

The Principal Deputy Assistant Secretary—Indian Affairs, on behalf of the Secretary of the Interior, will immediately acquire title to the Cherokee Springs Site in the name of the United States of America in trust for the Nation upon fulfillment of Departmental requirements.

The 45.92 acres, more or less, are located in Cherokee County, Oklahoma, and are described as follows:

**Indian Meridian, Oklahoma Township 16 North, Range 22 East**

Section 9 A tract of land situated in the SE1/4 and in the S1/2 S1/2 NE1/4 of Section 9, Township 16 North, Range 22 East of the Indian Meridian, Cherokee County, Oklahoma, being a portion of that parcel of land conveyed to Cherokee Nation Property Management, LLC in Document No. I–2012–008705 filed December 28, 2012 in Book 1055 at Pages 778–779 in the official records of the Cherokee County Clerk, said tract being more particularly described as follows:

Commencing at the Southeast corner of said SE1/4, marked with a Mag Nail;

Thence, N. 89° 52' 00" W. along the South boundary of said Section 9, a distance of 1734.91 feet;

Thence, N. 0° 05' 50" W., a distance of 758.57 feet to a 3/8" rebar capped Chaffin LS 1243 to the true POINT OF BEGINNING;

Thence, N. 0°05'50" W., a distance of 2117.10 feet to a 3/8" rebar capped Chaffin LS 1243;

Thence, N. 89°54'10" E., a distance of 1083.04 feet to a 3/8" rebar capped Chaffin LS 1243;

Thence, S. 0°04'58" W., a distance of 1215.47 feet to a 3/8" rebar capped Chaffin LS 1243.

Dated: June 12, 2017.

**Michael S. Black,**

*Acting Assistant Secretary—Indian Affairs.*

[FR Doc. 2017–16906 Filed 8–10–17; 8:45 am]

**BILLING CODE 4337–15–P**

**INTERNATIONAL TRADE COMMISSION**

**[Investigation Nos. 701–TA–582 and 731–TA–1377 (Preliminary)]**

**Ripe Olives From Spain**

**Determinations**

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (“Commission”) determines, pursuant

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

to the Tariff Act of 1930 (“the Act”), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of ripe olives from Spain, provided for in subheadings 2005.70.02, 2005.70.04, 2005.70.50, 2005.70.60, 2005.70.70, and 2005.70.75 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (“LTFV”) and to be subsidized by the government of Spain.

**Commencement of Final Phase Investigations**

Pursuant to section 207.18 of the Commission’s rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in section 207.21 of the Commission’s rules, upon notice from the Department of Commerce (“Commerce”) of affirmative preliminary determinations in the investigations under sections 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under sections 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

**Background**

On June 22, 2017, the Coalition for Fair Trade in Ripe Olives, consisting of Bell-Carter Foods, Walnut Creek, CA, and Musco Family Olive Company, Tracy, CA, filed a petition with the Commission and Commerce, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV and subsidized imports of ripe olives from Spain. Accordingly, effective June 22, 2017, the Commission, pursuant to sections 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)), instituted countervailing duty investigation No. 701–TA–582 and antidumping duty investigation No. 731–TA–1377 (Preliminary).

Notice of the institution of the Commission’s investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of June 28, 2017 (82 FR 29327). The conference was held in Washington, DC, on July 12, 2017, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made these determinations pursuant to sections 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)). It completed and filed its determinations in these investigations on August 7, 2017. The views of the Commission are contained in USITC Publication 4718 (August 2017), entitled *Ripe Olives from Spain: Investigation Nos. 701–TA–582 and 731–TA–1377 (Preliminary)*.

By order of the Commission.

Issued: August 7, 2017.

**Lisa R. Barton,**

*Secretary to the Commission.*

[FR Doc. 2017–16911 Filed 8–10–17; 8:45 am]

**BILLING CODE 7020–02–P**

**JUDICIAL CONFERENCE OF THE UNITED STATES**

**Advisory Committees on the Federal Rules of Appellate, Bankruptcy, and Criminal Procedure, and the Federal Rules of Evidence; Hearings on Proposed Amendments to the Appellate, Bankruptcy, Criminal, and Evidence Rules, the Rules Governing Section 2254 Cases in the United States District Courts, and the Rules Governing Section 2255 Proceedings for the United States District Courts**

**AGENCY:** Advisory Committees on the Federal Rules of Appellate, Bankruptcy, and Criminal Procedure, and the Federal Rules of Evidence, Judicial Conference of the United States.

**ACTION:** Notice of proposed amendments and open hearings.

**SUMMARY:** The Advisory Committees on Appellate, Bankruptcy, Criminal, and Evidence Rules have proposed amendments to the following rules and forms:

*Appellate Rules:* 3, 13, 26.1, 28, and 32.

*Bankruptcy Rules:* 2002, 4001, 6007, 9036, 9037, and Official Form 410.

*Criminal Rules:* New Criminal Rule 16.1, Rule 5 of the Rules Governing Section 2254 Cases, and Rule 5 of the

Rules Governing Section 2255 Proceedings.

*Rules of Evidence*: 807.

The text of the proposed rules and form and the accompanying Committee Notes are posted on the Judiciary's Web site at: <http://www.uscourts.gov/rules-policies/proposed-amendments-published-public-comment>.

All written comments and suggestions with respect to the proposed amendments may be submitted on or after the opening of the period for public comment on August 15, 2017, but no later than February 15, 2018. Written comments must be submitted electronically, following the instructions provided on the Web site. All comments submitted will be posted on the Web site and available to the public.

Public hearings are scheduled on the proposed amendments as follows:

- Appellate Rules in Washington, DC, on November 9, 2017, and in Phoenix, Arizona, on January 5, 2018;
- Bankruptcy Rules in Washington, DC, on January 17, 2018, and in Pasadena, California, on January 30, 2018;
- Criminal Rules in Chicago, Illinois, on October 24, 2017, and in Phoenix, Arizona, on January 5, 2018; and
- Evidence Rules in Boston, Massachusetts, on October 27, 2017, and in Phoenix, Arizona, on January 5, 2018.

Those wishing to testify must contact the Secretary by email at: [Rules\\_Support@ao.uscourts.gov](mailto:Rules_Support@ao.uscourts.gov), with a copy mailed to the address below, at least 30 days before the hearing.

**FOR FURTHER INFORMATION CONTACT:**

Rebecca A. Womeldorf, Secretary, Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, Thurgood Marshall Federal Judiciary Building, One Columbus Circle NE., Suite 7-240, Washington, DC 20544, Telephone (202) 502-1820.

Dated: August 7, 2017.

**Rebecca A. Womeldorf,**

*Secretary, Committee on Rules of Practice and Procedure, Judicial Conference of the United States.*

[FR Doc. 2017-16916 Filed 8-10-17; 8:45 am]

**BILLING CODE 2210-55-P**

**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

**Luis C B Gomez, D.D.S. Decision and Order**

On May 5, 2017, the Assistant Administrator, Diversion Control Division, Drug Enforcement

Administration (hereinafter, DEA or Government), issued an Order to Show Cause to Luis C B Gomez, D.D.S. (hereinafter, Registrant), the holder of Certificate of Registration No.

AG1976971 in Chula Vista, California, pursuant to which he is authorized to prescribe controlled substances in Schedules II through IV.<sup>1</sup> GX 1 (Certification of Registration Status dated May 17, 2017). The Show Cause Order proposed the revocation of Registrant's Certificate of Registration and the denial of any pending application for renewal or modification of Registrant's registration on the ground that Registrant does not have authority to dispense controlled substances in California, the State in which he is registered. GX 3, at 1 (citing 21 U.S.C. 824(a)(3)).

As the jurisdictional basis for the proceeding, the Show Cause Order alleged that Registrant's registration expires on September 30, 2017. *Id.*

As the substantive grounds for the proceeding, the Show Cause Order alleged that Registrant currently lacks authority to "handle controlled substances in California," voluntarily surrendered his California dental license "on approximately September 8, 2016," and subsequently "signed a Stipulated Surrender of License and Order before the Dental Board of California" on November 7, 2016.<sup>2</sup> *Id.* at 2. The Government asserted that Registrant's "lack of authority to handle controlled substances in the State of California constitutes grounds to revoke . . . [his] registration." *Id.*

Citing 21 CFR 1301.43, the Show Cause Order notified Registrant of his right to request a hearing on the allegation or to submit a written statement while waiving his right to a hearing, the procedure for electing each option, and the consequence for failing to elect either option. *Id.* at 2. Citing 21 U.S.C. 824(c)(2)(C), it notified Registrant of the opportunity to submit a corrective action plan. *Id.* at 3.

The lead DEA Diversion Investigator (hereinafter, DI) assigned to Registrant's matter executed a Declaration in which she stated that, on May 5, 2017, she personally served Registrant with a copy of the Order to Show Cause at his

residence. GX 4, at 1. I find that the Government's service of the Show Cause Order on Registrant was legally sufficient.

The Government submitted a Request for Final Agency Action dated June 6, 2017 and an evidentiary record to support the Show Cause Order's allegations. In the RFAA, the Government represented that, "Thirty days passed from the date of service and Respondent requested no hearing on the OTSC, nor has he filed a written statement in lieu of requesting a hearing." RFAA, at 1.

Based on the Government's representations and my review of the record, I find that more than 30 days have now passed since the date on which Registrant was served with the Show Cause Order and neither Registrant, nor anyone purporting to represent him, has requested a hearing or submitted a written statement while waiving his right to a hearing. Accordingly, I find that Registrant has waived his right to a hearing and his right to submit a written statement. 21 CFR 1301.43(d). I therefore issue this Decision and Order based on the record submitted by the Government. 21 CFR 1301.43(e).

**Findings of Fact**

*Registrant's DEA Registration*

Registrant currently holds DEA practitioner registration AG1976971 authorizing him to dispense controlled substances in Schedules II through IV. GX 1, GX 2. This registration expires on September 30, 2017. *Id.*

DEA practitioner registration AG1976971 is assigned to Registrant at "232 Third Avenue, Ste A, 232 3rd Ave., Chula Vista, CA 91910." *Id.*

*The Status of Registrant's State License*

On November 15, 2016, the Dental Board of California ordered that Dental License No. 24551 was surrendered and accepted by the DBC. GX 4, Appendix A (Stipulated Surrender of License and Order). Pursuant to that Order, Registrant has lost "all rights and privileges as a dentist in California." *Id.* at 2.

**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 . . . suspended, revoked, or denied by competent State authority and is no longer authorized by State law to engage

<sup>1</sup> The Order to Show Cause stated that Registrant was authorized to prescribe controlled substances in Schedule V.

<sup>2</sup> The Government submitted the Stipulated Surrender of License and Order before the Dental Board of California (hereinafter, DBC), the Accusation dated May 2, 2012, the Decision and Order of the DBC dated October 4, 2013, and the DBC Stipulated Settlement and Disciplinary Order dated July 31, 2013 with its Request for Final Agency Action (hereinafter, RFAA). GX 4 (Appendices).