

Jan Saunders (302) 674-2331 extension 18 at the Council Office at least 5 days prior to the meeting date.

Dated: October 31, 2006.

**Tracey L. Thompson,**

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

[FR Doc. E6-18548 Filed 11-2-06; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No. PTO-C-2006-0052]

#### No FEAR Act Notice

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

**ACTION:** Notice.

**SUMMARY:** The United States Patent and Trademark Office is providing notice to its employees, former employees, and applicants for employment of rights and remedies available under the Federal antidiscrimination and whistleblower protection laws as required by the Notification and Federal Employees Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), and the regulations of the Office of Personnel Management found at 5 CFR part 724.

**ADDRESSES:** The United States Patent and Trademark Office, Office of Civil Rights is located at 600 Dulany Street, Madison East, 7th Floor, Alexandria, VA 22313. The telephone number is (571) 272-8292 and the facsimile number is (571) 273-0154.

**FOR FURTHER INFORMATION CONTACT:** Bismarck Myrick by telephone at (571) 272-8292; by mail at United States Patent and Trademark Office, Office of Civil Rights, 600 Dulany Street, Madison East, 7th Floor, Alexandria, VA 22313; facsimile number at (571) 273-0154; or electronic mail at [OCR@uspto.gov](mailto:OCR@uspto.gov).

#### Background

On May 15, 2002, Congress enacted the "Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002," which is now known as the No FEAR Act. One purpose of the Act is to "require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws." Public Law 107-174, Summary. In support of this purpose, Congress found that "agencies cannot be run effectively if those agencies practice or tolerate discrimination." Public Law 107-174, Title I, General Provisions, section 101(1).

The Act also requires this agency to provide this notice to Federal employees, former Federal employees and applicants for Federal employment to inform them of the rights and protections available to them under Federal antidiscrimination and whistleblower protection laws.

#### Antidiscrimination Laws

A Federal agency may not discriminate against an employee or applicant with respect to the terms, conditions or privileges of employment on the basis of race, color, religion, sex, national origin, age, disability, marital status or political affiliation. Discrimination on these bases is prohibited by one or more of the following statutes: 5 U.S.C. 2302(b)(1), 29 U.S.C. 206(d), 29 U.S.C. 631, 29 U.S.C. 633a, 29 U.S.C. 791 and 42 U.S.C. 2000e-16.

If you believe that you have been the victim of unlawful discrimination on the basis of race, color, religion, sex, national origin or disability, you must contact an Equal Employment Opportunity (EEO) counselor within 45 calendar days of the alleged discriminatory action, or in the case of a personnel action, within 45 calendar days of the effective date of the action, before you can file a formal complaint of discrimination with your agency. *See, e.g.* 29 CFR 1614. If you believe that you have been the victim of unlawful discrimination on the basis of age, you must either contact an EEO counselor as noted above or give notice of intent to sue to the Equal Employment Opportunity Commission (EEOC) within 180 calendar days of the alleged discriminatory action. If you are alleging discrimination based on marital status or political affiliation, you may file a written complaint with the U.S. Office of Special Counsel (OSC) (see contact information below). In the alternative (or in some cases, in addition), you may pursue a discrimination complaint by filing a grievance through your agency's administrative or negotiated grievance procedures, if such procedures apply and are available.

#### Whistleblower Protection Laws

A Federal employee with authority to take, direct others to take, recommend or approve any personnel action must not use that authority to take or fail to take, or threaten to take or fail to take, a personnel action against an employee or applicant because of disclosure of information by that individual that is reasonably believed to evidence violations of law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a

substantial and specific danger to public health or safety, unless disclosure of such information is specifically prohibited by law and such information is specifically required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs.

Retaliation against an employee or applicant for making a protected disclosure is prohibited by 5 U.S.C. 2302(b)(8). If you believe that you have been the victim of whistleblower retaliation, you may file a written complaint (Form OSC-11) with the U.S. Office of Special Counsel at 1730 M Street, NW., Suite 218, Washington, DC 20036-4505 or on-line through the OSC Web site—<http://www.osc.gov>.

#### Retaliation for Engaging in Protected Activity

A Federal agency cannot retaliate against an employee or applicant because that individual exercises his or her rights under any of the Federal antidiscrimination or whistleblower protection laws listed above. If you believe that you are the victim of retaliation for engaging in protected activity, you must follow, as appropriate, the procedures described in the Antidiscrimination Laws and Whistleblower Protection Laws sections or, if applicable, the administrative or negotiated grievance procedures in order to pursue any legal remedy.

#### Disciplinary Actions

Under the existing laws, each agency retains the right, where appropriate, to discipline a Federal employee for conduct that is inconsistent with Federal Antidiscrimination and Whistleblower Protection Laws up to and including removal. If OSC has initiated an investigation under 5 U.S.C. 1214, however, according to 5 U.S.C. 1214(f), agencies must seek approval from the Special Counsel to discipline employees for, among other activities, engaging in prohibited retaliation. Nothing in the No FEAR Act alters existing laws or permits an agency to take unfounded disciplinary action against a Federal employee or to violate the procedural rights of a Federal employee who has been accused of discrimination.

#### Additional Information

For further information regarding the No FEAR Act regulations, refer to 5 CFR part 724, as well as the appropriate offices within your agency (*e.g.*, EEO/ Civil Rights Office, Human Resources Office or Office of General Counsel). Additional information regarding Federal antidiscrimination,

whistleblower protection and retaliation laws can be found at the EEOC Web site—<http://www.eeoc.gov> and the OSC Web site—<http://www.osc.gov>.

#### Existing Rights Unchanged

Pursuant to section 205 of the No FEAR Act, neither the Act nor this notice creates, expands or reduces any rights otherwise available to any employee, former employee or applicant under the laws of the United States, including the provisions of law specified in 5 U.S.C. 2302(d).

Dated: October 27, 2006.

**Jon W. Dudas,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

[FR Doc. E6-18609 Filed 11-2-06; 8:45 am]

**BILLING CODE 3510-16-P**

## COMMISSION OF FINE ARTS

### Notice of Meeting

The next meeting of the U.S. Commission of Fine Arts is scheduled for 16 November 2006, at 10 a.m. in the Commission's offices at the National Building Museum, Suite 312, Judiciary Square, 401 F Street, NW., Washington, DC 20001-2728. Items of discussion affecting the appearance of Washington, DC, may include buildings, parks and memorials.

Draft agendas and additional information regarding the Commission are available on our Web site: [www.cfa.gov](http://www.cfa.gov). Inquiries regarding the agenda and requests to submit written or oral statements should be addressed to Thomas Luebke, Secretary, U.S. Commission of Fine Arts, at the above address or call 202-504-2200. Individuals requiring sign language interpretation for the hearing impaired should contact the Secretary at least 10 days before the meeting date.

Dated in Washington, DC, 26 October 2006.

**Thomas Luebke, AIA,**  
*Secretary.*

[FR Doc. 06-9053 Filed 11-2-06; 8:45 am]

**BILLING CODE 6330-01-M**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Defense Business Board; Notice of Advisory Committee Meeting

**AGENCY:** Department of Defense, DoD.

**ACTION:** Notice of Advisory Committee Meeting.

**SUMMARY:** The Defense Business Board (DBB) will meet in open session on Wednesday, December 6, 2006 at the Pentagon, Washington, DC from 8:30 a.m. to 10:30 a.m. The mission of the DBB is to advise the Secretary of Defense on effective strategies for implementation of best business practices of interest to the Department of Defense. At this meeting, the Board will deliberate on recommendations formulated from the Board's review of past DBB reports. The focus of the meeting will be to provide actionable steps to bring prior DBB recommendations to fruition.

**DATES:** Wednesday, December 6, 2006, 8:30 a.m. to 10:30 a.m.

**ADDRESSES:** 1155 Defense Pentagon, Room 3C288, Washington, DC 20301-1155.

#### FOR FURTHER INFORMATION CONTACT:

Members of the public who wish to attend the meeting must contact the Defense Business Board no later than Monday, December 4th for further information about escort arrangements in the Pentagon. Additionally, those who wish to provide input to the Board should submit written comments by Wednesday, November 29th to allow time for distribution to the Board members prior to the meeting. The DBB may be contacted at: Defense Business Board, 1155 Defense Pentagon, Room 3C288, Washington, DC 20301-1155, via e-mail at [defensebusinessboard2@osd.mil](mailto:defensebusinessboard2@osd.mil) or via phone at (703) 697-2168.

Dated: October 30, 2006.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 06-9045 Filed 11-2-06; 8:45 am]

**BILLING CODE 5001-06-M**

## DEPARTMENT OF THE DEFENSE

### Office of the Secretary

#### Missile Defense Advisory Committee (MDAC)

**AGENCY:** Department of Defense.

**ACTION:** Notice of closed meeting.

**SUMMARY:** The Missile Defense Advisory Committee will meet in closed session on November 28-29, 2006, in Washington, DC.

The mission of the Missile Defense Advisory Committee is to provide the Department of Defense advice on all matters relating to missile defense, including system development, technology, program maturity and readiness of configurations of the

Ballistic Missile Defense System (BMDS) to enter the acquisition process. At this meeting, the Committee will conduct classified discussions on capability-based acquisition.

**FOR FURTHER INFORMATION CONTACT:** Col. David R. Wolf, Designated Federal Official (DFO) at [david.wolf@mda.mil](mailto:david.wolf@mda.mil), phone/voice mail (703) 695-6438, or mail at 7100 Defense Pentagon, Washington, DC 20301-7100.

**SUPPLEMENTARY INFORMATION:** In accordance with Section 10(d) of the Federal Advisory Committee Act, Pub. L. 92-463, as amended (5 U.S.C. app. II), it has been determined that this Missile Defense Advisory Committee meeting concerns matters listed in 5 U.S.C. 552b(c)(1) and that, accordingly, the meeting will be closed to the public.

Dated: October 30, 2006.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 06-9046 Filed 11-2-06; 8:45 am]

**BILLING CODE 5001-06-M**

## DEPARTMENT OF DEFENSE

### Department of the Army

#### Department of Defense (DoD) Task Force on Mental Health; Meeting

**AGENCY:** Department of the Army; DoD.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with section 10(a)(2) of Public Law 92-463, The Federal Advisory Committee Act, announcement is made of the following meeting:

*Name of Committee:* DoD Task Force on Mental Health, a Subcommittee of the Defense Health Board.

*Dates:* November 21, 2006 (Afternoon—Open Session).

*Times:* 1-5 p.m.

*Location:* Double Tree Hotel, 835 Airport Blvd., Burlingame, CA.

*Agenda:* The purpose of the meeting is to obtain, review, and evaluate information related to the Mental Health Task Force's congressionally-directed tasks of assessing the efficacy of mental health services provided to members of the Armed Forces by the Department of Defense. The Task Force members will receive briefings on topics related to mental health concerns among military service members and mental health care delivery. The Task Force will hold an open meeting session to hear concerns from the San Francisco Veterans, Reserve and National Guard communities, conduct information gathering site visits to the National Center for Post Traumatic Stress