

Wednesday, May 11, 2011

- Amend 32—Harte Research Institute, Conference Room, 6300 Ocean Drive, Corpus Christi, TX 78412–5869, telephone: (361) 825–2000;

- Amend 32/ACL—Hilton Garden Inn, 4535 Williams Blvd., Kenner, LA 70065, telephone: (504) 712–0109;

Thursday, May 12, 2011

- ACL—Plantation Suites and Conference Center, 1909 Highway 361, Port Aransas, TX 78373, telephone: (361) 749–3866;

Monday, May 16, 2011

- Mackerel—Fisheries Research Lab, 195 Ludwig Annex, Grand Isle, LA 70358, telephone: (985) 787–2163;

Tuesday, May 17, 2011

- Mackerel—Hampton Inn, 506 West Bay Area Blvd., Webster, TX 77598, telephone: (281) 332–7952;

Wednesday, May 18, 2011

- Mackerel—Plantation Suites and Conference Center, 1909 Highway 361, Port Aransas, TX 78373, telephone: (361) 749–3866.

Copies of the documents can be obtained by calling (813) 348–1630.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kathy Pereira at the Council (see **ADDRESSES**) at least 5 working days prior to the meeting.

Dated: April 11, 2011.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 2011–9055 Filed 4–13–11; 8:45 am]

**BILLING CODE 3510–22–P**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

**RIN 0648–XA366**

##### Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Pacific Fishery Management Council (Pacific Council) will convene a Pacific mackerel Stock Assessment Review (STAR) Panel meeting that is open to the public.

**DATES:** The meeting will be held Monday, May 2, 2011 through Thursday, May 5, 2011. Business will begin each day at 8:30 a.m. the first day, and at 8 a.m. each subsequent day. The meeting will conclude each day at 5 p.m. or until business for the day is completed. The meeting may conclude before 5 p.m. on Thursday if business has been completed.

**ADDRESSES:** The meeting will be held in the Green Room of the National Marine Fisheries Service's Southwest Fisheries Science Center; 8604 La Jolla Shores Drive, La Jolla, CA 92037.

**FOR FURTHER INFORMATION CONTACT:** Kerry Griffin, Staff Officer; telephone: (503) 820–2280.

**SUPPLEMENTARY INFORMATION:** The primary purpose of the meeting is to review the Pacific mackerel stock assessment for 2011, in order to inform fisheries management decisions for the 2011–12 fishery. Other issues relevant to Pacific mackerel management and science may be addressed as time permits.

Although non-emergency issues not contained in the meeting agenda may come before the STAR Panel for discussion, those issues may not be the subject of formal action during this meeting. STAR Panel action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the STAR Panel's intent to take final action to address the emergency.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Carolyn Porter at (503) 820–2280 at least 5 days prior to the meeting date.

Dated: April 11, 2011.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 2011–9056 Filed 4–13–11; 8:45 am]

**BILLING CODE 3510–22–P**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

[Docket No. 101014509–1211–02]

**RIN 0648–XZ62**

##### Policy for the Assessment of Civil Administrative Penalties and Permit Sanctions

**AGENCY:** Office of General Counsel (OGC), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

**ACTION:** Notice of issuance; final policy.

**SUMMARY:** The National Oceanic and Atmospheric Administration (NOAA) announces the publication and issuance of a final Policy for the Assessment of Civil Administrative Penalties and Permit Sanctions (Penalty Policy).

**DATES:** The final Penalty Policy was issued on March 16, 2011, and became effective on that date.

**ADDRESSES:** The final Penalty Policy is available electronically on NOAA's website at <http://www.gc.noaa.gov/enforce-office1.html>. A paper copy of the Penalty Policy may be requested by sending a self-addressed envelope (size 8.5 x 11 inches) to the individual under the heading **FOR FURTHER INFORMATION CONTACT**.

**FOR FURTHER INFORMATION CONTACT:** Frank Sprtel by telephone at (301) 496–7147; by fax at (301) 427–2210; by e-mail at [frank.sprtel@noaa.gov](mailto:frank.sprtel@noaa.gov); or by mail at: Office of General Counsel for Enforcement and Litigation, National Oceanic and Atmospheric Administration, 8484 Georgia Avenue, Suite 400, Silver Spring, MD 20910.

**SUPPLEMENTARY INFORMATION:** The Penalty Policy is intended to provide guidance for the assessment of civil administrative penalties and permit sanctions under the statutes and regulations enforced by NOAA. As explained more fully in the text of the policy, the purpose of the Penalty Policy is to ensure that: (1) Civil administrative penalties and permit sanctions are assessed in accordance with the laws that NOAA enforces in a fair and consistent manner; (2) penalties and permit sanctions are appropriate for the gravity of the violation; (3) penalties and permit sanctions are sufficient to deter both individual violators and the regulated community as a whole from committing violations; (4) economic incentives for noncompliance are eliminated; and (5) compliance is expeditiously achieved and maintained to protect natural resources. Under this

Policy, NOAA expects to improve consistency at a national level, provide greater predictability for the regulated community and the public, improve transparency in enforcement, and more effectively protect natural resources.

Under the new Penalty Policy, penalties and permit sanctions are based on two criteria: (1) A "base penalty" calculated by adding an initial base penalty amount and permit sanction reflective of the gravity of the violation and the culpability of the violator and adjustments to the initial base penalty and permit sanction upward or downward to reflect the particular circumstances of a specific violation; and (2) an additional amount added to the base penalty to recoup the proceeds of any unlawful activity and any additional economic benefit of noncompliance. We note that the new Penalty Policy is a departure from NOAA's prior practice of developing detailed penalty schedules by region and by specific types of violations with broad ranges for both penalty and permit sanctions. The new policy uses a simplified approach of one penalty and permit sanction matrix for each major statute that NOAA enforces, to be applied nationally, with narrower penalty and permit sanction ranges. This approach assures that NOAA attorneys are provided with greater guidance in recommending penalties, and should assure fairness and consistency of approach across NOAA statutes, across fisheries, and across the country.

NOAA sought public comment on the proposed draft penalty policy between October 21, 2010 and December 20, 2010. NOAA received written input on the proposed policy from regional fishery management councils, industry trade groups, commercial interests, nonprofit organizations, academic institutions, and federal, state, and interstate agencies. A summary of the comments received along with NOAA's responses to these comments is available at the website above.

The final Penalty Policy supersedes previous guidance regarding assessment of penalties or permit sanctions and previous penalty and permit sanction schedules issued by the NOAA Office of General Counsel, and goes into effect immediately for any cases charged after its issuance date. This Penalty Policy provides guidance for the NOAA Office of General Counsel, but does not, nor is it intended to, create a right or benefit, substantive or procedural, enforceable at law or in equity, in any person or company.

The full final Penalty Policy, along with examples, matrixes, and schedules,

may be found at <http://www.gc.noaa.gov/enforce-office1.html>.

Dated: April 5, 2011.

**Lois J. Schiffer,**

*General Counsel, National Oceanic and Atmospheric Administration.*

[FR Doc. 2011-9021 Filed 4-13-11; 8:45 am]

**BILLING CODE 3510-12-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

[Docket No. PTO-C-2011-0022]

#### Public Advisory Committees

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTION:** Notice and request for nominations.

**SUMMARY:** On November 29, 1999, the President signed into law the Patent and Trademark Office Efficiency Act (the "Act"), Public Law 106-113, which, among other things, established two Public Advisory Committees to review the policies, goals, performance, budget and user fees of the United States Patent and Trademark Office (USPTO) with respect to patents, in the case of the Patent Public Advisory Committee, and with respect to trademarks, in the case of the Trademark Public Advisory Committee, and to advise the Director on these matters (now codified at 35 U.S.C. 5). The USPTO is requesting nominations for three (3) members to each Public Advisory Committee for terms of three years that begin at the expiration of the predecessors' terms, or on October 6, 2011.

**DATES:** Nominations must be postmarked or electronically transmitted on or before May 20, 2011.

**ADDRESSES:** Persons wishing to submit nominations should send the nominee's resumé to Chief of Staff, Office of the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, Post Office Box 1450, Alexandria, Virginia 22313-1450; by electronic mail to:

*PPACnominations@uspto.gov* for the Patent Public Advisory Committee or *TPACnominations@uspto.gov* for the Trademark Patent Public Advisory Committee; by facsimile transmission marked to the Chief of Staff's attention at (571) 273-0464, or by mail marked to the Chief of Staff's attention and addressed to the Office of the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, Post Office Box 1450, Alexandria, Virginia 22313-1450.

#### FOR FURTHER INFORMATION CONTACT:

Andrew H. Hirshfeld, Chief of Staff, by facsimile transmission marked to his attention at (571) 273-0464, or by mail marked to his attention and addressed to the Office of the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, Post Office Box 1450, Alexandria, Virginia 22313-1450.

**SUPPLEMENTARY INFORMATION:** The Advisory Committees' duties include:

- Review and advise the Under Secretary of Commerce for Intellectual Property and Director of the USPTO on matters relating to policies, goals, performance, budget, and user fees of the USPTO relating to patents and trademarks, respectively; and
- Within 60 days after the end of each fiscal year: (1) Prepare an annual report on matters listed above; (2) transmit a report to the Secretary of Commerce, the President, and the Committees on the Judiciary of the Senate and the House of Representatives; and (3) publish the report in the Official Gazette of the USPTO.

#### Advisory Committees

The Public Advisory Committees are each composed of nine (9) voting members who are appointed by the Secretary of Commerce (the "Secretary") and serve at the pleasure of the Secretary for three (3)-year terms. The Public Advisory Committee members must be United States citizens and represent the interests of diverse users of the USPTO, both large and small entity applicants in proportion to the number of such applications filed. The Committees must include members who have "substantial backgrounds and achievement in finance, management, labor relations, science, technology, and office automation." 35 U.S.C. 5(b)(3). In the case of the Patent Public Advisory Committee, at least twenty-five (25) percent of the members must represent "small business concerns, independent inventors, and nonprofit organizations," and at least one member must represent the independent inventor community (35 U.S.C. 5(b)(2)). Each of the Public Advisory Committees also includes three (3) non-voting members representing each labor organization recognized by the USPTO. Administration policy discourages the appointment of Federally registered lobbyists to agency advisory boards and commissions (Lobbyists on Agency Boards and Commissions, <http://www.whitehouse.gov/blog/2009/09/23/lobbyist-agency-boards-and-commissions> (Sept. 23, 2009, 2:33PM EST)); cf. Exec. Order No. 13490, 74 FR 4673 (January 21, 2009) (while Executive Order 13490 does not