

DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION**

[OMB Control No. 9000-0095]

**Federal Acquisition Regulation;
Submission for OMB Review;
Commerce Patent Regulations**

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for comments regarding an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat has submitted to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection requirement concerning commerce patent regulations. A request for public comments was published in the **Federal Register** at 73 FR 10006, February 25, 2008. No comments were received.

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the FAR, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

DATES: Submit comments on or before August 11, 2008.

ADDRESSES: Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the General Services Administration, Regulatory Secretariat Division, 1800 F Street, NW., Room 4041, Washington, DC 20405. Please cite OMB Control No. 9000-0095, Commerce Patent Regulations, in all correspondence.

FOR FURTHER INFORMATION CONTACT: Ernest Woodson, Procurement Analyst,

Contract Policy Division, GSA (202) 501-3775.

SUPPLEMENTARY INFORMATION:**A. Purpose**

As a result of the Department of Commerce (Commerce) publishing a final rule in the **Federal Register** implementing Public Law 98-620 (52 FR 8552, March 18, 1987), a revision to FAR Subpart 27.3 to implement the Commerce regulation was published in the **Federal Register** as an interim rule on June 12, 1989 (54 FR 25060). The final rule was published without change on June 21, 1990.

A Government contractor must report all subject inventions to the contracting officer, submit a disclosure of the invention, and identify any publication, or sale, or public use of the invention (52.227-11(c), 52.227-12(c), and 52.227-13(e)(2)). Contractors are required to submit periodic or interim and final reports listing subject inventions (27.303(b)uuuuuuu(2)(i) and (ii)). In order to ensure that subject inventions are reported, the contractor is required to establish and maintain effective procedures for identifying and disclosing subject inventions (52.227-11, Alternate IV; 52.227-13(e)(1)). In addition, the contractor must require his employees, by written agreements, to disclose subject inventions (52.227-11(f)(2); 52.227-12(e)(2); 52.227-13(e)(4)). The contractor also has an obligation to utilize the subject invention, and agree to report, upon request, the utilization or efforts to utilize the subject invention (27.302(e); 52.227-11(f); 52.227-12(f)).

B. Annual Reporting Burden

Respondents: 1,200.

Responses per Respondent: 9.75.

Total Responses: 11,700.

Hours per Response: 3.9.

Total Burden Hours: 45,630.

Obtaining Copies of Proposals:

Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (VPR), Room 4041, 1800 F Street, NW., Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0095, Commerce Patent Regulations, in all correspondence.

Dated: July 3, 2008.

Al Matera,

Director, Office of Acquisition Policy.

[FR Doc. E8-15744 Filed 7-9-08; 8:45 am]

BILLING CODE 6820-EP-P

ELECTION ASSISTANCE COMMISSION**Request for Public Comment on
Proposed Guidelines Regarding Help
America Vote Act (HAVA) Section
254(a)(11)**

AGENCY: Election Assistance Commission.

ACTION: Notice.

SUMMARY: The EAC seeks public comment on proposed guidelines designed to assist States in determining what constitutes a "material change in the administration of a State plan" under HAVA Section 254(a)(11).

DATES: Comments must be received on or before 4 p.m. on August 11, 2008.

ADDRESSES: Comments must be submitted in either electronic or written form. Comments may be submitted electronically to havafunding@eac.gov. E-mail comments should contain "State Plan Guidelines Comments" in the subject line. Written comments should be sent to: State Plan Guidelines Comments, U.S. Election Assistance Commission, 1225 New York Ave., NW., Suite 150, Washington, DC 20005. Commenters are encouraged to submit comments electronically to ensure timely receipt and consideration.

FOR FURTHER INFORMATION CONTACT: Mr. Edgardo Cortés, Acting Division Director, Election Administration Support Division, (202) 566-3100 or toll-free (866) 747-1471.

SUPPLEMENTARY INFORMATION:**Guidelines on HAVA Section
254(a)(11): Material Changes in the
Administration of HAVA State Plans**

A material change in the administration of the State plan (material change), as referenced by the Help America Vote Act (HAVA) Section 254(a)(11), occurs under five different circumstances. These guidelines are based on the general federal requirements for updating State plans and post award changes contained in Office of Management and Budget Circular A-102 (41 CFR part 105-71). Material changes require a State to amend the State plan according to the provisions of HAVA Sections 254, 255, and 256. The examples provided below may not be applicable in all circumstances; likewise, the specific instances for when the State plan should be amended are not limited to the examples provided. The Election Assistance Commission (EAC) advises States to amend the State plan in the event of any of following five circumstances:

(1) New or revised Federal laws or regulations affecting HAVA

implementation. [Based on requirement in 41 CFR 105–71.111(d)(1)]

New or amended Federal statutes or regulations, including appropriations statutes, resulting in a change in scope, purpose, budget, or period of availability of funds requires an amended State plan.

Example: Congress passes legislation to amend the Title III requirements of HAVA.

(2) New or revised State law, organization, or policy affecting HAVA implementation. [Based on requirement in 41 CFR 105–71.111(d)(2)]

New or amended State statutes, organization, or policy resulting in a change in scope, purpose, budget, or period of availability of funds requires an amended State plan.

Example: (1) State legislation is passed that changes the voting equipment requirements for the State, thus changing the method of implementation of Title III Voting Systems requirements; (2) The responsibility for implementing the plan was previously with the State Attorney General and has now changed to Secretary of State.

(3) A budget change of 10 percent or more of the HAVA fiscal year's cumulative budget across budgeted programs, activities, functions or activities. [Based on requirement in 41 CFR 105–71.130(c)(1)(ii)]

A change of more than 10 percent of the cumulative budget of the fiscal year's requirement payment from one budgeted category to another requires an amended State plan.

Example: A portion of funds, greater than 10 percent of the requirements payment received, budgeted for use in developing the Computerized Statewide Voter Registration List is determined to no longer be needed for the budgeted purpose, and the State would like to use the funds for improvements to the administration of Federal elections.

(4) A revision in the scope or objective of the project. [Based on requirement in 41 CFR 105–71.130(d)(1)]

A change in the means by which a State plans to achieve the HAVA objectives requires an amended State plan.

Example: (1) The State decides to purchase equipment at the State level instead of subgranting to the counties; (2) The State changes the development of the Computerized Statewide Voter Registration List from a bottom up system to a state centralized system; (3) The State files a certification under HAVA Section 251(b)(2)(A), indicating that the State has implemented the requirements of Title III and will use the requirements payments to carry out other activities to improve the administration of elections for Federal office, and did not account for post-Title III compliance activities in the original State

plan; (4) The State changes the type of voting system originally planned for use in Title III compliance; the State decides to use an optical scan system with ballot marking devices instead of a direct recording electronic (DRE) system.

(5) An extension in the period of availability of HAVA funds. [Based on requirement in 41 CFR 105–71.130(d)(2)]

An increase in the amount of funding authorized under HAVA appropriated to the State not provided for in the original State plan or funds remaining in a fiscal year not covered by the original State plan requires an amended State plan.

Example: (1) A new requirements payment is appropriated for a fiscal year not covered by the State plan; (2) The State has funds from a previous fiscal year's requirements payment remaining in a fiscal year not provided for under the current State plan.

Dated: July 2, 2008.

Thomas R. Wilkey,

Executive Director, U.S. Election Assistance Commission.

[FR Doc. E8–15690 Filed 7–9–08; 8:45 am]

BILLING CODE 6820–KF–P

DEPARTMENT OF ENERGY

[Case No. CAC–011]

Energy Conservation Program for Consumer Products: Decision and Order Granting a Waiver to Daikin U.S. Corporation From the Department of Energy Commercial Package Air Conditioner and Heat Pump Test Procedures and Denying a Waiver From the Residential Central Air Conditioner and Heat Pump Test Procedures

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Decision and Order.

SUMMARY: This notice publishes the Department of Energy's Decision and Order in Case No. CAC–011, which grants a waiver to Daikin U.S. Corporation (Daikin) from the existing Department of Energy (DOE) commercial package air conditioner and heat pump test procedures for specified VRV (commercial) Variable Refrigerant Volume multi-split heat pumps and heat recovery systems. As a condition of this waiver, Daikin must test and rate its VRV multi-split products according to the alternate test procedure as set forth in this notice. DOE is denying as moot Daikin's request for a waiver from the residential central air conditioner and heat pump test procedures, because those test procedures, as amended and

currently effective, can be used to test Daikin's VRV–S (residential) products.

DATES: This Decision and Order is effective July 10, 2008, and will remain in effect until the effective date of a DOE final rule prescribing amended test procedures appropriate for the model series of Daikin VRV multi-split central air conditioners and heat pumps covered by this waiver.

FOR FURTHER INFORMATION CONTACT: Dr. Michael G. Raymond, U.S. Department of Energy, Building Technologies Program, Mailstop EE–2J, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585–0121. Telephone: (202) 586–9611. E-mail: Michael.Raymond@ee.doe.gov.

Ms. Francine Pinto or Mr. Eric Stas, U.S. Department of Energy, Office of General Counsel, Mailstop GC–72, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585–0103. Telephone: (202) 586–9507. E-mail: Francine.Pinto@hq.doe.gov or Eric.Stas@hq.doe.gov.

SUPPLEMENTARY INFORMATION: In accordance with 10 CFR 430.27(l) and 10 CFR 431.401(f)(4), DOE gives notice of the issuance of its Decision and Order as set forth below. In the Decision and Order, DOE grants Daikin a waiver from the existing DOE commercial package air conditioner and heat pump test procedures¹ for its VRV multi-split products, subject to a condition requiring Daikin to test and rate its VRV multi-split products pursuant to the alternate test procedure provided in this notice. Further, today's Decision and Order requires that Daikin may not make any representations concerning the energy efficiency of these products unless such product has been tested in accordance with the DOE test procedure, consistent with the provisions and restrictions of the alternate test procedure set forth in the Decision and Order below, and such representations fairly disclose the results of such testing.² (42 U.S.C. 6293(c); 42 U.S.C. 6314(d))

DOE is denying as moot Daikin's request for a waiver from the DOE residential central air conditioner and

¹ For commercial products, the applicable test procedure is the Air-Conditioning and Refrigeration Institute (ARI) Standard 340/360–2004, "Performance Rating of Commercial and Industrial Unitary Air-Conditioning and Heat Pump Equipment" (incorporated by reference at 10 CFR 431.95(b)(2)).

² Consistent with the statute, distributors, retailers, and private labelers are held to the same standard when making representations regarding the energy efficiency of these products. (42 U.S.C. 6293(c); 42 U.S.C. 6314(d)).