

treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,<sup>2</sup> solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.<sup>3</sup>

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: July 31, 2017.

**Lisa R. Barton,**

*Secretary to the Commission.*

[FR Doc. 2017-16394 Filed 8-3-17; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0007]

#### Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of a Currently Approved Collection; Release and Receipt of Imported Firearms, Ammunition and Defense Articles; ATF F 6A (5330.3C)

**AGENCY:** Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice

**ACTION:** 60-Day notice.

**SUMMARY:** The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit 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. The proposed collection 1140-0007 is being revised to change all references from "Implements of War" to "Defense Articles" including the title of the collection, which will be changed to Release and Receipt of Imported Firearms, Ammunition, and Defense Articles.

**DATES:** Comments are encouraged and will be accepted for 60 days until October 3, 2017.

**FOR FURTHER INFORMATION CONTACT:** If you have additional comments, particularly with respect to the estimated public burden or associated response time, have suggestions, need a copy of the proposed information collection instrument with instructions, or desire any additional information, please contact Desiree M. Dickinson, ATF Firearms and Explosives Imports Branch either by mail at 244 Needy Road, Martinsburg, WV 25405, or by email at [desiree.dickinson@atf.gov](mailto:desiree.dickinson@atf.gov).

**SUPPLEMENTARY INFORMATION:** Written comments and suggestions from the public and affected agencies concerning the proposed collection of information 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 agency's estimate of the burden of the proposed collection of information,

- including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; 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.

Overview of this information collection:

1. *Type of Information Collection* (check justification or form 83): Revision of a currently approved collection.

2. *The Title of the Form/Collection:* Release and Receipt of Imported Firearms, Ammunition, and Defense Articles.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number (if applicable): ATF F 6A (5330.3C).

*Component:* Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

*Primary:* Individuals or households.

*Other (if applicable):* Business or other for-profit, and not-for-profit institutions.

*Abstract:* The data provided by this information collection request is used by ATF to determine if articles imported meet the statutory and regulatory criteria for importation and if the articles shown on the permit application have been actually imported.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 28,000 respondents will utilize the form, and it will take each respondent approximately 35 minutes to complete the form.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 16,333 hours which is equal to 28,000 (# of respondents) \* .58332 (35 minutes).

7. *An Explanation of the Change in Estimates:* The adjustments associated with this collection are an increase in respondents by 8,000 and an increase in the total burden hours by 4,666.

If additional information is required contact: Melody Braswell, Department

<sup>2</sup> All contract personnel will sign appropriate nondisclosure agreements.

<sup>3</sup> Electronic Document Information System (EDIS): <https://edis.usitc.gov>.

Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Dated: August 1, 2017.

**Melody Braswell,**

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2017-16431 Filed 8-3-17; 8:45 am]

BILLING CODE 4410-FY-P

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

[Docket No. 17-22]

#### John D. Bray-Morris, M.D.; Decision and Order

On February 15, 2017, the Assistant Administrator, Division of Diversion Control, Drug Enforcement Administration, issued an Order to Show Cause to John D. Bray-Morris, M.D. (hereinafter, Respondent), of Moriarty, New Mexico. The Show Cause Order proposed the revocation of Respondent's DEA Certificate of Registration No. FB5001538, on the ground that he does not hold authority to dispense controlled substances in New Mexico, the State in which he is registered with the Agency. Show Cause Order, at 1 (citing 21 U.S.C. 824(a)(3)).

With respect to the Agency's jurisdiction, the Show Cause Order alleged that Respondent is registered as a practitioner authorized to dispense controlled substances in schedules II through V, at the registered address of 1108 Route 66, P.O. Box 1520, Moriarty, New Mexico. *Id.* The Show Cause Order alleged that this registration expires on July 31, 2017. *Id.*

As for the substantive basis of the proposed action, the Show Cause Order alleged that on January 13, 2017, "the New Mexico [Medical] Board . . . entered an Order of Immediate Suspension and Notice of Contemplated Action . . . suspending [Respondent's] New Mexico Medical License No. 2003-0404 effective on that same date, which remains in effect until further Order of the Board, and that the Board contemplates additional action of restricting, suspending or revoking [his] license to practice as a physician." *Id.* at 2. The Show Cause Order thus alleged that the Board's "Order prohibits [Respondent] from practicing medicine in the State of New Mexico." *Id.*

The Show Cause Order also alleged that the Board's Order of Immediate Suspension was based on Respondent's

violation of an earlier Board order which suspended his medical license for violations of the State's Medical Practice Act. *Id.* The Show Cause Order alleged that these included "unprofessional or dishonorable conduct, including . . . injudicious prescribing . . . and violation of a drug law." *Id.* The Show Cause Order alleged that the earlier Board order "commanded that [Respondent] abstain completely from the use of mind-altering substances and controlled substances . . . [and] that [he] enroll in and maintain compliance with, [the] New Mexico Monitored Treatment Program for habitual or excessive use of intoxicants or drugs." *Id.* at 2.

The Show Cause Order further alleged that the Board's 2017 Order of Immediate Suspension was based on numerous new allegations, including, *inter alia*, that Respondent "resumed the personal and unlawful use of opioid drugs" and that he "willfully thwarted the Board's drug screenings." *Id.* The allegations also include that he "prescribed large and varied amounts of controlled substances to patients without adequate medical justification," engaged in "injudicious and non-therapeutic prescribing of controlled substances," "failed to screen patients for substance abuse disorders," "diverted controlled substances that [he] prescribed . . . to patients from those patients for [his] personal use," and "falsified" medical records "to justify the prescribing of controlled substances." *Id.*

The Show Cause Order thus alleged that pursuant to the Board's Order, Respondent is "not permitted to practice medicine in New Mexico" and therefore "lack[s] authority to handle controlled substances in" the State. *Id.* at 3. The Show Cause Order also asserted that Respondent's "lack of authority to handle controlled substances in New Mexico constitutes grounds to revoke [his] DEA [r]egistration." *Id.* at 3 (citing 21 U.S.C. 802(21) and 824(a)(3)).

The Show Cause Order notified Respondent of his right to request a hearing on the allegations or to submit a written statement while waiving his right to a hearing, and the procedure for electing either option. Show Cause Order, at 3-4 (citing 21 CFR 1301.43). Finally, the Order notified Respondent of his right to submit a corrective action plan. *See* 21 U.S.C. 824(c)(2)(C).

On February 22, 2017, a DEA Diversion Investigator assigned to the Albuquerque District Office personally served the Show Cause Order on Respondent. Gov. Mot. for Summ. Disp., at GX D, at 1-2. Thereafter, on March

23, 2017, Respondent, through his counsel, requested a hearing on the allegations and a stay pending resolution of the New Mexico Medical Board matter, then scheduled for May 17-19, 2017. *See* Resp. Hrng. Req. The matter was placed on the docket of the Office of Administrative Law Judges, and assigned to Chief Administrative Law Judge John J. Mulrooney, II (hereinafter, CALJ).

On March 23, 2017, the CALJ ordered the Government to "file proof of service" as well as evidence to support the lack of state authority allegation, as well as any motion for summary disposition, any motion challenging the timeliness of the hearing request, and any response to Respondent's stay request by March 31, 2017 at 2 p.m. *See* Order Directing the Filing of Government Evidence of Lack of State Authority Allegation and Briefing Schedule. The CALJ's order also directed that, in the event the Government filed a motion for summary disposition or a motion challenging the timeliness of his hearing request, Respondent was to file any response by April 10, 2017 at 2 p.m. *Id.*

On March 31, 2017, the Government filed its Motion for Summary Disposition. *See* Gov. Mot. for Summ. Disp. As support for its Motion, the Government provided a copy of Respondent's Certificate of Registration showing that he is registered in New Mexico, a certified copy of the New Mexico Medical Board's Order of Immediate Suspension and Notice of Contemplated Action (Jan. 13, 2017), a printout of Respondent's licensing status as of March 25, 2017 from the Board's Web site, and a Declaration from a Diversion Investigator (DI). *Id.* at Exhibits A-D. Based on the suspension of his medical license by the New Mexico Medical Board, the Government moved for summary disposition and a recommendation by the ALJ that Respondent's DEA practitioner's registration be revoked and that any pending applications for a registration in New Mexico be denied. Mot. for Summ. Disp., at 8. The Government also requested that the CALJ deny Respondent's requests for a hearing and a stay of the proceeding. *Id.*

On April 10, 2017, Respondent filed his reply, requesting that the ALJ deny the Government's motion and stay the matter until after the Board hearing. Respondent's Reply, at 1. While Respondent admitted that his license to practice medicine in New Mexico had been suspended, he stated that "he has not yet had an opportunity to challenge the allegations in the . . . Order" and that "a due process hearing [was]