and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' This Agency has further held that notwithstanding that this provision grants the Agency authority to suspend or revoke a registration, other provisions of the Controlled Substances Act ''make plain that a practitioner can neither obtain nor maintain a DEA registration unless the practitioner currently has authority under state law to handle controlled substances.'' *James L. Hooper,* 76 FR 71371, 71372 (2011), *pet. for rev. denied, Hooper* v. *Holder,* 481 F. App'x 826 (4th Cir. 2012).

These provisions include section 102(21), which defines the term ''practitioner'' to ''mean[] a physician . . . 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), as well as section 303(f), which directs that ''[t]he Attorney General shall register practitioners . . . to dispense . . . controlled substances . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' *Id.* § 823(f). Based on these provisions, the Agency has long held that revocation is warranted even where a state board has summarily suspended a practitioner's controlled substances authority and the state's order remains subject to challenge in either administrative or judicial proceedings. *See Gary Alfred Shearer,* 78 FR 19009 (2013); *Carmencita E. Gallora,* 60 FR 47967 (1995).

Respondent nonetheless maintains that the proposed revocation of his registration would violate his right to due process because the Hearing Officer applied the wrong standard of proof when he upheld the Emergency Suspension Order. Response to Govt's Mot. for Summ. Judgment, at 4–8. According to Respondent, this is so because in holding that the Suspension Order was justified by Respondent's indictment, the Hearing Officer applied a probable cause standard rather than the substantial evidence standard as required by Kentucky law, and thus, the Hearing Officer's decision is arbitrary and capricious. *Id.* at 5. Respondent argues that he ''established with overwhelming and uncontested evidence that his practice of medicine is NOT a danger to the health, welfare, and safety of his patients or the general public.'' *Id.* And he further argues that ''the Hearing Officer improperly placed the risk of non-persuasion on [him] and applied the [Board's] unconstitutional regulatory provisions allowing an indictment alone to serve as substantial evidence of a violation of law.'' *Id.* at 7.

However, '''DEA has repeatedly held that a registrant cannot collaterally attack the results of a state criminal or administrative proceeding in a proceeding brought under section 304 [21 U.S.C. 824] of the CSA.''' *Calvin Ramsey,* 76 FR 20034, 20036 (2011) (quoting *Hicham K. Riba,* 73 FR 75773, 75774 (2008) (other citations omitted)); *see also Shahid Musud Siddiqui,* 61 FR 14818 (1996); *Robert A. Leslie,* 60 FR 14004 (1995). DEA is not vested with authority to adjudicate either the constitutionality of the Board's Suspension Order, or whether the Board's Order is arbitrary and capricious. Respondent must therefore seek relief from the State Board's Order in those administrative and judicial forums provided by the State.

In a revocation proceeding brought under section 824(a)(3), the only issue is whether a respondent holds current authority to dispense controlled substances. Respondent's various contentions as to the validity of the Board's order are therefore not material to this Agency's resolution of whether he is entitled to maintain his DEA registration. Because it is undisputed that Respondent does not hold authority under the laws of Kentucky to dispense controlled substances, he no longer meets the definition of a practitioner under the CSA and thus, he is not entitled to maintain his registration. *See, e.g., Hooper,* 76 FR at 71372. Accordingly, I will order that Respondent's registration be revoked and that any pending application to renew or modify this registration be denied.

Order

Pursuant to the authority vested in me by 21 U.S.C. 824(a) and 823(f), as well as 28 CFR 0.100(b), I order that DEA Certificate of Registration BC8483430 issued to James Dustin Chaney, D.O., be, and it hereby is, revoked. I further order that any application of James Dustin Chaney, D.O., to renew or modify this registration, be, and it hereby is, denied. This Order is effective August 22, 2016.

Dated: July 11, 2016.

Chuck Rosenberg,

Acting Administrator.

[FR Doc. 2016–17250 Filed 7–20–16; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Service Contract Inventory; Notice of Availability

SUMMARY: In accordance with Section 743 of Division C of the FY 2010 Consolidated Appropriations Act, Public Law 111–117, the Department of Justice is publishing this notice to advise the public of the availability of its FY 2015 Service Contracts Inventory and Inventory Supplement. The inventory includes service contract actions over $25,000 that were awarded in Fiscal Year (FY) 2015. The inventory supplement includes information collected from contractors on the amount invoiced and direct labor hours expended for covered service contracts. The Department of Justice analyzes this data for the purpose of determining whether its contract labor is being used in an effective and appropriate manner and if the mix of federal employees and contractors in the agency is effectively balanced. The inventory and supplement do not include contractor proprietary or sensitive information.

The FY 2015 Service Contract Inventory and Inventory Supplement is provided at the following link: *https://www.justice.gov/jmd/service-contract-inventory.*

FOR FURTHER INFORMATION CONTACT: Tara M. Jamison, Procurement Policy Review Group, Justice Management Division, U.S. Department of Justice, Washington, DC 20530; Phone: 202–616–3754; Email: *Tara.Jamison@usdoj.gov.*

Dated: July, 19, 2016.

Jerri Murray,

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

[FR Doc. 2016–17248 Filed 7–20–16; 8:45 am]

BILLING CODE 4410–DH–P

DEPARTMENT OF LABOR

Office of the Secretary

Privacy Act of 1974; Publication in Full of All Notices of Systems of Records, Including Several New Systems, Substantive Amendments to Existing Systems, Decommissioning of Obsolete Legacy Systems, and Publication of Proposed Routines Uses

AGENCY: Office of the Secretary, Labor.

ACTION: Notice: Response to Comments on the Department's April 29, 2016 System of Records Notice.

SUMMARY: This notice announces a response to public comments on the Department's April 29, 2016 System of

Records Notice. In response to comments, the Department is revising one SORN. That SORN, and the remainder of SORNs published on April 29, 2016, will become effective on the date of publication of this notice.

DATES: The effective date for the Department's System of Records Notice is the date of publication of this notice. Effective Date: The date of publication of this notice.

FOR FURTHER INFORMATION CONTACT: Joseph J. Plick, Counsel for FOIA and Information Law, Office of the Solicitor, Department of Labor, 200 Constitution Avenue, NW., Room N–2420, Washington, DC 20210, telephone (202) 693–5527, or by email to *plick.joseph@dol.gov.*

Background: On April 29, 2016, the Department of Labor issued a Publication In Full of All Notices of Systems of Records, including several new systems; substantive amendments to systems; decommissioning of obsolete legacy systems; and publication of new universal routine uses for all system of records. The Department received several public comments and one Federal agency comment on this System of Records Notice during the public comment period, which ended June 8, 2016. The Department required additional time to review and address the comments, so, by **Federal Register** notice of June 21, 2016, 81 FR 40352, the effective date was postponed to July 23, 2016.

The Department is now publishing this notice to address the eleven comments to and revise SORN DOL/Central-5 in response to those comments.

Comment: Several comments criticized Universal Routine Use #14, which ''permits the Department to disclose information to the United States Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) that will be included in the National Instant Criminal Background Check System (NICS).'' The commenters argued that this Routine Use impermissibly infringes on Second Amendment rights. One commenter stated, for example:

> This rule (which refers specifically to 23 executive actions that Obama took on Jan. 16, 2013) infringes on the Second Amendment by having developed through rule, manner in which protected health information (PHI) is now authorized to be released unconstitutionally by HHS to agenc(ies) of the federal government without the affected individual's consent, and the PHI is thus used in a manner to target individuals and unconstitutionally remove access to weapons in connection with NICS.

Response: The Department is required by law—the Brady Handgun Violence Prevention Act, as amended by the NICS Improvement Amendments Act of 2007—to provide information to the Attorney General to carry out its provisions. Therefore, the Department is declining to make changes to Universal Routine Use #14.

Comment: One comment was critical of Universal Routine Use #13, which allows the Department to disclose information to a state or local government agency in charge of issuing licenses to attorneys and health care professionals. The commenter raised the concern that state laws, particularly California's state laws, prohibit information sharing with state and local agencies.

Response: Under the Supremacy Clause, federal law takes precedence over state law. But to the extent that state law in California may apply, the Department has not identified any laws which prohibit the disclosure contemplated by Universal Routine Use #13. On the contrary, California's most broadly applicable privacy law—the Information Practices Act of 1977—explicitly allows sharing ''To a law enforcement or regulatory agency when required for an investigation of unlawful activity or for licensing, certification, or regulatory purposes, unless the disclosure is otherwise prohibited by law.'' The Department declines to make changes in response to this comment.

Comment: Several comments did not specifically reference or provide substantive feedback on any section of the SORN. One commenter stated, for example, ''I do not favor the use of funds for rail support that is not directly supportive of General Aviation or Airline services, viz. flights.'' Another argued ''No undocumented alien should have the same ability to sue for discrimination because of their country of origin, as an American Citizen does.''

Response: The Department was unable to identify any sections of the SORN relevant to these comments, and, therefore, is making no changes in response.

Comment: Three commenters, including the Office of Government Information Services (OGIS) (within the National Archives and Records Administration (NARA)) suggested changing the text of Routine Use (b) in the DOL/Central-5 SORN, which covers the Department's Freedom of Information Act files, to follow model language drafted by OGIS and to explicitly note that disclosure to OGIS is a permissible routine use for FOIA files. Specifically, the OGIS model language states:

> To the National Archives and Records Administration, Office of Government Information Services (OGIS), to the extent necessary to fulfill its responsibilities in 5 U.S.C. 552(h), to review administrative agency policies, procedures and compliance with the Freedom of Information Act (FOIA), and to facilitate OGIS' offering of mediation services to resolve disputes between persons making FOIA requests and administrative agencies.

Response: The Department agrees that additional language can be helpful to clarify that the scope of permissible disclosures of FOIA files under Routine Use (b) of DOL/Central 5 SORN includes disclosure to OGIS in order to facilitate its responsibilities related to FOIA compliance and mediation. Accordingly, the Department is revising this routine use to incorporate this model language. Routine Use (b) will now read:

> *Information to other Federal agencies (e.g., Department of Justice or the Office of Government Information Services within the National Archives and Records Administration) in order to obtain advice and recommendations concerning matters on which the agency has specialized experience or particular competence; for use in making required determinations; to fulfill agency responsibilities to review administrative agency policies, procedures, and compliance under the Freedom of Information Act or the Privacy Act of 1974; or to facilitate mediation services between administrative agencies and persons making Freedom of Information requests.*

The SORN will become effective, with the change to DOL/Central-5, on the date of publication of this notice.

Signed at Washington, DC this 15th July, 2016.

Thomas E. Perez,

Secretary of Labor.

[FR Doc. 2016–17209 Filed 7–20–16; 8:45 am]

BILLING CODE 4510–HL–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations Part 44 govern the application, processing, and disposition of petitions for modification. This notice is a summary of petitions for modification submitted to the Mine