 558(c), "[w]hen the licensee has made timely and sufficient application for a renewal or a new license in accordance with agency rules, a license with reference to an activity of a continuing nature does not expire until the application has been finally determined by the agency." Based on this provision, the Government maintains that his registration has continued in effect.¹ It has not. However, an application remains pending before the Agency.

On January 28, 2009, the Utah Department of Commerce, Division of Occupational and Professional Licensing (DOPL), revoked his "licenses to practice as a physician/surgeon and to administer and prescribe controlled substances." Order, *In re Layfe Robert Anthony, M.D.*, No. DOPL-OSC-2001-70 (Utah Div. Occ. & Prof. Lic. Jan. 28, 2009).² Accordingly, Respondent lacks

¹ The Government did not explain the basis for its position that an application filed after a registration expires is nonetheless timely.

² The Order was based on a recommended decision of a three-member panel designated by the Director of the DOPL to act as the presiding officer in the proceeding. The panel's findings included, *inter alia*, that: 1) Respondent had "stored controlled substances [Versed and Provigil] * * * in his personal vehicle," as well as "41 prescription pads which contained multiple blank prescriptions that had been presigned by other physicians" at a clinic he was no longer affiliated with, *id.* at 9, 11-12, 16-17; that he had failed to comply with a previous state order that he "submit a triplicate copy" of a controlled substance prescription (for testosterone, a schedule III steroid) for review by the Division, *id.* at 21-22; that he had committed unprofessional conduct when he advised A.S. to administer to her son a controlled substance (Klonopin) which he had prescribed to her, *id.* at 21, 23-24; and that he had violated section 58-37-6(7)(o) of the Utah Controlled Substances Act by