

public comment period. Reviews were requested from three scientists and managers with expertise in recovery planning, statistical analyses, fisheries, and marine mammals. NMFS anticipates that many of the recommendations that will be made by the reviewers will be addressed and provided in detail in the final Plan.

Dated: December 1, 2006.

**Angela Somma,**

*Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E6-20712 Filed 12-6-06; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 110306B]

#### Small Coastal Shark 2007 Stock Assessment Data Workshop

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice.

**SUMMARY:** NMFS announces the date, time, and location for the small coastal shark (SCS) stock assessment Data Workshop, the first of three stock evaluation workshops for the SCS stock assessment to be conducted in 2007. Any potential changes to existing management measures for SCS will be based, in large part, on the results of this 2007 stock assessment. The workshop is open to the public.

**DATES:** The Data Workshop will start at 1 p.m. on Monday, February 5, 2007, and will conclude at 1 p.m. on Friday, February 9, 2007.

**ADDRESSES:** The Data Workshop will be held at the Bay Point Marriott Resort, 4200 Marriott Drive, Panama City Beach, FL 32408.

**FOR FURTHER INFORMATION CONTACT:** Julie Neer at (850) 234-6541; or Karyl Brewster-Geisz at (301) 713-2347, fax (301) 713-1917.

**SUPPLEMENTARY INFORMATION:** The Atlantic shark fisheries are managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act. The Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP) (October 2, 2006; 71 FR 58058) is implemented by regulations at 50 CFR part 635.

Stock assessments are periodically conducted to determine stock status relative to current management criteria.

Collection of the best available scientific data and conducting stock assessments are critical to determine appropriate management measures for rebuilding stocks. Based on the last SCS stock assessment in 2002, NMFS determined that the SCS complex and three of the species in that complex are not overfished with no overfishing occurring. The only exception was for finetooth sharks, where fishing mortality in some years was above the mortality level associated with producing maximum sustainable yield (MSY). Any potential changes to existing management measures for SCS will be based, in large part, on the results of this 2007 stock assessment.

This assessment will be conducted in a manner similar to the Southeast Data, Assessment, and Review (SEDAR) process. SEDAR is a cooperative process initiated in 2002 to improve the quality and reliability of fishery stock assessments in the South Atlantic, Gulf of Mexico, and U.S. Caribbean. SEDAR emphasizes constituent and stakeholder participation in assessment development, transparency in the assessment process, and a rigorous and independent scientific review of completed stock assessments. SEDAR is organized around three workshops. The first is a Data Workshop where datasets are documented, analyzed, and reviewed, and data for conducting assessment analyses are compiled. The second workshop is an Assessment Workshop where quantitative population analyses are developed and refined and population parameters are estimated. The third and final workshop is a Review Workshop where a panel of independent experts review the data and assessment and recommend the most appropriate values of critical population and management quantities. All workshops are open to the public. More information on the SEDAR process can be found at [HTTP://WWW.SEFSC.NOAA.GOV/SEDAR/](http://WWW.SEFSC.NOAA.GOV/SEDAR/). The 2005/2006 large coastal shark stock assessment also followed this process.

NMFS announces the Data Workshop, the first of three workshops for the SCS 2007 stock assessment. The Data Workshop will be held from February 5 - 9, 2007, at the Bay Point Marriott Resort in Panama City Beach, FL (see **DATES** and **ADDRESSES**). Prospective participants and observers will be contacted with the data workshop details. This workshop is open to the public. Persons interested in participating or observing the Data Workshop should contact Julie Neer (see **FOR FURTHER INFORMATION CONTACT**).

Tentative dates for the next two workshops are May 7 - 11, 2007, for the

Assessment Workshop and August 6 - 10, 2007, for the Review Workshop. The times and locations of these workshops will be announced in a future **Federal Register** notice.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Julie Neer at (850) 234-6541, at least 7 days prior to the Data workshop.

**Authority:** 16 U.S.C. 971 *et seq.*

Dated: November 29, 2006.

**Alan D. Risenhoover,**

*Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E6-20723 Filed 12-6-06; 8:45 am]

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## FEDERAL ELECTION COMMISSION

### Sunshine Act Notices

Cancellation of previously announced meetings: Wednesday, December 5, 2006, meeting closed to the public and Thursday, December 7, 2006, meeting open to the public.

**DATE AND TIME:** Tuesday, December 12, 2006 at 10 a.m.

**PLACE:** 999 E Street, NW., Washington, DC.

**STATUS:** This meeting will be closed to the public.

**ITEMS TO BE DISCUSSED:** Compliance matters pursuant to 2 U.S.C. 437g. Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and title 26, U.S.C. Matters concerning participation in civil actions or proceedings or arbitration. Internal personnel rules and procedures or matters affecting a particular employee.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Biersack, Press Officer, Telephone: (202) 694-1220.

**Mary W. Dove,**

*Secretary of the Commission.*

[FR Doc. 06-9614 Filed 12-5-06; 8:45 am]

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## FEDERAL MARITIME COMMISSION

[Docket No. 06-11]

**R.O. White & Company and Ceres Marine Terminals Inc. V. Port of Miami Terminal Operating Company, Continental Stevedoring & Terminals, Inc. et al.; Notice of Filing of Complaint and Assignment**

Notice is given that a complaint has been filed with the Federal Maritime

Commission ("Commission") by R.O. White & Company, Inc. and Ceres Marine Terminals, Inc. ("Complainants"), against the Port of Miami Terminal Operating Company, L.L.C. ("POMTOC"); Continental Stevedoring & Terminals, Inc.; Florida Stevedoring, Inc.; P&O Ports North America, Inc.; P&O Ports Florida, Inc.; Eller-Ito Stevedoring Company, L.L.C.; and Dante B. Fascell Port of Miami-Dade, aka Miami-Dade County Seaport Department ("Respondents"). Complainants assert that Ceres Marine Terminals, Inc. performs stevedoring and/or marine terminal services at numerous ports in the United States and Canada, and R.O. White & Company is a wholly owned subsidiary of Ceres who holds a permit issued by Respondent Miami-Dade County Seaport Department ("The Port") to perform stevedoring services at the Port. Complainants assert that all of the Respondents are marine terminal operators as defined in Section 3(14) of the Shipping Act of 1984 ("The Act"), 46 U.S.C. 40102(14).

Complainants contend that Respondents have violated the Shipping Act in several ways. First, they contend that Respondents, who are parties to FMC Agreement No. 224-200616, have violated sections 5(a), 10(a)(2), and 10(a)(3) of the Act (46 U.S.C. 40302(a), 41102(b)(1) and (b)(2)) by: "failing to file their actual agreements; operating pursuant to agreements that were required to be filed, but not filed; operating outside and/or contrary to the terms of their filed agreement; and collectively agreeing to refuse R.O. White permission to perform stevedoring services at POMTOC facilities." (*Complaint* at 11-12). Second, Complainants assert that POMTOC and/or its members<sup>1</sup> have violated sections 10(b)(10), 10(d)(1), 10(d)(3), and 10(d)(4) of the Act (46 U.S.C. 41104(10), 41102(c), 41106(3) and 41106(2)) by: Using POMTOC as a device to exclude competition for stevedoring services; precluding ocean common carriers from using R.O. White as their stevedore; refusing to allow R.O. White to use its Port-granted license to perform stevedoring services at POMTOC; requiring common carriers to use only POMTOC members for stevedoring services; and "denying R.O. White access to POMTOC while allowing access to other entities for the same or similar purposes." (*Complaint* at 12). Third, Complainants assert that the Port violated sections 10(b)(10), 10(d)(1), 10(d)(3), and 10(d)(4) of the

Act (46 U.S.C. 41104(10), 41102(c), 41106(3) and 41106(2)) by: "failing to prevent other Respondents from engaging in the unlawful conduct alleged in Counts I and II above; failing to ensure access by qualified stevedores to the only public, multi-user cargo terminal at the Port"; (*Complaint* at 13) and failing to re-evaluate the current process and competitive structure for providing stevedore services at the Port. Complainants pray that the Commission require Respondents to answer to the charges, order Respondents to cease and desist the aforesaid violations, establish and put in force such practices and policies as the Commission determines to be lawful and reasonable; require Respondents to pay reparations to Complainants for the unlawful conduct including interest and attorney's fees, and to make any further order or orders the Commission determines to be proper.

This proceeding has been assigned to the Office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61, and only after consideration has been given by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by November 30, 2007, and the final decision of the Commission shall be issued by March 10, 2008.

By the Commission.

**Bryant L. VanBrakle,**  
Secretary.

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### Findings of Research Misconduct

**AGENCY:** Office of the Secretary, HHS.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Office of Research Integrity (ORI)

and the Assistant Secretary for Health have taken final action in the following case:

*Jennifer Blaisdell, University of Pennsylvania and Retinal Consultants of Arizona, Ltd.:* Based on the report of an investigation conducted by the University of Pennsylvania (UP) and additional analysis conducted by ORI in its oversight review, the U.S. Public Health Service (PHS) found that Ms. Jennifer Blaisdell, former Clinical Coordinator for Retinal Consultants of Arizona, Ltd. (RCA), committed research misconduct in a study sponsored by two cooperative agreements funded by the National Eye Institute (NEI), National Institutes of Health (NIH): U10 EY012261, "Age-related Macular Degeneration Prevention Trial," Dr. Stuart Fine, Principal Investigator (P.I.), and U10 EY012279, "Coordinating Center for AMD, Complications of Age-Related Macular Degeneration Prevention Trial" (CAPT), Dr. Maureen McGuire, P.I. Specifically, PHS found that Ms. Blaisdell knowingly and intentionally committed research misconduct by:

1. Fabricating a CAPT data form dated 5/29/02 reporting a 30-month telephone follow-up visit with patient 01-026; this patient died on 5/3/02;

2. Fabricating a CAPT data form dated 2/20/03 reporting a 43-month telephone follow-up visit with patient 01-019; this patient died on 2/10/03;

3. Falsifying a CAPT data form dated 2/13/01 reporting a visit to the clinic on that date for patient 01-049; this patient's visit was 2/20/01;

4. Falsifying the CAPT form for patient 01-055 dated 4/11/01, when no clinic visit took place, by substituting information purportedly obtained at a non-study visit on 2/28/01.

Ms. Blaisdell has entered into a Voluntary Exclusion Agreement in which she has voluntarily agreed, for a period of two (2) years, beginning on November 14, 2006:

(1) To exclude herself from serving in any advisory capacity to PHS, including but not limited to service on any PHS advisory committee, board, and/or peer review committee, or as a consultant; and

(2) That any institution that submits an application for PHS support for a research project on which Ms. Blaisdell's participation is proposed or which uses her in any capacity on PHS supported research, or that submits a report of PHS-funded research in which she is involved, must concurrently submit a plan for supervision of Ms. Blaisdell's duties to the funding agency for approval. The supervisory plan must be designed to ensure the scientific

<sup>1</sup> POMTOC is a marine terminal services provider that was formed by four of the Respondents.