

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, 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, D.O.*, 76 FR 71371, 71372 (2011), *pet. for rev. denied*, 481 F. App’x 826 (4th Cir. 2012); *Frederick Marsh Blanton, D.O.*, 43 FR 27616, 27617 (1978).<sup>3</sup>

According to California 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, furnishing, packaging, labeling, or compounding necessary to prepare the substance for that delivery.” Cal. Health & Safety Code section 11010 (West 2024). Further, a “practitioner” means a person “licensed, registered, or otherwise permitted, to distribute, dispense, conduct research with respect to, or administer, a controlled substance in the course of professional practice or research in [the] state.” *Id.* section 11026(c).

Here, the undisputed evidence in the record is that Registrant currently lacks authority to practice medicine in California. As discussed above, a physician must be a licensed practitioner to dispense a controlled substance in California. Thus, because Registrant currently lacks authority to practice medicine in California and, therefore, is not currently authorized to

<sup>3</sup> This rule derives from the text of two provisions of the Controlled Substances Act (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). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, 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 71371–72; *Sheran Arden Yeates, D.O.*, 71 FR 39130, 39131 (2006); *Dominick A. Ricci, D.O.*, 58 FR 51104, 51105 (1993); *Bobby Watts, D.O.*, 53 FR 11919, 11120 (1988); *Frederick Marsh Blanton*, 43 FR 27617.

handle controlled substances in California, Registrant is not eligible to maintain a DEA registration. Accordingly, the Agency 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. FB0279150 issued to Michael Brodie, 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 Michael Brodie, M.D., to renew or modify this registration, as well as any other pending application of Michael Brodie, M.D., for additional registration in California. This Order is effective September 13, 2024.

#### Signing Authority

This document of the Drug Enforcement Administration was signed on August 8, 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.*

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**BILLING CODE 4410–09–P**

## DEPARTMENT OF JUSTICE

[OMB Number 1110–0046]

**Agency Information Collection Activities; Proposed eCollection Activities; Proposed eCollection Comments Requested; Revision of a Currently Approved Collection; Friction Ridge Cards: Arrest and Institution FD–249; Applicant FD–258; Identity History Summary Request FD–1164; FBI Standard Palm Print FD–884; Supplemental Finger and Palm Print FD–884a; Voluntary Appeal File Fingerprint FD–1212; Firearm-Related Challenge Fingerprint FD–1211**

**AGENCY:** Criminal Justice Information Services (CJIS) Division, Federal Bureau of Investigation (FBI), Department of Justice (DOJ).

**ACTION:** 30-Day notice.

**SUMMARY:** The DOJ, FBI, CJIS Division, 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 30 days until September 13, 2024.

**FOR FURTHER INFORMATION CONTACT:** 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: Brian A. Cain, Management and Program Analyst, FBI, CJIS, Criminal History Information and Policy Unit, BTC–3, 1000 Custer Hollow Road, Clarksburg, WV 26306; phone: 304–625–5590 or email [bacain@fbi.gov](mailto:bacain@fbi.gov).

**SUPPLEMENTARY INFORMATION:** The proposed information collection was previously published in the **Federal Register** on June 28, 2024, allowing a 60-day comment period. 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;
- Enhance the quality, utility, and clarity of the information to be collected; and/or
- 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.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public

Comments” or by using the search function and entering either the title of the information collection or the OMB Control Number 1110–0046. This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view DOJ, information collections currently under review by OMB.

DOJ seeks PRA authorization for this information collection for three (3) years. OMB authorization for an Information Clearance Request (ICR) cannot be for more than three (3) years without renewal. The DOJ notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Overview of this information collection:

1. *Type of Information Collection:* Revision of a previously approved collection.

2. *Title of the Form/Collection:* Friction Ridge Cards.

3. *Agency form number, if any, and the applicable component of the DOJ sponsoring the collection:* Forms FD–249 (Arrest and Institution), FD–258 (Applicant), and FD–1164 (Identity History Summary Request); FD–884 (FBI Standard Palm Print); FD–884a (Supplemental Finger and Palm Print); FD–1212 (Voluntary Appeal File Fingerprint); FD–1211 (Firearm-Related Challenge Fingerprint) encompassed under OMB 1110–0046; DOJ, FBI, CJIS Division.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: City, county, State, Federal and Tribal law enforcement agencies; civil entities requesting security clearance and background checks. This collection is needed to collect information on individuals requesting background checks, security clearance, or those individuals who have been arrested for or accused of criminal activities. Acceptable data is stored as part of the Next Generation Identification System (NGI) of the FBI.

5. *Obligation to Respond:* Mandatory: Title 28, United States Code, section 534.

6. *Total Estimated Number of Respondents:* 459,238.

7. *Estimated Time per Respondent:* 10 minutes.

8. *Frequency:* Annually.

9. *Total Estimated Annual Time Burden:* 12.4 million hours.

10. *Total Estimated Annual Other Costs Burden:* \$0.

If additional information is required, contact: Darwin Arceo, Department Clearance Officer, Policy and Planning Staff, Justice Management Division,

United States Department of Justice, Two Constitution Square, 145 N Street NE, 4W–218 Washington, DC 20530.

Dated: August 9, 2024.

**Darwin Arceo,**

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

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## DEPARTMENT OF JUSTICE

[OMB Number 1105–0NEW]

### Agency Information Collection Activities; Proposed eCollection eComments Requested; Defined Monetary Assistance Victims Reserve

**AGENCY:** Executive Office for United States Attorneys, Department of Justice.

**ACTION:** 30-Day notice.

**SUMMARY:** The Executive Office for United States Attorneys, Department of Justice (DOJ), 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. The proposed information collection was previously published in the **Federal Register** on November 1, 2023, allowing a 60-day comment period.

**DATES:** Comments are encouraged and will be accepted for 30 days until September 13, 2024.

**FOR FURTHER INFORMATION CONTACT:** 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: Karen Rolley, Executive Office for United States Attorneys, United States Department of Justice, 950 Pennsylvania Avenue NW, Room 2242, Washington, DC 20530–0001; telephone: 202–256–6278, email: [karen.rolley@usdoj.gov](mailto:karen.rolley@usdoj.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;
- Enhance the quality, utility, and clarity of the information to be collected; and/or
- 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.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function and enter the title of the information collection. This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view Department of Justice, information collections currently under review by OMB.

DOJ seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOJ notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

### Overview of This Information Collection

1. *Type of Information Collection:* New collection.

2. *Title of the Form/Collection:* Defined Monetary Assistance Victims Reserve.

3. *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* No form number. Sponsor: Executive Office for United States Attorneys.

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

*Affected Public:* Individuals or households.

*Abstract:* The Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018 (“the Act”), Public Law 115–299, established the Child Pornography Victims Reserve (Reserve) to provide defined monetary assistance to eligible victims who are depicted in child pornography that is the basis of