

Heritage matters and manages all or parts of 19 of the 21 U.S. World Heritage Sites.

The World Heritage Committee's *Operational Guidelines* require participating nations to provide tentative lists, which aid in evaluating properties for the World Heritage List on a comparative international basis and help the Committee to schedule its work. The current U.S. Tentative List was transmitted to the UNESCO World Heritage Centre on January 24, 2008.

Neither inclusion in the Tentative List nor inscription as a World Heritage Site imposes legal restrictions on owners or neighbors of sites, nor does it give the United Nations any management authority or ownership rights in U.S. World Heritage Sites, which continue to be subject only to U.S. federal and local laws, as applicable.

Dated: March 25, 2014.

**Rachel Jacobson,**

*Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

**[NPS-WASO-NAGPRA-15142;  
PPWOCRADNO-PCU00RP14.R50000]**

#### Native American Graves Protection and Repatriation Review Committee: Nomination Solicitation

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice of nomination solicitation.

**SUMMARY:** The National Park Service is soliciting nominations for one member of the Native American Graves Protection and Repatriation Review Committee. The Secretary of the Interior will appoint the member from nominations submitted by Indian tribes, Native Hawaiian organizations, and traditional Native American religious leaders. The nominee must be a traditional Indian religious leader. Nominations must include the following information.

1. Nominations by traditional religious leaders: Nominations must be submitted with the nominator's original signature and daytime telephone number. The nominator must state that he or she meets the definition of traditional religious leader.

2. Nominations by Indian tribes or Native Hawaiian organizations: Nominations must be submitted on official tribal or organization letterhead with the nominator's original signature

and daytime telephone number. The nominator must be the official authorized by the tribe or organization to submit nominations in response to this solicitation. The nomination must include a statement that the nominator is so authorized.

3. A nomination must include the following information:

a. the nominee's name, postal address, daytime telephone number, and email address;

b. nominee's resume or brief biography emphasizing the nominee's NAGPRA experience and ability to work effectively as a member of an advisory board; and

c. that the nominee meets the definition of traditional religious leader found at 10 CFR 10.2(d)(3).

**DATES:** Nominations must be received by July 7, 2014.

**ADDRESSES:** Address nominations to Sherry Hutt, Designated Federal Officer, Native American Graves Protection and Repatriation Review Committee, National NAGPRA Program, National Park Service, 1849 C Street NW (2253), Washington, DC 20240. Nominations may be submitted as attachments to an email sent to [Sherry.Hutt@nps.gov](mailto:Sherry.Hutt@nps.gov).

**FOR FURTHER INFORMATION CONTACT:** Sherry Hutt, Designated Federal Officer, Native American Graves Protection and Repatriation Review Committee, National NAGPRA Program, National Park Service, 1849 C Street NW (2253), Washington, DC 20240, by telephone (202) 354-1479, or email: [sherry\\_hutt@nps.gov](mailto:sherry_hutt@nps.gov).

**SUPPLEMENTARY INFORMATION:**

1. The Review Committee was established by the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA), at 25 U.S.C. 3006.

2. The Review Committee is responsible for—

a. monitoring the inventory and identification process conducted under sections 5 and 6 of NAGPRA (25 U.S.C. 3003 and 3004);

b. reviewing and making findings related to the identity or cultural affiliation of cultural items, or the return of such items;

c. facilitating the resolution of disputes;

d. compiling an inventory of culturally unidentifiable human remains and developing a process for disposition of such remains;

e. consulting with Indian tribes and Native Hawaiian organizations and museums on matters within the scope of the work of the Review Committee affecting such tribes or organizations;

f. consulting with the Secretary of the Interior in the development of regulations to carry out NAGPRA; and

g. making recommendations regarding future care of repatriated cultural items.

3. Seven members compose the Review Committee. All members are appointed by the Secretary of the Interior. The Secretary may not appoint Federal officers or employees to the Review Committee.

a. Three members are appointed from nominations submitted by Indian tribes, Native Hawaiian organizations, and traditional Native American religious leaders. At least two of these members must be traditional Indian religious leaders.

b. Three members are appointed from nominations submitted by national museum organizations and scientific organizations.

c. One member is appointed from a list of persons developed and consented to by all six of the members identified in a. and b.

4. Members serve as Special Governmental Employees, which includes the completion of annual ethics training.

5. Appointment terms: Members are appointed for 4-year terms, and incumbent members may be reappointed for 2-year terms.

6. The Review Committee's work is completed during public meetings. The Review Committee normally meets two times per year, and each meeting is normally two days. The Review Committee may also hold one or more public teleconferences of several hours duration.

7. Compensation: Review Committee members are compensated for their participation in Review Committee meetings.

8. Reimbursement: Review Committee members are reimbursed for travel expenses incurred in association with Review Committee meetings.

9. Additional information regarding the Review Committee—including the Review Committee's charter, meeting protocol, and dispute resolution procedures—is available on the National NAGPRA Program Web site: [www.nps.gov/nagpra](http://www.nps.gov/nagpra) (click "Review Committee" in the menu on the right).

10. The terms "Indian tribe" and "Native Hawaiian organization" are defined in statute at 25 U.S.C. 3001(7) and (11). "Indian tribe" means any tribe, band, nation, or other organized group or community of Indians, including any Alaska Native Village, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. "Native Hawaiian organization" means any organization which serves and represents the interests of Native Hawaiians; has as a

primary stated purpose the provision of services to Native Hawaiians; and has expertise in Native Hawaiian affairs. “Native Hawaiian organization” includes the Office of Hawaiian Affairs and Hui Malama I Na Kupuna O Hawai’i Nei. “Traditional religious leader” is not defined in statute, but is defined in regulation at 43 CFR 10.2(d)(3).

Dated: April 1, 2014.

**Alma Ripps,**

*Chief, Office of Policy.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731-TA-394-A and 399-A (Third Review)]

### Ball Bearings and Parts Thereof From Japan and the United Kingdom; Termination of Five-Year Reviews

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** The subject five-year reviews were initiated in January 2014 to determine whether revocation of the antidumping duty orders on ball bearings and parts thereof from Japan and the United Kingdom would be likely to lead to continuation or recurrence of material injury. On March 26, 2014, the Department of Commerce published notice that it was revoking the orders effective September 15, 2011 (the fifth anniversary of the most recent notice of continuation of the antidumping duty orders), because “no domestic interested party filed a notice of intent to participate” (79 FR 16771). Accordingly, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), the subject reviews are terminated.

**DATES:** Effective Date: March 27, 2014.

**FOR FURTHER INFORMATION CONTACT:**

Elizabeth Haines (202-205-3200), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>).

**Authority:** These reviews are being terminated under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.69 of the Commission’s rules (19 CFR 207.69).

By order of the Commission.

Issued: April 2, 2014.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

[Docket No. 12-2]

#### Howard N. Robinson, M.D.; Decision and Order

On March 1, 2012, Chief Administrative Law Judge (ALJ) John J. Mulrooney, II, issued the attached Recommended Decision.<sup>1</sup> The Government filed Exceptions to the ALJ’s Decision. Thereafter, Respondent moved to file a Response to the Exceptions, and upon the ALJ’s granting of his motion, filed a Response.

Having considered the entire record, including the Government’s Exceptions and Respondent’s Response to them, I have decided to adopt the ALJ’s findings of fact and conclusions of law with the exception of his conclusion that Respondent violated 21 CFR 1307.21(a)(1). *See Jeffery J. Becker, D.D.S., 77 FR 72387, 72387-88 (2012); see also R.D. at 36, 41.* Moreover, while I agree with the ALJ’s conclusion that Respondent “has successfully shown cause why his [registration] should not be revoked,” R.D. at 44, and reject the Government’s contention that Respondent has not put forward sufficient evidence to establish that he can be entrusted with a registration, I conclude that additional requirements should be imposed on his registration to protect the public interest. A discussion of the Government’s Exceptions follows.

#### Exception One—Respondent Has Not Provided “Sufficient Mitigating Evidence” To Demonstrate That He Can Be Entrusted With a Registration

The Government contends that Respondent has not provided sufficient evidence of the remedial measures he has undertaken to prevent the recurrence of some of the violations he committed and “to prevent future diversion.” Exceptions at 3. With

<sup>1</sup>For purposes of citation, the ALJ’s Recommended Decision is abbreviated as R.D. All citations to the ALJ’s Recommended Decision are to the slip opinion as issued by him.

respect to the former, the Government points to Respondent’s failure to complete the order forms for schedule II controlled substances (DEA Form 222s) by noting the number of commercial or bulk containers received and the date of receipt. Exceptions at 2-3; *see also* 21 CFR 1305.13(d). In the Government’s view, while Respondent produced evidence that he is now keeping the forms in a separate folder and apart from other records, “[t]he record evidence does not support that [he] is properly completing” them. *Id.* at 3. The Government also contends that “Respondent has not demonstrated that he has a system in place to prevent future diversion of controlled substances” because he acknowledged that he is not in the office every day and controlled substances deliveries may occur on day when he is not present. *Id.* at 4. Finally, the Government contends that the ALJ misapplied Agency precedent when he concluded that the record as a whole does not support revocation. *Id.* at 6-8.

With regard to the completion of the Form 222s, the Government completely ignores the testimony and report of Respondent’s Expert, who reviewed his recordkeeping and procedures. As the Expert testified, while Respondent “was not aware of his obligations and requirements . . . once he was informed, he took every action possible to correct them [the violations] and [did so] as quickly as possible.” Tr. 397. Respondent’s Expert further testified that with the exception of one suggestion, on which Respondent immediately took action, he “found total compliance at the clinic” and that “everything else was in complete compliance.” *Id.*

Moreover, in his second report, Respondent’s Expert found that Respondent “now properly completes the check in procedures by listing the amount received and the date received on both the filled 222 forms and the perpetual narcotic inventory log book.” RX 18, at 2. *See also* RX 17 (expert’s report) (noting that while Respondent “may not have fully complied with certain record keep[ing] obligations prior to the DEA investigation, . . . [w]hen the oversights were identified, he took immediate action to correct all problematic issues pointed out to him, in a timely fashion”); *id.* (“My review of the current procedures and operations of the clinic confirm that all corrective action has taken place and *all regulations are being followed.*”) (emphasis added). While the ALJ was not impressed by the Expert’s various attempts to excuse Respondent’s