

Membership in this group research project remains open, and BSTC (now HSTech) intends to file additional written notifications disclosing all changes in membership.

On May 30, 2012, BSTC (now HSTech) 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 June 18, 2012 (77 FR 36292).

The last notification was filed with the Department on January 18, 2022. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on March 10, 2022 (87 FR 13760).

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division.

[FR Doc. 2022-11512 Filed 5-27-22; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—PXI Systems Alliance, Inc.

Notice is hereby given that, on May 6, 2022, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (“the Act”), PXI Systems Alliance, Inc. (“PXI Systems”) 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, Millimeter Wave Systems, LLC, Amherst, MA, has been added as a party 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 PXI Systems intends to file additional written notifications disclosing all changes in membership.

On November 22, 2000, PXI Systems 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 March 3, 2001 (66 FR 13971).

The last notification was filed with the Department on February 24, 2022. A notice was published in the **Federal**

Register pursuant to Section 6(b) of the Act on March 11, 2022 (87 FR 14044).

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division.

[FR Doc. 2022-11516 Filed 5-27-22; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—National Fire Protection Association

Notice is hereby given that, on April 28, 2022, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (“the Act”), National Fire Protection Association (“NFPA”) has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities.

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, NFPA has provided an updated and current list of its standards development activities, related technical committee and conformity assessment activities.

Information concerning NFPA regulations, technical committees, current standards, standards development and conformity assessment activities are publicly available at nfpa.org.

On September 20, 2004, NFPA 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 October 21, 2004 (69 FR 61869). The last notification was filed with the Department on January 28, 2022. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on March 10, 2022 (87 FR 13755).

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division.

[FR Doc. 2022-11514 Filed 5-27-22; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Utility Broadband Alliance, Inc.

Notice is hereby given that, on May 12, 2022, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (“the Act”), Utility Broadband Alliance, Inc. (“UBBA”) 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, Thales, Bellevue, WA; Baicells Tech, Plano, TX; Ceragon Networks, Richardson, TX; Cambridge Consultants, Boston, MA; Netscout, Westford, MA; Aclara (Hubbell), St. Louis, MO; and Streamwide, Lyndhurst, NJ, have been added 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 UBBA intends to file additional written notifications disclosing all changes in membership.

On May 4, 2021, UBBA 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 June 10, 2021 (86 FR 30981).

The last notification was filed with the Department on January 28, 2022. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on March 11, 2022 (87 FR 14043).

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division.

[FR Doc. 2022-11508 Filed 5-27-22; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Shah M. Mairuz Zaman, M.D.; Decision and Order

On December 30, 2021, a former Acting Assistant Administrator, Diversion Control Division, Drug Enforcement Administration (hereinafter, Government), issued an Order to Show Cause (hereinafter, OSC)

to Shah M. Mairuz Zaman, M.D. (hereinafter, Registrant) of Poughkeepsie, New York. OSC, at 1 and 3. The OSC proposed the revocation of Registrant's Certificate of Registration No. AM9630080. *Id.* at 1. It alleged that Registrant is "without authority to handle controlled substances in New York, the state in which [he is] registered with DEA." *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).

Specifically, the OSC alleged that on September 14, 2021, the New York State Education Department, Office of Professional Misconduct indefinitely suspended Registrant's state medical license and required its surrender after finding that Registrant "had committed professional misconduct by failing to pay child support and maintenance." *Id.*

The OSC notified Registrant of the right to request a hearing on the allegations or to submit a written statement while waiving the right to a hearing, the procedures for electing each option, and the consequences for failing to elect either option. *Id.* (citing 21 CFR 1301.43). The OSC also notified Registrant of the opportunity to submit a corrective action plan. *Id.* at 3 (citing 21 U.S.C. 824(c)(2)(C)).

Adequacy of Service

In a Declaration dated April 25, 2022, a Diversion Investigator (hereinafter, the DI) assigned to the New York Field Division stated that on February 1, 2022, she and another DI traveled to Registrant's registered address to attempt service of the OSC, but Registrant was not there, and a receptionist at the registered address "stated that she had not seen [Registrant] in months, that his office had been cleaned out, that his mailbox was completely full, and that he had left no forwarding address." Request for Final Agency Action (hereinafter RFAA), Exhibit (hereinafter, RFAAX) 3 (DI's Declaration), at 2. The DI also stated that on the same day, she and the second DI tried to serve the OSC to Registrant at three additional addresses that DEA had determined were potential residences of Registrant, but these attempts were unsuccessful as Registrant was not found at any of them. *Id.* Finally, the DI stated that on February 2, 2022, she sent a copy of the OSC to Registrant via his registered email address. *Id.* The DI stated that she did not receive any indication that the email was not delivered and that her review of her email system showed that the email had been delivered. *Id.* at 2–3; see also *id.* at Appendix (hereinafter, App.) B.

The Government forwarded its RFAA, along with the evidentiary record, to

this office on April 27, 2022. In its RFAA, the Government represents that neither Registrant, nor any attorney representing Registrant, has requested a hearing or submitted a written statement. RFAA, at 1–2. The Government seeks revocation of Registrant's DEA registration because Registrant lacks authority to handle controlled substances in New York, the state in which he is registered with the DEA. *Id.* at 1.

Based on the DI's Declaration, the Government's written representations, and my review of the record, I find that the Government accomplished service of the OSC on Registrant on February 2, 2022. I also find that more than thirty days have now passed since the Government accomplished service of the OSC. Further, based on the DI's Declaration, the Government's written representations, and my review of the record, I find that neither Registrant, nor anyone purporting to represent the Registrant, requested a hearing, submitted a written statement while waiving Registrant's right to a hearing, or submitted a corrective action plan. Accordingly, I find that Registrant has waived the right to a hearing and the right to submit a written statement or corrective action plan. 21 CFR 1301.43(d) and 21 U.S.C. 824(c)(2)(C). I, therefore, issue this Decision and Order based on the record submitted by the Government, which constitutes the entire record before me. 21 CFR 1301.43(e).

Findings of Fact

Registrant's DEA Registration

Registrant is the holder of DEA Certificate of Registration No. AM9630080 at the registered address of 243 North Road, Suite 201-South, Poughkeepsie, New York 12601. RFAAX 1 (Certificate of Registration). Pursuant to this registration, Registrant is authorized to dispense controlled substances in schedules II through V as a practitioner. *Id.* Registrant's registration expires on May 31, 2024. *Id.*

The Status of Registrant's State License

On September 8, 2021, the University of the State of New York issued a Report of the Regents Review Committee (hereinafter, Report) as part of a disciplinary proceeding against Registrant.¹ RFAAX 3, App. A, at 2. According to the Report, Registrant was the respondent in post-divorce

¹ It is noted that Registrant's name is listed in the New York licensing actions in Appendix A as "Shah Mohammad Maniruz Zaman"; however, substantial evidence on the record supports my finding that this person is the same as Registrant.

proceedings in the Columbia County Supreme Court, which determined that Registrant was in default for child and/or spousal support. *Id.* Accordingly, the Columbia County Supreme Court ordered the disciplinary proceeding against Registrant to suspend his license as a physician in the state of New York. *Id.* The Report found that Registrant's failure to pay child and/or spousal support constituted professional misconduct and recommended that his license be indefinitely suspended. *Id.* at 5–6. On September 14, 2021, the University of the State of New York issued an order indefinitely suspending Registrant's New York medical license until Registrant "has made full payment of all arrears of child support and maintenance." *Id.* at 9–10. On September 17, 2021, the New York State Education Department, Office of Professional Discipline notified Registrant by letter of the order and directed Registrant to surrender his New York medical license and registration. *Id.* at 1.

According to New York's online records, of which I take official notice, Registrant's New York medical license is still indefinitely suspended.² Office of the Professions Verification Searches, www.op.nysed.gov/opsearches.htm (last visited date of signature of this Order). Accordingly, I find that Registrant is not currently licensed to engage in the practice of medicine in New York, the state in which he is registered with the DEA.

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 (hereinafter, 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

² 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 my finding by filing a properly supported motion for reconsideration of finding 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 Office of the Administrator, Drug Enforcement Administration at dea.addo.attorneys@dea.usdoj.gov.

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 condition for obtaining and maintaining a practitioner’s registration. *See, e.g., James L. Hooper, M.D.*, 76 FR 71,371 (2011), *pet. for rev. denied*, 481 F. App’x 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.*, 43 FR 27,616, 27,617 (1978).

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(f). 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*, 76 FR at 71,371–72; *Sheran Arden Yeates, M.D.*, 71 FR 39,130, 39,131 (2006); *Dominick A. Ricci, M.D.*, 58 FR 51,104, 51,105 (1993); *Bobby Watts, M.D.*, 53 FR 11,919, 11,920 (1988); *Frederick Marsh Blanton*, 43 FR at 27,617.

According to the New York Controlled Substances Act (hereinafter, the Act), “[i]t shall be unlawful for any person to manufacture, sell, prescribe, distribute, dispense, administer, possess, have under his control, abandon, or transport a controlled substance except as expressly allowed by this article.” N.Y. Pub. Health Law § 3304 (McKinney 2022). Further, the Act defines a “practitioner” as “[a] physician . . . or other person licensed, or otherwise permitted to dispense, administer or conduct research with respect to a controlled substance in the course of a licensed professional practice” *Id.* at § 3302(27). Finally, New York regulations state that “[a] prescription for a controlled substance may be issued only by a

practitioner who is . . . authorized to prescribe controlled substances pursuant to his licensed professional practice” N.Y. Comp. Codes R. & Regs. tit. 10, § 80.64 (2022).

Here, the undisputed evidence in the record is that Registrant currently lacks authority to practice medicine in New York. As already discussed, a physician must be a licensed practitioner to dispense a controlled substance in New York. Thus, because Registrant lacks authority to practice medicine in New York and, therefore, is not authorized to handle controlled substances in New York, Registrant is not eligible to maintain a DEA registration. Accordingly, I 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. AM9630080 issued to Shah M. Mairuz Zaman, M.D. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(f), I hereby deny any pending application of Shah M. Mairuz Zaman, M.D. to renew or modify this registration, as well as any other pending application of Shah M. Mairuz Zaman, M.D. for additional registration in New York. This Order is effective June 30, 2022.

Anne Milgram,

Administrator.

[FR Doc. 2022–11511 Filed 5–27–22; 8:45 am]

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DEPARTMENT OF JUSTICE

[OMB Number 1123–0013]

Agency Information Collection Activities; Proposed eCollection eComments Requested; United States Victims of State Sponsored Terrorism Fund Application Form

AGENCY: Criminal Division, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The U.S. Department of Justice, Criminal Division, United States Victims of State Sponsored Terrorism Fund, 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.

DATES: Comments are encouraged and will be accepted for 60 days until August 1, 2022.

FOR FURTHER INFORMATION CONTACT:

Additional comments, especially on the estimated public burden or associated response time, suggestions, or need for a copy of the proposed information collection instrument with instructions, or additional information, should be directed to either the Special Master, United States Victims of State Sponsored Terrorism Fund, or the Chief, Program Management and Training Unit, Money Laundering and Asset Recovery Section, Criminal Division, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530–0001, telephone (202) 353–2046.

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 these four points:

1. 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;
2. 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;
3. Evaluate whether and, if so, how the quality, utility, and clarity of the information to be collected can be enhanced; and
4. 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:* Revision of a currently approved collection.
2. *The Title of the Form/Collection:* Application Form for the United States Victims of State Sponsored Terrorism Fund (USVSST Fund).
3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number: N/A. The U.S. Victims of State Sponsored Terrorism Fund, U.S. Department of Justice, Criminal Division.
4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

The USVSST Fund was established to provide compensation to certain