

exclusion in assessing egregiousness). As the Chief ALJ noted, “on the record, the interests of general deterrence, like the egregiousness of the established conduct, support the imposition of the application denial sought by the Government.” RD, at 15.

D. Letters of Support

My final item of consideration is the collection of nineteen letters that Respondent submitted from patients, colleagues, and friends to demonstrate his high level of care as a physician and his commitment to the Hippocratic Oath. Respondent’s Post-Hearing Brief, at 5–8; RX 4. Although I find the letters to be sincere, they can only be of limited weight in this proceeding because of the limited ability to assess the credibility of the letters given their written form. *See Michael S. Moore, M.D.*, 76 FR 45,867, 45,873 (2011) (evaluating the weight to be attached to letters provided by the respondent’s hospital administrators and peers in light of the fact that the authors were not subjected to the rigors of cross examination). Furthermore, these letters were not written for the purposes of recommending that Respondent be granted a controlled substances registration and therefore offer little value in assessing the Respondent’s suitability to discharge the duties of a DEA registrant. *William Ralph Kinkaid, M.D.*, 86 FR 40,636, 40,641 (2021). Instead, Respondent’s letters were used by his criminal defense counsel prior to his sentencing, with most of the letters dated back to 2017. RX 4; Tr. 106–107. Additionally, as the Chief ALJ noted, the “recognizable pattern” of the patient letters, in combination with Respondent’s insistence that there was no suggested format and Respondent’s testimony that he had not solicited patients for the letters, does raise questions as to whether there was any “coaching or importuning” involved in their collection and thus damages their credibility. RD, at 6–7; RX 4Tr. 44–46. The Chief ALJ did note that “it would be difficult (and unjust) to ignore the volume of support/correspondence from his patients, or the often poignant accounts enshrined within those letters.” RD, at 14. I agree and I note that the letters say many positive things about Respondent, however, I find that because Respondent has not demonstrated credible and unequivocal acceptance of responsibility, I cannot place weight on letters written in a different context in demonstrating that Respondent can be entrusted with a DEA registration, when he, himself, has not credibly done so. *See Kinkaid, M.D.*, 86 FR at 40,641.

As discussed above, to receive a registration when grounds for denial exist, a respondent must convince the Administrator that his acceptance of responsibility is sufficiently credible to demonstrate that the misconduct will not occur and that he can be entrusted with a registration. Having reviewed the record in its entirety, I find that Respondent has not met this burden. Although Respondent expressed remorse and took some responsibility for his actions through his guilty plea and his efforts at remediation, his acceptance of responsibility was not unequivocal. Respondent’s focus on his own consequences and his minimization of his wrongdoings both raise concerns that he does not truly understand the severity of his misconduct. Further, Respondent’s remediation efforts have been minimal and unpersuasive. As such, I am not convinced that Respondent would not commit similar misconduct again in the future if he believed that it would not result in negative consequences. Accordingly, I will order the denial of Respondent’s application for a certificate of registration.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823, I hereby deny the pending application for a Certificate of Registration, Control Number W20041078C, submitted by George Roussis, M.D., as well as any other pending application of George Roussis, M.D., for additional registration in New York. This Order is effective December 6, 2021.

Anne Milgram,

Administrator.

[FR Doc. 2021–24205 Filed 11–4–21; 8:45 am]

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DEPARTMENT OF LABOR

Office of Workers’ Compensation Programs

Agency Information Collection Activities; Comment Request; Request for Electronic Service of Orders—Waiver of Certified Mail Requirement

AGENCY: Division of Federal Employees’, Longshore and Harbor Workers’ Compensation, Office of Workers’ Compensation Programs.

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, “Request

for Electronic Service of Orders—Waiver of Certified Mail Requirement.” This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by January 4, 2022.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained for free by contacting Anjanette Suggs by telephone at 202–354–9660 or by email at suggs.anjanette@dol.gov.

Submit written comments about this ICR by mail or courier to the U.S. Department of Labor, Office of Workers’ Compensation Programs, Room S3323, 200 Constitution Avenue NW, Washington, DC 20210; or by email at suggs.anjanette@dol.gov. Please note that comments submitted after the comment period will not be considered.

FOR FURTHER INFORMATION CONTACT:

Anjanette Suggs by telephone at 202–354–9660 or by email at suggs.anjanette@dol.gov.

SUPPLEMENTARY INFORMATION: The DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The Office of Workers’ Compensation Programs administers the Longshore and Harbor Workers’ Compensation Act. The Act provides benefits to workers injured in maritime employment on the navigable waters of the United States or in an adjoining area customarily used by an employer in loading, unloading, repairing, or building a vessel. In addition, several acts extend the Longshore Act’s coverage to certain other employees.

The Longshore and Harbor Workers’ Compensation Act (LHWCA), at 33 U.S.C. 919(e), requires that any order rejecting or making an LHWCA award (the compensation order) be filed in the appropriate district director’s office of

the Office of Workers' Compensation Programs (OWCP), and that copies be sent by registered or certified mail to the claimant and the employer. The implementing regulations at 20 CFR 702.349(b) allow parties and their representatives to waive certified mail service and consent to electronic service instead. The compensation order notifies Employers/Carriers that payment of LHWCA compensation is due within 10 days of filing. If compensation is not paid within that time frame, an additional 20% in compensation must be paid [see LHWCA 914(f)].

The information collected will be used by OWCP to more efficiently serve compensation orders by email instead of by registered or certified mail. Form LS-801 will be completed by the employer/insurance carrier and/or an authorized representative and forwarded to the District Director indicating waiver of service by registered or certified mail and designation of receipt by email instead. The LS-802 will be completed by the claimants and/or an authorized representative and forwarded to the District Director indicating waiver of service by registered or certified mail and designation of receipt by email instead. This information collection is currently approved for use through April 30, 2022.

Legal authority for this information collection is found at 33 U.S.C. 919(e).

Regulatory authority is found at 20 CFR 702.349(b).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Written comments will receive consideration, and summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB No. 1240-0053.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. The DOL encourages commenters not to include personally identifiable information, confidential

business data, or other sensitive statements/information in any comments.

The DOL is particularly interested in comments that:

- 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
- 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.

Agency: DOL-Office of Workers' Compensation Programs, DFEHWC.

Type of Review: Extension of currently approved collection.

Title of Collection: Request for Electronic Service of Orders—Waiver of Certified Mail Requirement.

Form: LS-801, LS-802, Waiver of Service by Registered or Certified Mail for Employers and/or Insurance Carriers, Waiver of Service by Registered or Certified Mail for Claimants and Authorized Representatives.

OMB Control Number: 1240-0053.

Affected Public: Private Sector.

Estimated Number of Respondents: 9,240.

Frequency: On occasion.

Total Estimated Annual Responses: 9,240.

Estimated Average Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 767 hours.

Total Estimated Annual Other Cost Burden: \$0.

(Authority: 44 U.S.C. 3506(c)(2)(A))

Anjanette Suggs,

Agency Clearance Officer.

[FR Doc. 2021-24272 Filed 11-4-21; 8:45 am]

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OFFICE OF MANAGEMENT AND BUDGET

Senior Executive Service Performance Review Board Membership

AGENCY: Office of Management and Budget.

ACTION: Notice.

SUMMARY: The Office of Management and Budget (OMB) publishes the names of the members selected to serve on its Senior Executive Service (SES) Performance Review Board (PRB). This notice supersedes all previous notices of the PRB membership.

DATES: *Applicable:* November 1, 2021.

FOR FURTHER INFORMATION CONTACT:

Sarah Whittle Spooner, Assistant Director for Management and Operations, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, 202-395-7402.

SUPPLEMENTARY INFORMATION: Section 4314(c) of Title 5, U.S.C. requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more PRBs. The PRB shall review and evaluate the initial appraisal of a senior executive's performance by the supervisor, along with any response by the senior executive, and make recommendations to the final rating authority relative to the performance of the senior executive.

The persons named below have been selected to serve on OMB's PRB.

Rachel L. Wallace, Chief of Staff
David C. Connolly, Chief, Transportation and Services Branch, General Government Programs
Alexander T. Hunt, Chief, Information Policy Branch, Office of Information and Regulatory Affairs
Adrienne E. Lucas, Deputy Associate Director for Natural Resources Division
David J. Rowe, Deputy Assistant Director for Budget
Sarah Whittle Spooner, Assistant Director for Management and Operations

Sarah Whittle Spooner,

Assistant Director for Management and Operations.

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