

payment of the issue fee in order for the IDS to be considered by the examiner.

Further details about these programs can be found at the USPTO Patent Application Initiatives Timeline Internet Web site (http://www.uspto.gov/patents/init_events/patapp-initiatives-timeline.jsp). Additionally, the USPTO has a number of different patent pendency measures displayed on the Data Visualization Dashboard of the USPTO's Internet Web site (<http://www.uspto.gov/dashboards/patents/main.dashxml>).

The public is invited to submit comments on issues related to patent application pendency that they deem relevant. Comment regarding the issues below would be particularly helpful to the USPTO:

1. Are the current targets of ten month average first action patent pendency and twenty month average total patent pendency the right agency strategic targets for the USPTO, stakeholders, and the public at large? If not, what are the appropriate average first action patent pendency and average total patent pendency targets, and what is the supporting rationale for different targets?

2. Average first action pendency and average total pendency have been the historical measures for many years. Using average pendency as the historical measure allows for a range of pendency across all applications in all technology areas. Should the USPTO have first action pendency and total pendency targets be met by nearly all applications (e.g., 90 or 95 percent of applications meeting the pendency target) rather than an average first action pendency and total pendency targets? If so, what should the percentage be and why?

3. Using average pendency as the historical measure also allows for a range of pendency across different examining units. Should the USPTO consider more technology level patent pendency targets, for example, at the Technology Center level? If so, should all the Technology Centers have the same target? If not, please explain why Technology Centers should have different pendency target levels and how they should be determined?

4. The American Inventors Protection Act (AIPA) provides for patent term adjustment for certain examination delays. See Public Law 106–113, 113 Stat. 1501, 1501A–557 through 1501A–560 (1999). The patent term adjustment (PTA) provisions set out examination timeframes, which may result in patent term adjustment if not met. See 35 U.S.C. 154(b)(1)(A) and (b)(1)(B). These examination timeframes are referred to

within the USPTO as “14–4–4–36” timeframes. The “14” refers to fourteen months to first action. See 35 U.S.C. 154(b)(1)(A)(i). The first “4” refers to four months to respond to an amendment or RCE. See 35 U.S.C. 154(b)(1)(A)(ii). The second “4” refers to four months to act on an application after a Patent Trial and Appeal Board (PTAB) or court decision when allowable claims remain in the application. See 35 U.S.C. 154(b)(1)(A)(iii). The third “4” refers to four months to issue an application after payment of the issue fee. See 35 U.S.C. 154(b)(1)(A)(iv). Finally, the “36” refers to thirty-six-month (or three-year) total pendency. See 35 U.S.C. 154(b)(1)(B). If the USPTO considered using targets tied to these PTA provisions, the measure could differ from the current average pendency target measures in a few notable ways.

First, a target tied to PTA provisions could be based on the percent of applications that were completed within a certain number of months, rather than the average of all applications completed. Should the USPTO consider using a first action pendency target tied to minimizing the number of applications in which a first action is not mailed within fourteen months?

Second, the PTA provisions include more specific actions by the USPTO in specific timeframes. Should the USPTO also consider using some of the other PTA specific timeframes for their optimal pendency targets?

5. The PPAC has previously suggested the USPTO's goal to reduce first action pendency to ten months may have the unintended consequences of increasing the uncertainty of the patenting process and potentially reducing the quality of patents due to the possibility of “hidden” prior art since patent applications are not published until eighteen months after their filing date. See *Setting and Adjusting Patent Fees*, 78 FR at 4244–45. This potential of “hidden” prior art mentioned by the PPAC could be exacerbated by changes in the AIA regarding prior art submissions by third parties. See 35 U.S.C. 122(e). In other words, a USPTO policy to encourage completing first office actions too soon after the filing date of an application does not allow for the publication of all pertinent patent prior art and for the appropriate window for third party prior art submissions. Would the benefits of a prompt first Office action outweigh potential concerns of the Office action being issued too quickly?

6. There have been suggestions that many changes are occurring in the IP system, and the USPTO should be

cautious at this point in time to avoid going too low in first action pendency. For example:

a. Some potentially significant case law decisions are pending which may impact large categories of inventions and possibly lead to reduced patent filings.

b. It has been just over one year since patent fees were adjusted. See *Setting and Adjusting Patent Fees*, 78 FR 4211 (January 13, 2013). User practices and business decisions based on the adjusted fee levels may not have stabilized yet.

c. There is a lot of activity in the global IP arena which may impact patent filing activity and IP practices in the United States.

The USPTO welcomes comments on these potential concerns.

7. In addition to seeking public input on optimal patent first action and total pendency levels, the USPTO also is interested in knowing if there are other activities where pendency or timeliness should be measured and reported. While the USPTO reports on a number of different patent pendency measures displayed on the Data Visualization Dashboard of the USPTO's Internet Web site (www.uspto.gov):

a. What other metrics should the USPTO consider utilizing to measure pendency or timeliness throughout the examination process?

b. Specifically regarding RCEs, what other metrics should the USPTO consider utilizing to measure the pendency or timeliness regarding RCEs? Should these metrics also be considered for other continuing-type applications (i.e., continuation, continuation-in-part, and divisional applications)?

Dated: July 2, 2014.

Michelle K. Lee,

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

[FR Doc. 2014–16031 Filed 7–8–14; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Renewal of Department of Defense Federal Advisory Committees

AGENCY: DoD.

ACTION: Renewal of Federal Advisory Committee.

SUMMARY: The Department of Defense is publishing this notice to announce that it is renewing the charter for the

Advisory Council on Dependents' Education ("the Council").

FOR FURTHER INFORMATION CONTACT: Jim Freeman, Advisory Committee Management Officer for the Department of Defense, 703-692-5952.

SUPPLEMENTARY INFORMATION: This committee's charter is being renewed pursuant to 20 U.S.C. 929 and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 CFR 102-3.50(a).

The Council is a statutory Federal advisory committee that shall provide independent advice and recommendations to the Director, Department of Defense Education Activity ("the Director") and the Secretary of Defense, as appropriate, on the following:

a. Recommend to the Director general policies for operation of the defense dependents' education system with respect to curriculum selection, administration, and operation of the system;

b. provide information to the Director from other Federal agencies concerned with primary and secondary education with respect to education programs and practices which such agencies have found to be effective and which should be considered for inclusion in the defense dependents' education system;

c. advise the Director on the design of the study and the selection of the contractor referred to in 20 U.S.C. 930(a)(2); and

d. perform such other tasks as may be required by the Secretary of Defense.

The Council reports to the Director for all matters listed in a through c above, and any other matters involving the DoD dependents' education system that are within the Director's purview. All matters outside the Director's purview shall be reported to the Secretary of Defense, through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)).

The USD(P&R) or the Director, as appropriate, may act upon the Council's advice and recommendations.

The Council, pursuant to 20 U.S.C. 929(a), shall be comprised of the following 16 members:

a. The Secretary of Defense and the Secretary of Education, or their respective designees;

b. Twelve individuals appointed jointly by the Secretary of Defense and the Secretary of Education who shall be individuals who have demonstrated an interest in the field of primary or secondary education and who shall include representatives of professional employee organizations, school

administrators, and parents of students enrolled in the defense dependents' education system, and one student enrolled in such system; and

c. A representative of the Secretary of Defense and of the Secretary of Education.

Members appointed to the Council from professional employee organizations, pursuant to 20 U.S.C. 929(a)(2), shall be individuals designated by those organizations and shall serve three-year terms of service, not to exceed two full terms.

The Secretary of Defense and Secretary of Education may approve the appointment of individuals appointed pursuant to 20 U.S.C. 929(a)(1)(B) for one-to-four year term of service; however, no member appointed pursuant to 20 U.S.C. 929(a)(1)(B), unless authorized by the Secretary of Defense and the Secretary of Education, may serve more than two consecutive terms of service, unless authorized by the Secretary of Defense and the Secretary of Education. Any member appointed to fill a vacancy occurring before the expiration of the term of service for which his or her predecessor was appointed shall be appointed for the remainder of such term. Individuals who are not full-time or permanent part-time Federal employees shall be appointed as experts or consultants pursuant to 5 U.S.C. 3109 to serve as special government employee (SGE) members. Individuals who are full-time or permanent part-time Federal employees shall be appointed pursuant to 41 CFR 102-3.130(a) to serve as regular government employee (RGE) members. All members shall have their appointment renewed on an annual basis.

Pursuant to 20 U.S.C. 929(d), members of the Council who are not full-time or permanent part-time employees of the Federal government shall, while attending meetings or conferences of the Council or otherwise engaged in the business of the Council, be entitled to compensation at the daily equivalent of the rate specified at the time of such service for level IV of the Executive Schedule under 5 U.S.C. 5315. All Council members, while on official travel, shall be entitled to compensation for travel and per diem.

Pursuant to 20 U.S.C. 929(a)(3), the Secretary of Defense and the Secretary of Education, or their designated representatives, shall serve as the Council's co-chairs.

Pursuant to 20 U.S.C. 929(a)(4), the Director, Department of Defense Education Activity, shall be the Executive Secretary of the Council, but

shall not vote on matters before the Council.

All members of the Council are appointed to provide advice on the basis of their best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

DoD, when necessary and consistent with the Council's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Council. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or USD (P&R), as the Council's sponsor.

Such subcommittees shall not work independently of the Council and shall report all of their recommendations and advice solely to the Council for full and open deliberation, discussion, and voting. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Council. No subcommittee or any of its members can update or report, verbally or in writing, on behalf of the Council, directly to the DoD or any Federal officer or employee.

The Secretary of Defense or the Deputy Secretary of Defense will appoint subcommittee members to a term of service of one-to-four years, with annual renewals, even if the member in question is already a member of the Council. Subcommittee members shall not serve more than two consecutive terms of service unless authorized by the Secretary of Defense or the Deputy Secretary of Defense.

Subcommittee members, if not full-time or permanent part-time Federal employees, will be appointed as experts or consultants pursuant to 5 U.S.C. 3109 to serve as SGE members. Subcommittee members, who are full-time or permanent part-time Federal employees, shall be appointed pursuant to 41 CFR 102-3.130(a) to serve as RGE members. With the exception of reimbursement of official travel and per diem related to the Council or its subcommittees, subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

The Council's Designated Federal Officer (DFO) shall be a full-time or permanent part-time DoD employee and shall be appointed in accordance with established DoD policies and procedures.

The Council's DFO is required to be in attendance at all meetings of the Council and any subcommittees for the entire duration of each and every meeting. However, in the absence of the Council's DFO, a properly approved Alternate DFO, duly appointed to the Council according to established DoD policies and procedures, shall attend the entire duration of all meetings of the Council and its subcommittees.

The DFO, or the Alternate DFO, shall call all meetings of the Council and its subcommittees; prepare and approve all meeting agendas; and adjourn any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

Pursuant to 41 CFR 102–3.105(j) and 102–3.140, the public or interested organizations may submit written statements to Advisory Council on Dependents' Education membership about the Council's mission and functions. Written statements may be submitted at any time or in response to the stated agenda of planned meeting of the Advisory Council on Dependents' Education.

All written statements shall be submitted to the DFO for the Advisory Council on Dependents' Education, and this individual will ensure that the written statements are provided to the membership for their consideration. Contact information for the Advisory Council on Dependents' Education DFO can be obtained from the GSA's FACA Database—<http://www.facadatabase.gov/>.

The DFO, pursuant to 41 CFR 102–3.150, will announce planned meetings of the Advisory Council on Dependents' Education. The DFO, at that time, may provide additional guidance on the submission of written statements that are in response to the stated agenda for the planned meeting in question.

Dated: July 3, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2014–15998 Filed 7–8–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Record of Decision for the Final Supplemental Environmental Impact Statement F–35 Beddown at Eglin Air Force Base, Florida

ACTION: Notice of Availability (NOA) of a Record of Decision (ROD).

SUMMARY: On June 26, 2014, the United States Air Force signed the ROD for the Final F–35 Beddown Supplemental Environmental Impact Statement (SEIS). Among other issues, the ROD states the Air Force decision to implement the No Action Alternative, the decision to beddown fifty-nine (59) F–35 aircraft, associated cantonment construction, and recommendations from the Air Force's Gulf Range Airspace Initiative.

The SEIS was made available to the public on February 28, 2014 through a NOA in the **Federal Register** (Volume 79, Number 40, Page 11428) with a wait period that ended on March 31, 2014.

Authority: This NOA is published pursuant to the relevant subsection of the regulations (40 CFR part 1506.6(b)(2)) implementing the provisions of the NEPA of 1969 (42 USC 4321, et seq.) and the relevant subsections of the Air Force's Environmental Impact Analysis Process (EIAP) (32 CFR Parts 989.21(b) and 989.24(b)(7)).

FOR FURTHER INFORMATION CONTACT: Mr. Mike Spaits, 850–882–2836.

Henry Williams,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2014–15910 Filed 7–8–14; 8:45 am]

BILLING CODE 5001–10–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Global Positioning System Directorate (GPSD)

AGENCY: Department of the Air Force, DoD.

ACTION: Notice of Meeting—2014 Open Forum for the NAVSTAR GPS Public Documents.

SUMMARY: This notice informs the public that the Global Positioning Systems (GPS) Directorate will host the 2014 Public Open Forum on 22 August 2014 for the following NAVSTAR GPS public documents: IS–GPS–200 (Navigation User Interfaces), IS–GPS–705 (User Segment L5 Interfaces), IS–GPS–800 (User Segment L1C Interface), and ICD–

GPS–870 (Navstar Next Generation GPS Operational Control Segment [OCX] to User Support Community Interfaces). Additional logistical details can be found below.

The purpose of this forum is to collect issues/comments for analysis and possible integration into the next GPS public document revisions. The GPS Directorate has determined that for the public documents noted above, there will be no technical baseline changes processed this fiscal year. All outstanding comments on the GPS public documents will be considered along with the comments received at this year's open forum in the next revision cycle. The 2014 Open Forum is open to the general public. For those who would like to attend and participate in this forum, we request that you register no later than August 1, 2014. Please send the registration information to timothy.johnson.91.ctr@us.af.mil or SMCGPER@us.af.mil, providing your name, organization, telephone number, mailing and email addresses, and country of citizenship.

Comments will be collected, catalogued, and discussed as potential inclusions to the version following the current release. If accepted, these changes will be processed through the formal Directorate change process for IS–GPS–200, IS–GPS–705, IS–GPS–800, and ICD–GPS–870. All comments must be submitted in a Comments Resolution Matrix (CRM). These forms along with current versions of the documents and the official meeting notice are posted at: <http://www.gps.gov/technical/icwg/>. Please submit comments to the SMC/GPER or Timothy Johnson at SMCGPER@us.af.mil or to Timothy Johnson at timothy.johnson.91.ctr@us.af.mil by August 1, 2014. Special topics may also be considered for the Public Open Forum. If you wish to present a special topic, please coordinate with SMC/GPER or Timothy Johnson no later than August 1, 2014. For more information, please contact Timothy Johnson at 310–416–8476 or Capt. Frank Clark at 310–653–2041.

DATES: *Date/Time:* 22 Aug 2014, 0800–1700 (Pacific Standard Time P.S.T.).

ADDRESSES:

Leidos Facility,*
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Phone Number: 1–855–462–5367,
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*Identification will be required at the entrance of the Leidos facility (Passport, state ID or Federal ID).