

and validation process for their products.

NIST plans to develop FIPS 140-3 to meet the new and revised requirements of Federal agencies for cryptographic systems, and to address technological and economic changes that have occurred since the issuance of FIPS 140-2. As the first step in the development of FIPS 140-3, NIST invites comments from the public, users, the information technology industry, and Federal, State and local government organizations concerning the need for and recommendations for a new standard.

NIST is especially interested in comments on the following issues:

- (1) Compatibility with industry standards.
- (2) New technology areas.
- (3) Introduction of additional levels of security.
- (4) Additional requirements specific to physical security.
- (5) Portability of applications (including operating systems) based on platform and/or environment.

Following its review of the comments submitted in response to this notice, NIST will hold open, public workshops in 2005 to discuss the development of FIPS 140-3. These workshops will be announced in the **Federal Register** with information about participation. NIST expects to propose FIPS 140-3 for public review and comment before recommending the standard to the Secretary of Commerce for approval in 2006.

NIST will develop a plan for a transition period for testing and validating modules to FIPS 140-3, and for agencies to develop plans to acquire products that are compliant with FIPS 140-3. The transition plan will also address the use by Federal agencies of cryptographic modules that have been validated for compliance to FIPS 140-1 and FIPS 140-2.

Authority: Federal Information Processing Standards (FIPS) are issued by the National Institute of Standards and Technology after approval by the Secretary of Commerce pursuant to Section 5131 of the Information Technology Management Reform Act of 1996 and the Federal Information Security Management Act of 2002 (Public Law 107-347).

E.O. 12866: This notice has been determined not to be significant for the purposes of E.O. 12866.

Dated: January 5, 2005.

Hratch G. Semerjian,
Acting Director.

[FR Doc. 05-545 Filed 1-11-05; 8:45 am]

BILLING CODE 3510-CN-P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Notice of Jointly Owned Invention Available for Licensing

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of jointly owned invention available for licensing.

SUMMARY: The invention listed below is jointly owned by the U.S. Government, as represented by the Department of Commerce, and Biospace, Inc. The Department of Commerce's interest in the invention is available for licensing in accordance with 35 U.S.C. 207 and 37 CFR part 404 to achieve expeditious commercialization of results of federally funded research and development.

FOR FURTHER INFORMATION CONTACT: Technical and licensing information on this invention may be obtained by writing to: National Institute of Standards and Technology, Office of Technology Partnerships, Attn: Teresa Bradshaw, Building 820, Room 213, Gaithersburg, MD 20899. Information is also available via telephone: (301) 975-2624, fax (301) 869-2751, or e-mail: teresa.bradshaw@nist.gov. Any request for information should include the NIST Docket number and title for the invention as indicated below.

SUPPLEMENTARY INFORMATION: NIST may enter into a Cooperative Research and Development Agreement ("CRADA") with the licensee to perform further research on the invention for purposes of commercialization. The invention available for licensing is:

NIST Docket Number: 01-015

Title: Applying X-ray Topography and Diffractometry to Improve Protein Crystal Growth.

Abstract: The present invention provides a general method and system for identifying conditions for growing protein crystals having greater order and fewer crystal defects that are suitable for use in determining the structure of the protein by x-ray diffractometry. Crystals of a protein are grown under different sets of predetermined conditions and x-ray topographic images of the protein crystals are generated. The x-ray topographic images reveal defects in the crystals and permit identification of the set(s) of conditions that produce crystals having the fewest crystal defects. In a preferred embodiment, the protein crystals are grown in a dynamically controlled crystallization system (DCCS). An important condition of crystal growth that can be optimized by

the method is the effective gravity, g^{eff} , experienced by the growing crystal; for example, when the crystal is grown under microgravity in space, or in a powerful magnetic field that causes the protein molecules in the growing crystal to experience acceleration of an effective gravitational field that is greater or less than the actual gravitational field at the earth's surface. With the present method, it is possible to identify differences between crystals grown on the earth with the DCCS and those grown in space under identical conditions. A comparison of x-ray topographs taken from both earth grown and space grown crystals indicates that the space grown crystals are of higher crystallographic perfection.

Dated: January 5, 2005.

Hratch G. Semerjian,
Acting Director.

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BILLING CODE 3510-13-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 092704B]

Taking of Marine Mammals Incidental to Specified Activities; Construction of the East Span of the San Francisco-Oakland Bay Bridge

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of issuance of an incidental harassment authorization.

SUMMARY: In accordance with provisions of the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that an Incidental Harassment Authorization (IHA) has been issued to the California Department of Transportation (CALTRANS) to take small numbers of California sea lions, Pacific harbor seals, and gray whales, by harassment, incidental to construction of a replacement bridge for the East Span of the San Francisco-Oakland Bay Bridge (SF-OBB) in California.

DATES: This authorization is effective from January 3, 2005, until January 3, 2006.

ADDRESSES: A copy of the application, IHA, and/or a list of references used in this document may be obtained by writing to Steve Leathery, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315