

competing requests. The BLM Prineville District is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

**Authority:** Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 5, 2025.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

[FR Doc. 2025–15848 Filed 8–19–25; 8:45 am]

**BILLING CODE 4312–52–P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

[N6433; NPS–WASO–NAGPRA–NPS0040840; PPWOCRADN0–PCU00RP14.R50000]

**Notice of Intended Repatriation:**  
**Tennessee Department of Environment and Conservation Division of Archaeology, Nashville, TN, and University of Tennessee, McClung Museum of Natural History & Culture, Knoxville, TN**

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Tennessee Department of Environment and Conservation, Division of Archaeology (TDEC–DOA) and the University of Tennessee, McClung Museum of Natural History & Culture (UTK) intend to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

**DATES:** Repatriation of the cultural items in this notice may occur on or after September 19, 2025.

**ADDRESSES:** Send additional, written requests for repatriation of the cultural items in this notice to Phillip R. Hodge, Tennessee Department of Environment and Conservation, Division of Archaeology (TDEC–DOA), 1216 Foster Avenue, Cole Building #3, Nashville, TN 37243, email [Phil.Hodge@tn.gov](mailto:Phil.Hodge@tn.gov), and Dr. Ellen Lofaro, University of Tennessee (UTK), 5723 Middlebrook Pike, Knoxville, TN 37996, email [nagpra@utk.edu](mailto:nagpra@utk.edu).

**SUPPLEMENTARY INFORMATION:** This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the

sole responsibility of the TDEC–DOA and UTK, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

### Abstract of Information Available

A total of two lots of cultural items have been requested for repatriation. The two lots of unassociated funerary objects are one lot of shell and one lot of lithics. Both lots of unassociated funerary objects were removed from the 40CR3 site in 1962 by members of the Tennessee Archaeological Society (TAS) and subsequently brought to UTK. 40CR3, located in Carter County, Tennessee, is a multi-component, early-to-middle Woodland site (~1000 BCE–1000 CE). To the best of our knowledge, no potentially hazardous substances were used to treat these cultural items.

### Determinations

TDEC–DOA and UTK have determined that:

- The two lots of unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.

- There is a connection between the cultural items described in this notice and the Alabama-Coushatta Tribe of Texas; Cherokee Nation; Eastern Band of Cherokee Indians; The Muscogee (Creek) Nation; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

### Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that

the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after September 19, 2025. If competing requests for repatriation are received, TDEC–DOA and UTK must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. TDEC–DOA and UTK are responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

**Authority:** Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: August 5, 2025.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

[N6430; NPS–WASO–NAGPRA–NPS0040837; PPWOCRADN0–PCU00RP14.R50000]

**Notice of Inventory Completion:**  
**California Department of Transportation, Oakland, CA**

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the California Department of Transportation (Caltrans) has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

**DATES:** Repatriation of the associated funerary objects in this notice may occur on or after September 19, 2025.

**ADDRESSES:** Lindsay Busse and Althea Asaro, PQS Principal Investigators—Prehistoric Archaeology, California Department of Transportation, District 4, 111 Grand Avenue, Oakland, CA 94612, email [lindsay.busse@dot.ca.gov](mailto:lindsay.busse@dot.ca.gov) and [Althea.Asaro@dot.ca.gov](mailto:Althea.Asaro@dot.ca.gov).

**SUPPLEMENTARY INFORMATION:** This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The

determinations in this notice are the sole responsibility of Caltrans, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

#### Abstract of Information Available

Associated funerary objects have been identified totaling 4,000 catalog entries representing lithics, faunal remains, shell, beads, and ground stone artifacts. Of the 4,000 associated funerary objects, 58 catalog numbers are missing. These nine collections are from Marin County along Highway 101 in San Rafael, Novato, and Petaluma and are housed at Sonoma State University (SSU). The collections are the result of Caltrans project-delivery related excavations at the following sites between 1998 and 2015: CA-MRN-000 (2014-06), CA-MRN-84 (2015-95), CA-MRN-85 (2015-96), CA-MRN-193/H (2019-70; 2012-11), CA-MRN-194 (2005-04), CA-MRN-197 (2005-7), CA-MRN-644/H (98-19), CA-MRN-711 (2015-97). There are no known/documented potentially hazardous substances used to treat any of the cultural items.

#### Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the associated funerary objects described in this notice.

#### Determinations

Caltrans has determined that:

- The 4,000 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between associated funerary objects described in this notice and the Federated Indians of Graton Rancheria, California.

#### Requests for Repatriation

Written requests for repatriation of the associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or

an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the associated funerary objects described in this notice to a requestor may occur on or after September 19, 2025. If competing requests for repatriation are received, Caltrans must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. Caltrans is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

*Authority:* Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 5, 2025

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

[FR Doc. 2025-15854 Filed 8-19-25; 8:45 am]

**BILLING CODE 4312-52-P**

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Kenneth Pherson, D.O.; Decision and Order

On December 2, 2024, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Kenneth Pherson, D.O., of Lakewood Ranch, Florida (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 1, at 1, 4. The OSC proposed the revocation of Registrant's Certificate of Registration No. FP0455142, alleging that Registrant's registration should be revoked because Registrant is "currently without authority to prescribe, administer, dispense, or otherwise handle controlled substances in Florida, the state in which [he is] registered with DEA." *Id.* at 2 (citing 21 U.S.C. 824(a)(3) and 21 CFR 1301.37(b)).

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.* (citing 21 CFR 1301.43). Here, Registrant did not request a hearing. RFAA, at 3.<sup>1</sup> "A default, unless

<sup>1</sup> Based on the Government's submissions in its RFAA dated February 19, 2025, the Agency finds that service of the OSC on Registrant was adequate. The included declaration from a DEA Diversion Investigator (DI) indicates that on December 11, 2024, the DI attempted to personally serve Registrant with a copy of the OSC at Registrant's DEA registered address but was unsuccessful.

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) and (f). 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 admitted. According to the OSC, on or about August 29, 2024, the State of Florida Board of Osteopathic Medicine suspended Registrant's Florida osteopathic medical license. RFAAX 1, at 2. According to Florida online records, of which the Agency takes official notice, Registrant's Florida osteopathic medical license remains suspended.<sup>2</sup> <https://mqa-internet.doh.state.fl.us/MQASearchServices/Home> (last visited date of signature of this Order). Accordingly, the Agency finds that Registrant is not licensed to practice as an osteopathic physician in Florida, the state in which he is registered with DEA.<sup>3</sup>

RFAAX 2, at 1. Later that day, "another DEA employee" attempted to personally serve Registrant with a copy of the OSC at Registrant's personal address, but that attempt was also unsuccessful, as there was no answer at the residence. *Id.* On December 16, 2024, the DI mailed a copy of the OSC to Registrant's personal address through USPS certified mail and was able to ascertain by the mailing's tracking number that on December 23, 2024, that delivery was successful, as the copy of the OSC was "left with individual." *Id.* at 1-2; RFAAX 2, Attachment A.

<sup>2</sup> 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).

<sup>3</sup> 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 osteopathic medicine in Florida. Accordingly, 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

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