

applications of Atlantic Treatment Center, LLC, to renew or modify this registration, as well as any other pending application of Atlantic Treatment Center, LLC, for additional registration in Florida. This Order is effective September 28, 2026.

Signing Authority

This document of the Drug Enforcement Administration was signed on August 21, 2026, by DEA Administrator Terrance C. Cole. 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.

[FR Doc. 2026–17594 Filed 8–27–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Thomas Earley, D.D.S.; Decision and Order

On April 7, 2026, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Thomas Earley, D.D.S., of Englewood, Ohio (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 2, at 1, 3. The OSC proposed the revocation of Registrant's Certificate of Registration No. AE2384636, alleging that Registrant is “currently without authority to prescribe, administer, dispense, or otherwise handle controlled substances in the State of Ohio, the state in which [he is] registered with DEA.” *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).

The OSC notified Registrant of his right to file a written request for hearing, and that if he failed to file such a request, he would be deemed to have waived his right to a hearing and be in default. *Id.* at 2 (citing 21 CFR 1301.43). Here, Registrant did not request a hearing, and the Agency finds him to be in default. RFAA, at 3.¹ “A default,

unless excused, shall be deemed to constitute a waiver of the registrant's/applicant's right to a hearing and an admission of the factual allegations of the [OSC].” 21 CFR 1301.43(e).

Further, “[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] 1316.67.” *Id.* 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant's default pursuant to 21 CFR 1301.43(c)(1), (f)(1), and 1301.46. RFAA, at 1; *see also* 21 CFR 1316.67.

Findings of Fact

The Agency finds that, in light of Registrant's default, the factual allegations in the OSC are deemed admitted. 21 CFR 1301.43(e). According to the OSC, Registrant's dental license expired on December 31, 2025. RFAAX 2, at 1. According to Ohio online records, of which the Agency takes official notice, Registrant's Ohio dental license status remains expired.² eLicense Ohio Professional Licensure License Lookup, https://elicense.ohio.gov/oh_verifylicense (last visited date of signature of this Order). Accordingly, the Agency finds that Registrant is not licensed to practice dentistry in Ohio, the state in which he is registered with DEA.³

Investigator (DI) indicates that on April 13, 2026, the DI unsuccessfully attempted to serve Registrant at his registered location. RFAAX 5, at 2. The same day, the DI emailed Registrant a copy of the OSC to three different email addresses linked to Registrant. *Id.* There is no evidence indicating that the emails were undeliverable. The DI additionally mailed a copy of the OSC to Registrant's potential home address and registered address. *Id.* Here, the Agency finds that Registrant was successfully served the OSC by email and that the DI's efforts to serve Registrant by other means were “reasonably calculated, under all the circumstances, to apprise [Registrant] of the pendency of the action.” *Jones v. Flowers*, 547 U.S. 220, 226 (2006) (quoting *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950)); *see also Mohammed S. Aljanaby, M.D.*, 82 FR 34552, 34552 (2017) (finding that service by email satisfies due process where the email is not returned as undeliverable and other methods have been unsuccessful).

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).

³ 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.” The material fact here is that Registrant, as of the date of this Order, is not licensed to practice dentistry in Ohio. Accordingly,

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under 21 U.S.C. 823 “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 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. *Gonzales v. Oregon*, 546 U.S. 243, 270 (2006) (“The Attorney General can register a physician to dispense controlled substances ‘if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.’ . . . The very definition of a ‘practitioner’ eligible to prescribe includes physicians ‘licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices’ to dispense controlled substances. 802(21).”) ⁴ The Agency has applied these principles consistently. *See, e.g., Lawrence Rudolph, D.M.D.*, 89 FR 79310 (2024); *Henry-Norbert O. Ndekwe, M.D.*, 90 FR 15990 (2025); *Benson Sergiles, P.A.*, 90 FR 32016 (2025).

According to Ohio statute, “[n]o person shall knowingly obtain, possess, or use a controlled substance or a

Registrant may dispute the Agency's finding by filing a properly supported motion for reconsideration of findings 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 the Office of the Administrator, Drug Enforcement Administration, at dea.addo.attorneys@dea.gov.

⁴ 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., Elias Garcia Garcia, P.A.*, 90 FR 31242 (2025); *Jason Weakley, R.N., A.P.R.N.*, 90 FR 10085 (2025); *Khursheed Haider, M.D.*, 90 FR 21950 (2025).

¹ Based on the Government's submissions in its RFAA dated June 8, 2026, the Agency finds that service of the OSC on Registrant was adequate. The included declaration from a DEA Diversion

controlled substance analog,” except pursuant to a “prescription issued by a licensed health professional authorized to prescribe drugs if the prescription was issued for a legitimate medical purpose.” Ohio Rev. Code § 2925.11(A), (B)(1)(d) (2025). Further, a “[l]icensed health professional authorized to prescribe drugs” or “prescriber” means an individual who is authorized by law to prescribe drugs or dangerous drugs or drug therapy related devices in the course of the individual’s professional practice.” *Id.* § 4729.01(I). The Ohio statute further defines an authorized prescriber as “[a] dentist licensed under Chapter 4715. of the Revised Code.” *Id.* § 4729.01(I)(1). Additionally, Ohio law permits “[a] licensed health professional authorized to prescribe drugs, if acting in the course of professional practice, in accordance with the laws regulating the professional’s practice” to prescribe or administer schedule II, III, IV, and V controlled substances to patients. *Id.* § 3719.06(A)(1)(a)–(b).

Here, the undisputed evidence in the record is that Registrant lacks a license to practice dentistry in Ohio. As discussed above, an individual must be a licensed health professional authorized to prescribe drugs, which includes a dentist, in order to handle controlled substances in Ohio. Thus, because Registrant lacks a license to practice dentistry in Ohio and, therefore, is not authorized to handle controlled substances in Ohio, Registrant is not eligible to maintain a DEA registration in Ohio. 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. AE2384636 issued to Thomas Earley, D.D.S. 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 Thomas Earley, D.D.S., to renew or modify this registration, as well as any other pending application of Thomas Earley, D.D.S., for additional registration in Ohio. This Order is effective September 28, 2026.

Signing Authority

This document of the Drug Enforcement Administration was signed on August 23, 2026, by DEA Administrator Terrance C. Cole. 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.

[FR Doc. 2026–17592 Filed 8–27–26; 8:45 am]

BILLING CODE 4410–09–P

NATIONAL SCIENCE FOUNDATION

Notice of Intent To Reinstate Information Collection

AGENCY: U.S. National Science Foundation, National Center for Science and Engineering Statistics.

ACTION: Notice of information collection, request for comments.

SUMMARY: The National Center for Science and Engineering Statistics (NCSES) within the U.S. National Science Foundation (NSF) is announcing plans to request reinstatement of the National Training, Education, and Workforce Survey (NTEWS) (OMB Control Number 3145–0264). In accordance with the requirements of the Paperwork Reduction Act of 1995, NSF is providing an opportunity for public comment on this action. After obtaining and considering public comment, NSF will prepare the submission requesting that Office of Management and Budget (OMB) approve clearance of this collection for three years.

DATES: Written comments on this notice must be received by October 27, 2026 to be assured consideration. Comments received after that date will be

considered to the extent practicable. Send comments to the address below.

FOR FURTHER INFORMATION CONTACT: Suzanne H. Plimpton, Reports Clearance Officer, U.S. National Science Foundation, Randolph Building, 401 Dulany Street, Alexandria, Virginia 22314; telephone (703) 292–7556; or send email to splimpto@nsf.gov.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Title of Collection: 2027 National Training, Education, and Workforce Survey.

OMB Control Number: 3145–0264.

Expiration Date: 12/13/2024.

Type of Request: Intent to seek approval to reinstate an information collection for three years.

Abstract: Established within the U.S. National Science Foundation (NSF) by the America COMPETES Reauthorization Act of 2010 § 505, codified in the National Science Foundation Act of 1950, as amended, the National Center for Science and Engineering Statistics (NCSES) serves as a central Federal clearinghouse for the collection, interpretation, analysis, and dissemination of objective data on science, engineering, technology, and research and development for use by practitioners, researchers, policymakers, and the public.

The 2027 National Training, Education, and Workforce Survey (NTEWS) is designed to comply with these mandates by improving the measurement of the science and engineering (S&E) workforce in the United States. The NTEWS will integrate three previous NCSES workforce surveys—the NTEWS, the National Survey of College Graduates (NSCG), and the Survey of Doctorate Recipients (SDR)—to provide national estimates on the employment, education, and training of non-institutionalized U.S. adults (18–75 years old) with a special focus on S&E occupations and degrees, the skilled technical workforce, and the U.S.-trained doctoral S&E workforce (see Table 1).

TABLE 1—MERGING THREE NCSES SURVEYS INTO ONE OMB CONTROL NUMBER

Survey	OMB Control No.	Merging into one OMB Control No.
National Training, Education, and Workforce Survey (NTEWS)	3145–0264	3145–0264
National Survey of College Graduates (NSCG)	3145–0141	