

order and make recommendations to the Selecting Official based on the panel ratings and the selection factors listed below. The Selecting Official, the Director of NOAA Education, will consider merit reviews and recommendations and award in rank order unless the application is justified to be selected out of rank order based on one or more of the following selection factors:

#### Selection Factors

In determining final awards, the selecting official reserves the right to consider the following selection factors:

1. Availability of funds.
2. Balance/distribution of funds:
  - a. Geographically.
  - b. By type of institutions.
  - c. Across academic disciplines.
3. Program-specific objectives.
4. Degree in scientific area and type of degree sought.

#### Repayment Requirement

A Hollings Scholarship recipient shall be required to repay the full amount of the scholarship to the National Oceanic and Atmospheric Administration if it is determined that the individual, in obtaining or using the scholarship, engaged in fraudulent conduct or failed to comply with any term or condition of the scholarship.

#### Cost Sharing Requirements

There are no cost-sharing requirements.

#### Intergovernmental Review

Applications under this program are not subject to Executive Order 12372, "Intergovernmental Review of Federal programs."

#### Limitation of Liability

In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs if this program is cancelled because of other agency priorities. Publication of this notice does not oblige NOAA to award any specific project or to obligate any available funds. Applicants are hereby given notice that funding for the Fiscal Year 2007 program is contingent upon the availability of Fiscal Year 2007 appropriations.

#### National Environmental Policy Act (NEPA)

As defined in sections 5.05 and Administrative or Programmatic Functions of NAO 216-6, 6.03.c.3, this is an undergraduate scholarship and internship program for which there are no cumulative effects. Thus, it has been categorically excluded from the need to prepare an Environmental Assessment.

#### Paperwork Reduction Act

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection displays a currently valid Office of Management and Budget (OMB) control number. The Hollings Undergraduate Scholarship application form has been approved under OMB Control No. 1910-5125.

#### Executive Order 12866

This notice has been determined to be not significant for purposes of Executive Order 12866.

#### Executive Order 13132 (Federalism)

It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

#### Administrative Procedure Act/Regulatory Flexibility Act

Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act or any other law for rules concerning public property, loans, grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements for the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Dated: January 17, 2007.

John J. Kelly, Jr.,

Deputy Undersecretary for Oceans and Atmosphere, U.S. Department of Commerce.

[FR Doc. E7-1010 Filed 1-23-07; 8:45 am]

BILLING CODE 3510-12-P

#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

[I.D. 011807B]

#### Draft (2007) Strategic Plan for Fisheries Research

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** NMFS announces the availability of and seeks public

comment on the draft (2007) Strategic Plan for Fisheries Research. The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires the Secretary of Commerce to develop, triennially, a strategic plan for fisheries research for the subsequent years. Any written comments on the draft plan will be considered by NMFS in the development of the final 2007 Strategic Plan for Fisheries Research.

**DATES:** Comments on the plan must be received on or before February 23, 2007.

**ADDRESSES:** Comments on and requests for the draft NMFS Strategic Plan for Fisheries Research (2007) should be directed to Mark Chandler, Office of Science and Technology, NMFS, NOAA, 1315 East-West Highway, Silver Spring, MD 20910. phone: (301) 713-2367 ext. 152, fax: (301) 713-1875, e-mail: [NSPFR.comments@noaa.gov](mailto:NSPFR.comments@noaa.gov).

**Electronic Access:** The draft NMFS Strategic Plan for Fisheries Research (2007) may be reviewed in its entirety online at <http://www.st.nmfs.gov/>.

**FOR FURTHER INFORMATION CONTACT:** Mark Chandler at 301-713-2367 ext. 152, e-mail: [NSPFR.comments@noaa.gov](mailto:NSPFR.comments@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Section 404 of the Magnuson-Stevens Act requires the Secretary of Commerce to publish triennially in the **Federal Register** a five-year strategic plan for fisheries research. The Magnuson-Stevens Act also requires that the plan address four major areas of research: (1) research to support fishery conservation and management; (2) conservation engineering research; (3) research on the fisheries; and (4) information management research.

The 2007 draft Strategic Plan for Fisheries Research is based upon and entirely consistent with NMFS' "New Priorities for the 21st Century: National Marine Fisheries Service Strategic Plan Updated for FY 2005-FY 2010" located on the internet at <http://www.nmfs.noaa.gov/mb/strategic/>.

The 2007 draft document is a component of the all-encompassing NMFS Strategic Plan, focusing on science research activities. The objectives found under the "Major Fishery Research Goals and Objectives" section of the Strategic Plan for Fisheries Research can be matched with those in the NMFS Strategic Plan. In addition, the strategies, goals and objectives of the draft Strategic Plan for Fisheries Research are consistent with NOAA's "New Priorities for the 21st Century: NOAA's Strategic Plan-Updated for FY 2006-2011" available online at <http://www.spo.noaa.gov/>.

The scope of the 2007 draft document is solely fisheries research to support the Magnuson-Stevens Act. It does not include the regulatory and enforcement components of NMFS' mission. NMFS currently conducts a comprehensive program of fisheries research and involves industry and others interested in planning and implementing its fisheries objectives.

NMFS intends that the final version of the Strategic Plan for Fisheries Research will take advantage of information and recommendations from all interested parties. Therefore, comments and suggestions on this draft NMFS Strategic Plan for Fisheries Research are hereby solicited from the public, other concerned government agencies, the scientific community, industry, and any other interested parties.

Dated: January 18, 2007.

**Steven A. Murawski,**

*Director of Scientific Programs and Chief Science Advisor, National Marine Fisheries Service.*

[FR Doc. E7-1017 Filed 1-23-07; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 011107G]

#### Endangered Species; File No. 1596

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

**ACTION:** Notice; issuance of permit.

**SUMMARY:** Notice is hereby given that NMFS Southwest Fisheries Science Center, 8604 La Jolla Shores Drive, La Jolla, CA 92037-1508 has been issued a permit to take leatherback (*Dermochelys coriacea*) sea turtles for purposes of scientific research.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521;

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562) 980-4001; fax (562) 980-4018.

**FOR FURTHER INFORMATION CONTACT:** Patrick Opay or Amy Hapeman, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** On October 20, 2006, notice was published

in the **Federal Register** (71 FR 61960) that a request for a scientific research permit to take leatherback sea turtles had been submitted by the above-named organization. The requested permit has been issued under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

The researchers will continue long-term monitoring of the status of leatherback sea turtles off the coasts of California, Oregon, and Washington to determine their abundance, distribution, size ranges, sex ratio, health status, diving behavior, local movements, habitat use, and migration routes. Up to 38 animals will be captured using a breakaway hoop net and be measured, weighed, blood and tissue sampled, photographed, and flipper and passive integrated transponder (PIT) tagged. A subset of animals are to have biotelemetry devices (e.g., transmitters) attached to them. An additional 40 animals will be approached (but not captured) and have a VHF/TDR/sonic tag unit attached to them by suction cup using a long pole or these animals would be tissue sampled with a biopsy pole. The primary goal is to address priorities outlined in the U.S. Pacific leatherback Recovery Plan and identify critical forage habitats, genetic stock structure, migratory corridors, and potential fishery impacts on this species in the Pacific. This information is necessary to make informed management decisions concerning these turtles and their habitat. The permit is issued for 5 years.

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of any endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: January 18, 2007.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E7-1014 Filed 1-23-07; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

[Docket No. PTO-P-2006-0050]

#### Grant of Interim Extension of the Term of U.S. Patent No. 4,650,787; Sanvar®

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

**ACTION:** Notice of Interim Patent Term Extension.

**SUMMARY:** The United States Patent and Trademark Office has issued a certificate under 35 U.S.C. 156(d)(5) for a second one-year interim extension of the term of U.S. Patent No. 4,650,787.

#### FOR FURTHER INFORMATION CONTACT:

Mary C. Till by telephone at (571) 272-7755; by mail marked to her attention and addressed to the Commissioner for Patents, Mail Stop Hatch-Waxman PTE., P.O. Box 1450, Alexandria, VA 22313-1450; by fax marked to her attention at (571) 273-7755, or by e-mail to [Mary.Till@uspto.gov](mailto:Mary.Till@uspto.gov).

**SUPPLEMENTARY INFORMATION:** Section 156 of Title 35, United States Code, generally provides that the term of a patent may be extended for a period of up to five years if the patent claims a product, or a method of making or using a product, that has been subject to certain defined regulatory review, and that the patent may be extended for interim periods of up to a year if the regulatory review is anticipated to extend beyond the expiration date of the patent.

On March 23, 2006, Debiovision Inc., the exclusive agent of Debiopharm S.A. and Debio Recherche Pharmaceutique S.A., who is the exclusive licensee of the Administrators of the Tulane Educational Fund of New Orleans, Louisiana, the patent owner, timely filed an application under 35 U.S.C. 156(d)(5) for a second interim extension of the term of U.S. Patent No. 4,650,787. The patent claims the human drug product Sanvar® (vapreotide acetate). The application indicates that a New Drug Application for the human drug product Sanvar® (vapreotide acetate) has been filed and is currently undergoing regulatory review before the Food and Drug Administration for permission to market or use the product commercially.

Review of the application indicates that except for permission to market or use the product commercially, the subject patent would be eligible for an extension of the patent term under 35 U.S.C. 156, and that the patent should be extended for one year as required by 35 U.S.C. 156(d)(5)(B). Because it is