

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (04-027)]

### Notice of Prospective Patent License

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of prospective patent license.

**SUMMARY:** NASA hereby gives notice that Luna Innovations, Incorporated, of 2851 Commerce Street, Blacksburg, Virginia 24060, has applied for an exclusive license to practice the inventions described and claimed in U.S. Patent No. 5,150,620 entitled "Method of Recertifying a Loaded Bearing Member"; U.S. Patent No. 5,214,955 entitled "Constant Frequency Pulsed PhaseLocked Loop Measuring Device"; U.S. Patent No. 5,617,873 entitled "Non-Invasive Method and Apparatus for Monitoring Intracranial Pressure and Pressure Volume Index in Humans"; U.S. Patent No. 5,841,032 entitled "Variable And Fixed Frequency Pulsed PhaseLocked Loop"; U.S. Patent No. 6,413,227 entitled "Method and Apparatus for Assessment of Changes in Intracranial Pressure"; U.S. Patent No. 6,475,147 entitled "Ultrasonic Apparatus and Technique to Measure Changes in Intracranial Pressure"; and the inventions disclosed in NASA Case No. LAR 15854-1 entitled "Method and Apparatus for Non-Invasive Measurement of Changes in Intracranial Pressure"; NASA Case No. LAR 15943-1 entitled "Method and Apparatus for Determining Changes in Intracranial Pressure Utilizing Measurement of the Circumferential Expansion or Contraction of a Patient's Skull"; NASA Case No. LAR 16440-1 entitled "Non-Invasive Method of Determining Diastolic Intracranial Pressure"; and NASA Case No. LAR 16510-1 entitled "Non-Invasive Method of Determining Absolute Intracranial Pressure"; for which U.S. Patent Applications were filed, all of which are assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to NASA Langley Research Center. NASA has not yet made a determination to grant the requested license and may deny the requested license even if no objections are submitted within the comment period.

**DATES:** Responses to this notice must be received by March 9, 2004.

**FOR FURTHER INFORMATION CONTACT:** Helen M. Galus, Patent Attorney, Mail

Stop 212, NASA Langley Research Center, Hampton, VA 23681-2199. Telephone 757-864-3227; fax 757-864-9190.

Dated: February 17, 2004.

**Robert M. Stephens,**

*Deputy General Counsel.*

[FR Doc. 04-3847 Filed 2-20-04; 8:45 am]

**BILLING CODE 7510-01-P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (04-026)]

### Notice of Prospective Patent License

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of prospective patent license.

**SUMMARY:** NASA hereby gives notice that STC Catalysts, Inc., of 10 Basil Sawyer Drive, Hampton, VA 23666-1340, has applied for an exclusive license to practice the invention described in NASA Case Number LAR-15851-1-CU entitled "Process For Coating Substrates With Catalyst Materials" for which a U.S. Patent Application was filed and assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to Langley Research Center. NASA has not yet made a determination to grant the requested license and may deny the requested license even if no objections are submitted within the comment period.

**DATES:** Responses to this notice must be received by March 9, 2004.

**FOR FURTHER INFORMATION CONTACT:** Helen M. Galus, Patent Attorney, Langley Research Center, Mail Stop 212, Hampton, VA 23681-2199. Telephone 757-864-3227; fax 757-864-9190.

Dated: February 17, 2004.

**Robert M. Stephens,**

*Deputy General Counsel.*

[FR Doc. 04-3846 Filed 2-20-04; 8:45 am]

**BILLING CODE 7510-01-P**

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Privacy Act of 1974, as Amended; System of Records Notices

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice to add a new Privacy Act system of records and modify an existing system of records.

**SUMMARY:** The National Archives and Records Administration (NARA) proposes to add a system of records notice to its existing inventory of systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. In this notice, NARA publishes NARA 38—Project Management Records, for comment.

**EFFECTIVE DATES:** The establishment of the new system NARA 38 will become effective without further notice on March 22, 2004, unless comments received on or before that date cause a contrary decision. If changes are made based on NARA's review of comments received, a new final notice will be published.

**ADDRESSES:** NARA invites interested persons to submit comments on this proposed rule. Comments may be submitted by any of the following methods:

- Mail: Send comments to: Privacy Act Officer, Office of General Counsel (NGC), Room 3110, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001.
- Fax: Submit comments by facsimile transmission to: 301-837-0293.
- E-mail: Send comments to <http://www.regulations.gov>. You may also comment via e-mail to [comments@nara.gov](mailto:comments@nara.gov). See

**SUPPLEMENTARY INFORMATION** for details.

**FOR FURTHER INFORMATION CONTACT:** Ramona Branch Oliver, Privacy Act Officer, 301-837-2024 (voice) or 301-837-0293 (fax).

**SUPPLEMENTARY INFORMATION:** NARA last published a comprehensive set of Privacy Act system notices in the **Federal Register** on April 2, 2002 (67 FR 15592). NARA published two additional systems: NARA 35 and NARA 36, in the **Federal Register** on October 17, 2002 (67 FR 64142). NARA also published one additional system NARA 37 and a revised version of the existing system NARA 25, in the **Federal Register** on October 21, 2003 (68 FR 60121).

NARA is proposing to add NARA 38—Project Management Records, to its existing inventory of systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. NARA 38 covers persons who work on NARA projects.

The notice for the new system of records states the following:

- Name and the location of the record system;
- Authority for and manner of its operation;

- Categories of individuals that it covers;
- Types of records that it contains;
- Sources of information in these records;

- Proposed "routine uses" of each system of records; and

- Business address of the NARA official who will inform interested persons of the procedures they must follow to gain access to and correct records pertaining to themselves.

One of the purposes of the Privacy Act, as stated in section 2(b)(4) of the Act, is to provide certain safeguards for an individual against an invasion of personal privacy by requiring Federal agencies to disseminate any record of identifiable personal information in a manner that assures that such action is for a necessary and lawful purpose, that information is current and accurate for its intended use, and that adequate safeguards are provided to prevent misuse of such information. NARA intends to follow these principles in transferring information to another agency or individual as a "routine use", including assurance that the information is relevant for the purposes for which it is transferred.

Dated: February 13, 2004.

**John W. Carlin,**

*Archivist of the United States.*

Accordingly, we are publishing the proposed new system of records notice NARA 37 as follows:

### **NARA 38**

#### **SYSTEM NAME:**

Project Management Records.

#### **SYSTEM LOCATION:**

This system is located at the National Archives and Records Administration (NARA) in College Park, MD.

#### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals covered by this system include NARA employees and NARA contractors who work on NARA projects.

#### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Individual files may contain some or all of the following information about NARA employees and NARA contractors: name, job title, work organization, supervisor, project assignments, work experience, and work availability.

Project files consist of a list of NARA approved projects and related information about these projects. These files will contain some or all of the following information: work tasks, planned and actual start and finish

dates, resource requirements, dependencies and deliverables.

Work files consist of information reported by an individual that shows, by task: resource expenditures in hours and dollars, remaining effort to complete the task, date of completion, risk assessments, issues and documentation that shows work progress.

#### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

44 U.S.C. 2104, 31 U.S.C. 1115, and 40 U.S.C. 1423.

#### **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

NARA maintains this information to effectively manage NARA's project portfolio. This includes defining projects and, within them, activities, tasks, milestones, and deliverables and assigning individuals to projects, measuring performance of on-going projects against established baselines, assessing the availability of resources to begin new projects and determining the capital costs of completed projects. Records will be disclosed for these uses both to authorized NARA staff and to contractors assisting NARA in these activities. These records may also be used to evaluate the performance of individuals, both NARA staff and contractors, against goals established by project managers and/or contract managers.

Records from this system of records may be disclosed as a routine use to an agency or official of the U.S. Government exercising oversight over an activity covered by the system, or over the methods or manner in which NARA manages these activities, the resources committed to them, and their results. Such disclosures are limited to the extent necessary for them to exercise their oversight authority. Oversight agencies include, but are not limited to, the NARA Inspector General, GAO or other entities evaluating, auditing, or reviewing NARA's project management, capital investments, and earned value management. They may include officials of other agencies who are partners of NARA in one or more of the projects covered by the system.

The routine use statements A, C, D, E, F, and G described in Appendix A published at 67 FR 15592, also apply to this system of records.

#### **POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

##### **STORAGE:**

Electronic and paper.

#### **RETRIEVABILITY:**

Information in employee related files will be retrieved by the name of the individual.

#### **SAFEGUARDS:**

Electronic records are accessible to authorized personnel via password from terminals owned by NARA and maintained in NARA attended offices. After business hours, buildings have security guards and/or secured doors, and all entrances are monitored by electronic surveillance equipment.

#### **RETENTION AND DISPOSAL:**

The disposition of the project management records is under consideration. Accordingly, the records generated cannot be destroyed until a records schedule is approved by the Archivist. Once the disposition is determined, retention and disposal of the records will be governed in accordance with the applicable disposition instructions in the NARA records schedule contained in FILES 203, the NARA Files Maintenance and Records Disposition Manual. Individuals may request a copy of the disposition instructions from the NARA Privacy Act Officer.

#### **SYSTEM MANAGER(S) AND ADDRESS:**

The system manager for project management records is the Assistant Archivist for Human Resources and Information Technology. The address for this location is published at 67 FR 15592.

#### **NOTIFICATION PROCEDURE:**

Individuals interested in inquiring about their records should notify the NARA Privacy Act Officer at the address listed in Appendix B published at 67 FR 15592.

#### **RECORD ACCESS PROCEDURES:**

Individuals who wish to gain access to their records should submit their request in writing to the NARA Privacy Act Officer at the address listed in Appendix B published at 67 FR 15592.

#### **CONTESTING RECORD PROCEDURES:**

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

#### **RECORD SOURCE CATEGORIES:**

Information about individuals in the records is obtained primarily from NARA employees and NARA contractors who work on NARA projects. Addition information may be obtained from NARA supervisors, other personnel, NARA operational records and information provided by contractors

who provide staff to work on NARA projects.

[FR Doc. 04-3763 Filed 2-20-04; 8:45 am]

BILLING CODE 7515-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

[Extension: Rules 8b-1 to 8b-32, SEC File No. 270-135, OMB Control No. 3235-0176.]

Upon written request, copies available from: Securities and Exchange Commission, Office of Filings and Information Services, 450 Fifth Street, NW., Washington, DC 20549.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

- Rules under section 8(b) of the Investment Company Act of 1940.

Rules 8b-1 to 8b-32 under the Investment Company Act of 1940 [15 U.S.C. 80a] (the "Act") are the procedural rules an investment company must follow when preparing and filing a registration statement. These rules were adopted to standardize the mechanics of registration under the Act and to provide more specific guidance for persons registering under the Act than the information contained in the statute. For the most part, these procedural rules do not require the disclosure of information. Two of the rules, however, require limited disclosure of information.<sup>1</sup> The information required by the rules is necessary to ensure that investors have clear and complete information upon which to base an investment decision. The Commission uses the information that investment companies provide on registration statements in its regulatory, disclosure review, inspection and policy-making roles. The respondents to the collection of information are investment companies filing registration statements under the Act.

The Commission does not estimate separately the total annual reporting and

recordkeeping burden associated with rules 8b-1 to 8b-32 because the burden associated with these rules are included in the burden estimates the Commission submits for the investment company registration statement forms (*e.g.*, Form N-1A, Form N-2, Form N-3, and Form N-4). For example, a mutual fund that prepares a registration statement on Form N-1A must comply with the rules under section 8(b), including rules on riders, amendments, the form of the registration statement, and the number of copies to be submitted. Because the fund only incurs a burden from the section 8(b) rules when preparing a registration statement, it would be impractical to measure the compliance burden of these rules separately. The Commission believes that including the burden of the section 8(b) rules with the burden estimates for the investment company registration statement forms provides a more accurate and complete estimate of the total burdens associated with the registration process.

Investment companies seeking to register under the Act are required to provide the information specified in rules 8b-1 to 8b-32 if applicable. Responses will not be kept confidential.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Please direct general comments regarding the above information to the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503; and (ii) R. Corey Booth, Director/Chief Information Officer, Office of Information Technology, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Comments must be submitted to OMB within 30 days of this notice.

Dated: February 13, 2004.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 04-3772 Filed 2-20-04; 8:45 am]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

[Extension: Rule 206(3)-2, SEC File No. 270-216, OMB Control No. 3235-0243.]

Upon written request, copies available from: Securities and Exchange Commission,

Office of Filings and Information Services, Washington, DC 20549.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget ("OMB") a request for extension of the previously approved collection of information discussed below.

Rule 206(3)-2, which is entitled "Agency Cross Transactions for Advisory Clients," permits investment advisers to comply with section 206(3) of the Investment Advisers Act of 1940 ("Advisers Act") by obtaining a client's blanket consent to enter into agency cross transactions (*i.e.*, a transaction in which an adviser acts as a broker to both the advisory client and the opposite party to the transaction). Rule 206(3)-2 applies to all registered investment advisers. In relying on the rule, investment advisers must provide certain disclosures to their clients; advisory clients can use the disclosures to monitor agency cross transactions. The Commission also uses the information required by rule 206(3)-2 in connection with its investment adviser inspection program to ensure that advisers are in compliance with the rule. Without the information collected under the rule, advisory clients would not have information available for monitoring their adviser's handling of their accounts and the Commission would be less efficient and effective in its inspection program.

The information requirements of the rule consist of the following: (1) Prior to obtaining the client's consent, appropriate disclosure must be made to the client as to the practice of, and the conflicts of interest involved in, agency cross transactions; (2) at or before the completion of any such transaction, the client must be furnished with a written confirmation containing specified information and offering to furnish upon request certain additional information; and (3) at least annually, the client must be furnished with a written statement or summary as to the total number of transactions during the period covered by the consent and the total amount of commissions received by the adviser or its affiliated broker-dealer attributable to such transactions.

The Commission estimates that approximately 780 respondents use the rule annually, necessitating about 32 responses per respondent each year, for a total of 24,960 responses. Each response requires about .5 hours, for a total of 12,480 hours. The estimated average burden hours are made solely

<sup>1</sup> Rule 8b-3 [17 CFR 270.8b-3] provides that whenever a registration form requires the title of securities to be stated, the registrant must indicate the type and general character of the securities to be issued. Rule 8b-22 [17 CFR 270.8b-22] provides that if the existence of control is open to reasonable doubt, the registrant may disclaim the existence of control, but it must state the material facts pertinent to the possible existence of control.