

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### Prospective Grant of Exclusive License: Commercializing Instruments, Reagents and Related Products Used for Template-Dependent Sequencing-by-Synthesis of Nucleic Acids at the Single Molecule Level, Wherein a Polymerase Carries the Donor Label

**AGENCY:** National Institutes of Health, Public Health Service, HHS.

**ACTION:** Notice.

**SUMMARY:** This is notice, in accordance with 35 U.S.C. 209(c)(1) and 37 CFR 404.7(a)(1)(i), that the National Institutes of Health (NIH), Department of Health and Human Services, is contemplating the grant of an exclusive license to practice the invention embodied in Patent Applications U.S. 60/151,580, filed August 29, 1999; PCT/US00/23736, filed August 29, 2000 and U.S. 10/070,053, filed June 10, 2002; entitled "High Speed Parallel Molecular Nucleic Acid Sequencing", to VisiGen Biotechnologies, Inc., having a place of business in Houston, Texas. The patent rights in this invention have been assigned to the United States of America.

**DATES:** Only written comments and/or application for a license that are received by the NIH Office of Technology Transfer on or before April 1, 2005, will be considered.

**ADDRESSES:** Requests for a copy of the patent application, inquiries, comments and other materials relating to the contemplated license should be directed to: Cristina Thalhammer-Reyero, Ph.D., M.B.A., Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852-3804; e-mail: [ThalhamC@mail.nih.gov](mailto:ThalhamC@mail.nih.gov); telephone: 301-435-4507; facsimile: 301-402-0220.

**SUPPLEMENTARY INFORMATION:** The invention relates to a method and apparatus for DNA and RNA sequencing, also known as Two Dye Sequencing (TDS). This invention is based on Fluorescence Resonance Energy Transfer (FRET), a technology increasingly in use for several molecular analysis purposes. In particular, the method consists of: (1) Attachment of engineered DNA polymerases labeled with a donor fluorophore to the surface (chamber) of a microscope field of view, (2) addition to the chamber of DNA with an annealed oligonucleotide primer, which is bound by the polymerase, (3)

further addition of four nucleotide triphosphates, each labeled on the base with a different fluorescent acceptor dye, (4) excitation of the donor fluorophore with light of a wavelength specific for the donor but not for any of the acceptors, resulting in the transfer of the energy associated with the excited state of the donor to the acceptor fluorophore for a given nucleotide, which is then radiated via FRET, (5) identification of the nucleotides most recently incorporated into the complementary nucleic acid strand by recording the fluorescent spectrum of the individual dye molecules at specific locations in the microscope field, and (6) converting the sequential spectrum into a DNA sequence for each DNA molecule in the microscope field of view.

The prospective exclusive license will be royalty bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within 60 days from the date of this published Notice, NIH receives written evidence and argument that establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

The field of use may be limited to "Commercializing Instruments, Reagents and Related Products Used for Template-Dependent Sequencing-by-Synthesis of Nucleic Acids at the Single Molecule Level, wherein a Polymerase Carries the Donor Label."

Properly filed competing applications for a license filed in response to this notice will be treated as objections to the contemplated license. Comments and objections submitted in response to this notice will not be made available for public inspection, and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

Dated: January 21, 2005.

**Mark L. Rohrbaugh,**

*Director, Office of Technology Transfer,  
National Institutes of Health.*

[FR Doc. 05-1683 Filed 1-28-05; 8:45 am]

**BILLING CODE 4140-01-P**

## DEPARTMENT OF HOMELAND SECURITY

### Departmental Advisory Committee on Commercial Operations of Customs and Border Protection and Related Functions (COAC)

**ACTION:** Notice of meeting and announcement of membership.

**SUMMARY:** This notice announces the date, time, and location for the first meeting of the ninth term of the Departmental Advisory Committee on Commercial Operations of Customs and Border Protection and Related Functions (COAC) and the expected agenda for its consideration. It also announces the new members of the committee.

**DATES:** The next meeting of the COAC will be held on Tuesday, February 15, 2005, 9 a.m. to 1 p.m.

**ADDRESSES:** The meeting of the Departmental Advisory Committee on Commercial Operations of Customs and Border Protection and Related Functions (COAC) will be held in The Ronald Reagan International Trade Center Horizon Ballroom, 1300 Pennsylvania Avenue, NW., Washington, DC 20229 (phone 202-344-1440; fax 202-344-1969).

**FOR FURTHER INFORMATION CONTACT:** Ms. Monica Frazier, Office of the Assistant Secretary for Border and Transportation Security, Department of Homeland Security, Washington, DC 20528; telephone (202) 282-8431; facsimile (202) 282-8504.

**SUPPLEMENTARY INFORMATION:** The first meeting of the ninth term of Departmental Advisory Committee on Commercial Operations of Customs and Border Protection and Related Functions (COAC) will be held at the date, time and location specified above. This notice announces the expected agenda for its consideration and the new members of the committee. This meeting is open to the public; however, participation in COAC deliberations is limited to COAC members, Homeland Security and Treasury Department officials, and persons invited to attend the meeting for special presentations. Since seating is limited, all persons attending this meeting should provide notice by 2 p.m. e.s.t. on Wednesday, February 9, 2005, to Ms. Monica Frazier, Office of the Assistant Secretary for Border and Transportation Security, Department of Homeland Security, Washington, DC 20528; telephone (202) 282-8431; facsimile (202) 282-8504.

*Information on Services for Individuals with Disabilities:* For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Ms. Monica Frazier, Office of the Assistant Secretary for Border and Transportation Security, Department of Homeland Security, Washington, DC 20528; telephone (202) 282-8431; facsimile (202) 282-8504, as soon as possible.

*Draft Agenda:* The COAC is expected to pursue the following agenda, which may be modified prior to the meeting:

1. MTSA Subcommittee.
2. Security Subcommittee.
  - a. Advance Cargo Information.
  - b. WCO Security.
  - c. C-TPAT Process Review.
3. Automation Issues.
  - a. ACE funding and development schedule.
  - b. ACS downtime.
4. International Trade Data System (ITDS).
5. Creation of Infrastructure Subcommittee.
6. Bioterrorism Act.
7. Focused Assessment Program.

*Membership:* The twenty members for the ninth term of COAC are: Anthony Barone, Pfizer; Sandra M. Fallgatter, JC Penny Purchasing Corp.; Jonathan Gold, Retail Industry Leaders Assn.; D. Scott Johnson, Gap, Inc.; Chris Koch, World Shipping Council; Marian Ladner, Strasburger and Price; Bruce Leeds, Boeing; Mary Jo Muoio, Barthco International, Inc.; Karen Phillips, Canadian National; Peggy Rutledge, Hapag-Lloyd Container Line; Norman Schenk, United Parcel Service; Lisa Schimmelpfenning, Wal-Mart Stores; Robert Schueler, Jr., Delphi Corporation; Kevin M. Smith, General Motors Corp.; Curtis Spencer, IMS Worldwide; Katherine M. Terricciano, Philips Electronics N. America; Thomas G. Travis, Sandler, Travis & Rosenberg; Henry White, Institute of International Container Lessors; J Michael Zachary, Port of Tacoma; Federico Zúñiga, National Customs Brokers and Forwarders Association of America.

Dated: January 26, 2005.

**C. Stewart Verdery, Jr.,**

*Assistant Secretary for Border and Transportation Security Policy and Planning.*  
[FR Doc. 05-1769 Filed 1-28-05; 8:45 am]

BILLING CODE 4810-25-P

## DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS-0002-2005]

### Directorate of Science and Technology; Notice of Meeting of Homeland Security Science and Technology Advisory Committee

**AGENCY:** Office of the Under Secretary for Science and Technology, DHS.

**ACTION:** Notice.

**SUMMARY:** The Homeland Security Science and Technology Advisory Committee (HSSTAC) will meet in closed session.

**DATES:** February 23, 2005, and February 24, 2005.

**ADDRESS:** The offices of Booz Allen Hamilton, Virginia Square Plaza, 3811 Fairfax Drive, Arlington, VA 22203.

**FOR FURTHER INFORMATION CONTACT:** Brenda Leckey, Homeland Security Science and Technology Advisory Committee, Department of Homeland Security, Directorate of Science and Technology, Washington, DC 20528; telephone 202-254-5041; e-mail [HSSTAC@dhs.gov](mailto:HSSTAC@dhs.gov).

**SUPPLEMENTARY INFORMATION:** Notice of this meeting is given under the Federal Advisory Committee Act (FACA), Pub. L. 92-463, as amended (5 U.S.C. App. 2 *et seq.*). The HSSTAC will meet for purposes of: (1) Conducting annual administrative sessions (ethics and security briefings); (2) receiving detailed briefings on future Department and Directorate priorities; (3) identifying special issues that HSSTAC should pursue in 2005; (4) identifying special challenges (and resulting responses by) as well as major changes or initiatives facing the Directorate and its operating units for the coming year; (5) receiving subcommittee updates; and (6) receiving briefings on activities, programs, and accomplishments of the Office of Research & Development, the Homeland Security Advanced Projects Research Agency, and the Office of Systems Engineering and Development. In accordance with section 10(d) of the Federal Advisory Committee Act, Pub. L. 92-463, as amended (5 U.S.C. App. 2 *et seq.*), the Under Secretary for Science and Technology has determined that this HSSTAC meeting will concern matters which, if prematurely disclosed, would significantly frustrate implementation of proposed agency actions. Moreover, the administrative portions of the meeting will relate solely to the internal personnel rules and practices of the agency. Accordingly, pursuant to 5 U.S.C. 552b(c)(2) and (9)(B), the meeting will be closed to the public.

*Public Comments:* You may submit comments, identified by DHS-0002-2005, by *one* of the following methods:

- EPA Federal Partner EDOCKET Web Site: <http://www.epa.gov/feddocket>. Follow instructions for submitting comments on the Web site.

The Department of Homeland Security has joined the Environmental Protection Agency (EPA) online public docket and comment system on its Partner Electronic Docket System (Partner EDOCKET). The Department of Homeland Security and its agencies (excluding the United States Coast Guard and Transportation Security

Administration) will use the EPA Federal Partner EDOCKET system. The USCG and TSA (legacy Department of Transportation (DOT) agencies) will continue to use the DOT Docket Management System until full migration to the electronic rulemaking federal docket management system in 2005.

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- E-mail: [hsstac@dhs.gov](mailto:hsstac@dhs.gov). Include DHS-0002-2005 in the subject line of the message.

- Fax: 202-254-6177.

- Mail: Homeland Security Science and Technology Advisory Committee, Department of Homeland Security, Washington, DC 20528.

Instructions: All submissions received must include the agency name and docket number for this rulemaking. All comments received will be posted without change to <http://www.epa.gov/feddocket>, including any personal information provided.

Docket: For access to the docket to read background documents or comments received, go to <http://www.epa.gov/feddocket>.

Dated: January 21, 2005.

**Charles E. McQueary,**

*Under Secretary for Science and Technology.*  
[FR Doc. 05-1726 Filed 1-28-05; 8:45 am]

BILLING CODE 4410-10-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NM-030-1610-DS]

### Notice of Availability (NOA) of the Draft Environmental Impact Statement (DEIS) for the McGregor Range Resource Management Plan Amendment (RMPA) and Notice of Opening of Public Comment Period With Public Meetings

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTION:** NOA of a DEIS for the McGregor Range RMPA, New Mexico.

**SUMMARY:** In accordance with Section 202 of the National Environmental Policy Act of 1969 (NEPA), the BLM announces the availability of the DEIS for the McGregor Range RMPA.

The DEIS documents the direct, indirect, and cumulative environmental impacts of four alternative management plans for BLM-administered withdrawn public lands within the McGregor Range. When completed, the RMPA will fulfill the obligations set forth by NEPA, the Federal Land Policy and