

formally notify the agency. If such a decision is made, the line must be fully marked according to the requirements under 49 CFR 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if Mazda wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.7(d) states that a part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, § 543.9(c)(2) provides for the submission of petitions "to modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption."

The agency wishes to minimize the administrative burden that § 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify.

**Authority:** 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: September 24, 2004.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. 04-21977 Filed 9-29-04; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34547]

#### **Tonopah & Tidewater Railroad Co.— Lease and Operation Exemption—Pan Western Corporation**

Tonopah & Tidewater Railroad Co. (TTRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from Pan Western Corporation (Pan Western) and operate approximately 2.66 miles of private rail line owned by Pan Western, extending from milepost 0.0 to milepost 2.66 in Clark County, NV. Pan Western intends to lease the railroad line to TTRR so that TTRR may initiate and provide common carrier rail operations on and over the

line. TTRR will become a Class III rail carrier. TTRR certifies that its projected revenues are not expected to exceed those of a Class III rail carrier or \$5 million annually.

The transaction was due to be consummated on or after September 9, 2004, the effective date of the exemption (7 days after the exemption was filed).

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34547, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Jeffrey O. Moreno, Esq., Thompson Hine LLP, 1920 N Street, NW., Suite 800, Washington, DC 20036-1601.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: September 22, 2004.

By the Board, David M. Konschnick,  
Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 04-21981 Filed 9-29-04; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF VETERANS AFFAIRS

### **Office of Research and Development; Government Owned Invention Available for Licensing**

**AGENCY:** Office of Research and Development, VA.

**ACTION:** Notice of Government owned invention available for licensing.

**SUMMARY:** The invention listed below is owned by the U.S. Government as represented by the Department of Veterans Affairs, and is available for licensing in accordance with 35 U.S.C. 207 and 37 CFR part 404 and/or CRADA Collaboration under 15 U.S.C. 3710a to achieve expeditious commercialization of results of federally funded research and development. Foreign patents are filed on selected inventions to extend market coverage for U.S. companies and may also be available for licensing.

**FOR FURTHER INFORMATION CONTACT:** Technical and licensing information on the invention may be obtained by writing to: Mindy L. Aisen, Department of Veterans Affairs, Acting Director,

Technology Transfer Program, Office of Research and Development (12TT), 810 Vermont Avenue, NW., Washington, DC 20420; fax: 202-254-0473; e-mail at [mindy.aisen@mail.va.gov](mailto:mindy.aisen@mail.va.gov). Any request for information should include the Number and Title for the relevant invention as indicated below. Issued patents may be obtained from the Commissioner of Patents, U.S. Patent and Trademark Office, Washington, DC 20231.

**SUPPLEMENTARY INFORMATION:** The invention available for licensing is: PCT Patent Application No. PCT/US03/25189 "Touch Screen Applications for Outpatient Process Automation"

Dated: September 22, 2004.

**Anthony J. Principi,**

*Secretary, Department of Veterans Affairs.*

[FR Doc. 04-21919 Filed 9-29-04; 8:45 am]

**BILLING CODE 8320-01-P**

## DEPARTMENT OF VETERANS AFFAIRS

### **Enhanced-Use Lease Development of Property at the Department of Veterans Affairs Medical Center, Leavenworth, KS**

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Notice of intent to enter into an enhanced-use lease.

**SUMMARY:** The Secretary of the Department of Veterans Affairs (VA) intends to enter into an enhanced-use lease of approximately 50 acres at the Dwight D. Eisenhower VA Medical Center in Leavenworth, Kansas. The selected lessee will finance, redevelop, manage, maintain and operate a mixed-use development that would provide services and accommodations relating to affordable senior housing, long-term care, long-term housing for veterans, transitional housing with supportive services for veterans, and educational and community support facilities on the site, at no cost to VA.

#### **FOR FURTHER INFORMATION CONTACT:**

Malinda D. Pugh, Office of Asset Enterprise Management (004B), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-8192.

**SUPPLEMENTARY INFORMATION:** 38 U.S.C. 8161 *et seq.* specifically provides that the Secretary may enter into an enhanced-use lease if he determines that at least part of the use of the property under the lease will be to provide appropriate space for an activity contributing to the mission of the Department; the lease will not be inconsistent with and will not adversely

affect the mission of the Department;  
and the lease will enhance the property  
or result in improved services to

veterans. This project meets these  
requirements.

Approved: September 22, 2004.

**Anthony J. Principi,**

*Secretary of Veterans Affairs.*

[FR Doc. 04-21918 Filed 9-29-04; 8:45 am]

**BILLING CODE 8320-01-P**