

It also appears that for some of these same shipments, Sinicway acted as a common carrier in relation to its NVOCC customers and issued its own NVOCC bill of lading. The electronic tariff published by Sinicway appears to indicate that only Cargo NOS rates were in effect since July 17, 2009. However, as indicated by Sinicway's invoices, the rate assessed by Sinicway to its NVOCC customers appears to differ substantially from its published Cargo NOS rates. Accordingly, it appears that Sinicway provided service that was not in accordance with its published tariff, in violation of 10(b)(2) of the Shipping Act.

*Now therefore, it is ordered,* That pursuant to sections 10, 11, and 13 of the Shipping Act, 46 U.S.C. 41102, 41104, and 41107–41109, an investigation is instituted to determine:

(1) Whether Sinicway International Logistics Ltd. violated section 10(a)(1) of the Shipping Act by obtaining transportation at less than the rates and charges otherwise applicable by an unjust or unfair device or means;

(2) Whether Sinicway International Logistics Ltd. violated section 10(b)(2) of the Shipping Act by providing service other than at the rates, charges, and classifications set forth in its published NVOCC tariff or applicable NSA;

(3) Whether, in the event violations of sections 10(a)(1), and 10(b)(2) of the Shipping Act are found, civil penalties should be assessed against Sinicway International Logistics Ltd. and, if so, the amount of penalties to be assessed;

(4) Whether, in the event violations of section 10(b)(2) of the Shipping Act are found, the tariff(s) of Sinicway International Logistics Ltd. should be suspended; and

(5) Whether, in the event violations are found, an appropriate cease and desist order should be issued.

*It is further ordered,* that a public hearing be held in this proceeding and that this matter be assigned for hearing before an Administrative Law Judge of the Commission's Office of Administrative Law Judges at a date and place to be hereafter determined by the Administrative Law Judge in compliance with Rule 61 of the Commission's Rules of Practice and Procedure, 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the presiding Administrative Law Judge only after consideration has been given by the parties and the presiding Administrative Law Judge to the use of alternative forms of dispute resolution, and upon a 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 matters in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record;

*It is further ordered,* that Sinicway International Logistics Ltd. is designated Respondent in this proceeding;

*It is further ordered,* that the Commission's Bureau of Enforcement is designated a party to this proceeding;

*It is further ordered,* that notice of this Order be published in the **Federal Register**, and a copy be served on parties of record;

*It is further ordered,* that other persons having an interest in participating in this proceeding may file petitions for leave to intervene in accordance with Rule 72 of the Commission's Rules of Practice and Procedure, 46 CFR 502.72;

*It is further ordered,* that all further notices, orders, and/or decisions issued by or on behalf of the Commission in this proceeding, including notice of the time and place of hearing or prehearing conference, shall be served on parties of record;

*It is further ordered,* that all documents submitted by any party of record in this proceeding shall be directed to the Secretary, Federal Maritime Commission, Washington, DC 20573, in accordance with Rule 118 of the Commission's Rules of Practice and Procedure, 46 CFR 502.118, and shall be served on parties of record; and

*It is further ordered,* that in accordance with Rule 61 of the Commission's Rules of Practice and Procedure, the initial decision of the Administrative Law Judge shall be issued by August 22, 2011 and the final decision of the Commission shall be issued by December 20, 2011.

By the Commission.

**Karen V. Gregory,**  
Secretary.

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS–0990–New]

### Agency Information Collection Request. 60-Day Public Comment Request

**AGENCY:** Office of the Secretary, Office of the National Coordinator for Health Information Technology (ONC), HHS

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department

of Health and Human Services, is publishing the following summary of a proposed information collection request for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden. To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, e-mail your request, including your address, phone number, OMB number, and OS document identifier, to [Sherette.funncoleman@hhs.gov](mailto:Sherette.funncoleman@hhs.gov), or call the Reports Clearance Office on (202) 690–6162. Written comments and recommendations for the proposed information collections must be directed to the OS Paperwork Clearance Officer at the above e-mail address within 60 days.

**Proposed Project:** Evaluation of the IT Professionals in Health Care—OMB No. 0990–NEW—Office of the National Coordinator for Health Information Technology (ONC).

**Abstract:** The Office of the National Coordinator for Health Information Technology (ONC) Office of the Chief Scientist is soliciting comments on a series of data collection efforts for the Evaluation of the IT Professionals in Health Care. The Workforce Program, created under Section 3016 of the HITECH Act, was intended to provide “assistance to institutions of higher education (or consortia thereof) to establish or expand health informatics education programs, including certification, undergraduate, and masters degree programs, for both health care and information technology students.” The evaluation of the Workforce Program is a new information collection activity which will explore program challenges, provide critical formative feedback to the Workforce grantee institutions on their activities, and determine whether the Workforce Program overall was successful in helping to build a skilled workforce equipped to meet the heightened demands of the current environment. The data collection efforts include: A Web-based baseline survey of community college students; course evaluation forms; focus groups with

students, faculty members, and competency exam takers; and a Web-

based survey of community college faculty.

#### ESTIMATED ANNUALIZED BURDEN TABLE

Forms	Type of respondent	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Web-based student baseline survey	Students enrolled in workforce program	1,350	1	20/60	450
Focus groups with students .....	Students enrolled in workforce program	256	1	1.5	384
Focus groups with faculty .....	Instructors from workforce program	50	1	1.5	75
Focus groups with exam takers .....	Competency exam takers not enrolled in workforce program	32	1	1.5	48
Web-based faculty survey .....	Instructors from workforce program	300	1	10/60	50
Total .....	.....	.....	.....	.....	1,007

**Seleda Perryman,**

*Office of the Secretary, Paperwork Reduction Act Clearance Officer.*

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**BILLING CODE 4150-45-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### Findings of Scientific 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:

*Elizabeth Goodwin, PhD, University of Wisconsin-Madison:* Based on the report of an investigation conducted by the University of Wisconsin-Madison (UW-M) and additional analysis conducted by ORI in its oversight review, the U.S. Public Health Service (PHS) found that Elizabeth Goodwin, PhD, former associate professor of genetics and medical genetics, UW-M, engaged in scientific misconduct while her research was supported by National Institute of General Medical Sciences (NIGMS), National Institutes of Health (NIH), grants R01 GM051836 and R01 GM073183.

PHS found that the Respondent engaged in misconduct in science by falsifying and fabricating data that she included in grant applications 2 R01 GM051836-13 and 1 R01 GM073183-01.

PHS found that in grant application 2 R01 GM051836-13, Respondent knowingly and intentionally:

- Falsified Figures 5A and 5B by reusing figures from two of her earlier published papers and falsely labeling them to claim results that had not been achieved in her laboratory.

- Falsified Figure 7B by reusing a figure from one of her published papers and both relabeling it to claim she had detected the STAR-2 protein rather than the TRA-1 protein actually detected and modifying the image in the application to disguise its origin.

- Falsified Figure 8C by using a figure produced by one of her students and relabeled it to show that RNAi treatment of *C. elegans* led to increased expression of the TRA-2 protein when this result had not been obtained by the student.

- Falsified the table on Page 20 of the application showing phenotypic frequencies of worms expressing star-2 (ok483) mutants by significantly overstating the level of aberrant phenotypes and fabricating certain categories of phenotypes not seen by the student conducting the research.

PHS finds that in grant application 1 R01 GM073183-01, Dr. Goodwin knowingly and intentionally:

- Falsified Figure 5 because she used the same two lanes in both Figure 5 and Figure 7, although they were flipped horizontally in one of the figures to disguise their reuse. In Figure 7, the lanes illustrated an effect on *laf-1* during developmental stages of *C. elegans*, and in Figure 5, the same lanes purportedly illustrated an effect on *laf-1* noncoding RNA. A witness testified that the result in Figure 5 had not been observed, while that in Figure 7 had, indicating that the claims for Figure 5 were falsified.

- Falsified Figure 8 by reusing photographs prepared by a student that identified the location of *rRas-1*

expression in adult worms and claiming instead that the images illustrated the location of *laf-1* mRNA. The images had been enlarged and cropped to disguise their location.

Dr. Goodwin has entered into a Voluntary Exclusion Agreement in which she has voluntarily agreed, for a period of three (3) years, beginning on July 22, 2010:

(1) To exclude herself from any contracting or subcontracting with any agency of the U.S. Government and from eligibility for, or involvement in, nonprocurement programs of the U.S. Government referred to as "covered transactions" pursuant to the HHS Implementation of OMB Guidelines to Agencies on Governmentwide Debarment and Suspension at 2 CFR 376, *et seq.*; and

(2) 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.

This Agreement is entered into pursuant to the terms of a plea agreement by and between the Respondent and the United States Attorney for the Western District of Wisconsin.

#### FOR FURTHER INFORMATION CONTACT:

Director, Division of Investigative Oversight, Office of Research Integrity, 1101 Wootton Parkway, Suite 750, Rockville, MD 20852, (240) 453-8800.

**John Dahlberg,**

*Director, Division of Investigative Oversight, Office of Research Integrity.*

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