

under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designed it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### List of Subjects in 45 CFR Part 650

Government procurement, Grant programs—science and technology, Inventions and patents, Nonprofit organizations, Small businesses.

**Lawrence Rudolph,**  
General Counsel.

Accordingly, Title 45 of the Code of Federal Regulations part 650 is proposed to be amended as follows:

#### PART 650—PATENTS

1. The authority citation for Part 650 continues to read as follows:

**Authority:** 35 U.S.C. 200–212; 42 U.S.C. 1870(e) and 1871; and the Presidential Memorandum entitled “Government Patent Policy”, issued February 18, 1983.

#### § 650.4 [Amended]

2. The Patent Rights clause set forth in § 650.4(a) is amended:

A. By removing “SEPTEMBER, 1997” in its heading and adding in its place, “FEBRUARY, 2005”.

B. By removing the words “shall be in the form of a written report” in paragraph (c)(1) and adding in its place,

“will be submitted via the iEdison Invention Information Management System maintained by the National Institutes of Health”;

C. By removing the words “forward to NSF” in paragraph (f)(5) and adding in its place, “submit electronically to NSF via the iEdison Invention Information Management System maintained by the National Institutes of Health”; and

D. By revising paragraph (l) to read:

(l) *Communications.* All communications required by this Patents Rights clause must be submitted through the iEdison Invention Information Management System maintained by the National Institutes of Health unless prior permission for another form of submission is obtained from the Patent Assistant at [patents@nsf.gov](mailto:patents@nsf.gov) or at Office of the General Counsel, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

3. Section 650.19 is revised to read:

#### § 650.19 Electronic invention handling.

(a) Grantees must use the iEdison Invention Information Management System maintained by the National Institutes of Health to disclose NSF subject inventions. Detailed instructions for use of that system are provided at <https://s-edison.info.nih.gov/iEdison/> and should be followed for NSF subject inventions except that:

(1) All communications required must be provided electronically as a PDF or TIFF file through iEdison unless prior permission for another form of submission is obtained from the Patent Assistant.

(2) NSF does not require either an Annual Utilization Report or a Final Invention Statement and Certification.

(b) Questions on use of iEdison and requests for permission to submit material in other forms may be sent to the NSF Patent Assistant at [patents@nsf.gov](mailto:patents@nsf.gov) or at Office of the General Counsel, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

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**BILLING CODE 7555–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 04–3612; MB Docket No. 04–287, RM–11044]

### Radio Broadcasting Services; Booneville, KY

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; dismissal.

**SUMMARY:** The Audio Division dismisses a Petition for Rule Making filed by Eastern Kentucky Educational Radio, requesting the allotment of Channel 227A at Booneville, Kentucky as that community’s first local aural transmission service. See 69 FR 48443, August 10, 2004. Eastern Kentucky Educational Radio nor any other party, filed comments in support of the allotment of Channel 227A to Booneville, Kentucky. It is the Commission’s policy to refrain from making a new allotment to a community absent a *bona fide* expression of interest.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Victoria M. McCauley, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission’s Report and Order, MB Docket No. 04–287, adopted November 17, 2004, and released November 22, 2004. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC’s Reference Information Center, Portals II, 445 Twelfth Street, SW., Room CY–A257, Washington, DC 20554. The complete text of this decision may also be purchased from the Commission’s duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY–B402, Washington, DC 20054, telephone 1–800–378–3160 or <http://www.BCPIWEB.com>.

Federal Communications Commission.

**John A. Karousos,**  
Assistant Chief, Audio Division, Media Bureau.

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**BILLING CODE 6712–01–P**