

Clarke. Although comments may be submitted by mail or facsimile, the Office prefers to receive comments via the Internet. If comments are submitted by mail, the Office prefers that the comments be submitted on a DOS formatted 3½ inch disk accompanied by a paper copy.

Comments may also be sent by electronic mail message over the Internet via the Federal eRulemaking Portal. See the Federal eRulemaking Portal Web site (<http://www.regulations.gov>) for additional instructions on providing comments via the Federal eRulemaking Portal.

The comments will be available for public inspection at the Office of the Commissioner for Patents, located in Madison East, Tenth Floor, 600 Dulany Street, Alexandria, Virginia, and will be available through anonymous file transfer protocol (ftp) via the Internet (address: <http://www.uspto.gov>). Because comments will be made available for public inspection, information that is not desired to be made public, such as an address or phone number, should not be included in the comments.

**FOR FURTHER INFORMATION CONTACT:**

Robert A. Clarke, Senior Legal Advisor, Office of Patent Legal Administration, Office of the Deputy Commissioner for Patent Examination Policy, by telephone at (571) 272-7735, by mail addressed to: Mail Stop Comments—Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, or by facsimile to (571) 273-7735, marked to the attention of Robert A. Clarke, or preferably via e-mail addressed to: [robert.clarke@uspto.gov](mailto:robert.clarke@uspto.gov).

**SUPPLEMENTARY INFORMATION:** The USPTO established a 21st Century Strategic Plan to transform the USPTO into a more quality-focused, highly productive, responsive organization supporting a market-driven intellectual property system. As part of this plan, the USPTO stated it would conduct a study of the changes needed to implement a Patent Cooperation Treaty (PCT) style Unity of Invention standard in the United States. Prior to starting a detailed study, the USPTO published a notice seeking public comment on a number of issues to help guide the scope and content of a study on the adoption of a Unity of Invention standard in the United States. See *Request for Comments on the Study of the Changes Needed to Implement a Unity of Invention Standard in the United States*, 68 FR 27536 (May 20, 2003), 1271 *Off. Gaz. Pat. Office* 98 (June 17, 2003). In response to that notice, the USPTO received twenty-six

(26) public comments. Those public comments were posted on the USPTO's Internet Web site.

The USPTO posted a notice summarizing the general nature of the comments received as well as the next steps in the study in November of 2004. See *Summary of Public Comments and the Restriction Reform Options to be Studied by the United States Patent and Trademark Office*, 1277 *Off. Gaz. Pat. Office* 94 (Dec. 16, 2003) (Notice). The Notice indicated that as a result of the comments received, the USPTO would conduct a detailed business-case analysis on four restriction reform options and prepare a revised timeline to complete the study. The USPTO also replaced the public comments and schedule to implement a PCT-style Unity of Invention standard with the Notice.

The USPTO study included a review of hundreds of applications under each of the studied options including how examination practices would be impacted. This study also included review of the workflow, pendency and overall ability of the USPTO to appropriately implement each of the standards. The interim results of the study are provided in the Green Paper for which we are requesting comment via this notice. The Green Paper is available on the USPTO's Internet Web site (<http://www.uspto.gov>).

Dated: May 27, 2005.

**Jon W. Dudas,**

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

[FR Doc. 05-11177 Filed 6-3-05; 8:45 am]

**BILLING CODE 3510-16-P**

**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

**Denial of Commercial Availability Request under the United States-Caribbean Basin Trade Partnership Act (CBTPA)**

June 1, 2005.

**AGENCY:** The Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Denial of the request alleging that certain coat weight fabrics of 100 percent carded camel hair, 100 percent carded cashmere, or a blend of carded cashmere and wool fibers cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA.

**SUMMARY:** On March 30, 2005 the Chairman of CITA received a petition

from Neville Peterson, LLP, on behalf of S. Rothschild & Co., Inc. of New York, New York, alleging that certain coat weight fabrics of 100 percent carded camel hair, 100 percent carded cashmere, or a blend of carded cashmere and wool fibers, classified in subheading 5111.19.6020 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner. The petition requested that outerwear articles of such fabrics be eligible for preferential treatment under the U.S. - Caribbean Basin Trade Partnership Act (CBTPA). CITA has determined that the subject fabrics can be supplied by the domestic industry in commercial quantities in a timely manner and, therefore, denies the request.

**FOR FURTHER INFORMATION CONTACT:**

Janet E. Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 213(b)(2)(A)(v)(II) of the Caribbean Basin Economic Recovery Act, as added by Section 211(a) of the CBTPA; Section 6 of Executive Order No. 13191 of January 17, 2001; Presidential Proclamations 7351 of October 2, 2000.

**BACKGROUND:** The CBTPA provides for quota- and duty-free treatment for qualifying textile and apparel products. Such treatment is generally limited to products manufactured from yarns and fabrics formed in the United States or a beneficiary country. The CBTPA also provides for quota- and duty-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more beneficiary countries from fabric or yarn that is not formed in the United States, if it has been determined that such fabric or yarn cannot be supplied by the domestic industry in commercial quantities in a timely manner. In Executive Order No. 13191 (66 FR 7271), CITA has been delegated the authority to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA. On March 6, 2001, CITA published procedures that it will follow in considering requests (66 FR 13502).

On March 30, 2005 the Chairman of CITA received a petition from Neville Peterson, LLP, on behalf of S. Rothschild & Co., Inc. of New York, New York, alleging that certain coat weight fabrics of 100 percent carded camel hair, 100 percent carded cashmere, or a blend of carded cashmere

and wool fibers classified in HTSUS subheading 5111.19.6020, cannot be supplied by the domestic industry in commercial quantities in a timely manner. The petition requested that outerwear articles of such fabrics be eligible for preferential treatment under the U.S. - Caribbean Basin Trade Partnership Act (CBTPA).

On April 12, 2005, CITA published a **Federal Register** notice requesting public comments on the request, particularly with respect to whether these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner. See Request for Public Comments on Commercial Availability Petition under the United States - Caribbean Basin Trade Partnership Act (CBTPA), 70 FR 19059 (April 12, 2005). On April 28, 2005, CITA and USTR offered to hold consultations with the House Ways and Means Committee and the Senate Finance Committee, but no consultations were requested. We also requested advice from the U.S. International Trade Commission and the relevant Industry Trade Advisory Committees.

Based on the information received by CITA, public comments, and the report from the International Trade Commission, CITA found that there is domestic capacity and ability to supply the subject fabrics in commercial quantities in a timely manner. In addition, CITA found there is domestic production of fabrics that appear substitutable for the subject fabrics for purposes of the intended use.

On the basis of currently available information and our review of this request, CITA has determined that there is domestic capacity to supply the subject fabrics in commercial quantities in a timely manner. The request from S. Rothschild & Co., Inc. is denied.

#### D. Michael Hutchinson,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc.05-11173 Filed 6-3-05; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF EDUCATION

### Office of Elementary and Secondary Education, Overview Information, Impact Aid Discretionary Construction Program; Notice Inviting Applications for New Emergency Repair Awards for Fiscal Year (FY) 2005

*Catalogue of Federal Domestic Assistance (CFDA) Number: 84.041C.*

*Applications Available:* June 13, 2005.

*Deadline for Transmittal of Applications:* August 5, 2005.

*Deadline for Intergovernmental Review:* October 4, 2005.

*Eligible Applicants:* To be eligible for an emergency repair grant, a local educational agency (LEA) must enroll a high percentage (at least 40 percent) of federally connected children in average daily attendance (ADA) who reside on Indian lands or who have a parent on active duty in the U.S. uniformed services, have a school that enrolls a high percentage of one of these types of students, or be eligible for funding for heavily impacted LEAs under section 8003(b)(2) of the Elementary and Secondary Education Act of 1965 (Act), as amended by the No Child Left Behind Act of 2001 (NCLB). In making emergency grant awards, the Secretary must also consider the LEA's total assessed value of real property that may be taxed for school purposes, its use of available bonding capacity, and the nature and severity of the school facility emergency.

In this notice, the Secretary is soliciting only applications for emergency repair grants. We will not accept applications for modernization grants at this time. Applications for emergency repair grants are considered in two priority categories. Detailed information about the eligibility requirements for these two priorities is in 34 CFR 222.177 through 222.179.

Except as provided in 34 CFR 222.190, all eligible applications in the "first priority" emergency category must be funded before applications in the next priority can be funded. As prescribed in section 8007(b)(5)(A)(vi) of the Act and the implementing regulations in 34 CFR 222.189(b)(4), unfunded applications in any of the four priorities are retained for one year and considered along with the following fiscal year's pool of applicants. For each of the FY 2002, 2003, and 2004 competitions, the number of fundable "first priority" emergency repair applications exceeded the funds available. Approximately 20 unfunded "first priority" emergency repair applications submitted for FY 2004 will be reconsidered for FY 2005 funding, along with new emergency repair applications submitted in response to this notice.

The Secretary will not subject "second priority" emergency repair applications to the panel review process if the need for funds in the first priority and the number of eligible applications received greatly exceeds the available appropriation. Should funds remain available for modernization awards following this competition, the

Secretary will announce a separate competition for modernization grant applications.

*Estimated Available Funds:* \$26,290,000.

*Estimated Range of Awards:* \$50,000–\$5,000,000.

*Estimated Average Size of Awards:* \$1,500,000.

*Estimated Number of Awards:* 18.

**Note:** The Department is not bound by any estimates in this notice.

*Project Period:* We will determine each project period based on the project proposed and will specify this period in the grant award document.

## Full Text of Announcement

### I. Funding Opportunity Description

*Purpose of Program:* The Impact Aid Discretionary Construction Program provides grants to eligible Impact Aid school districts to assist in addressing their school facility emergency and modernization needs. The eligible Impact Aid school districts have a limited ability to raise revenues for capital improvements because they have large areas of Federal land within their boundaries. As a result, these districts find it difficult to respond when their school facilities are in need of emergency repairs or modernization.

*Program Authority:* 20 U.S.C. 7707(b).

*Applicable Regulations:* (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75 (except for 34 CFR 75.600 through 75.617), 77, 79, 80, 82, 84, 85, 86, 97, 98, and 99. (b) The regulations for this program in 34 CFR part 222.

### II. Award Information

*Type of Award:* Discretionary grants.

*Estimated Available Funds:* \$26,290,000.

*Estimated Range of Awards:* \$50,000–\$5,000,000.

*Estimated Average Size of Awards:* \$1,500,000.

*Estimated Number of Awards:* 18.

**Note:** The Department is not bound by any estimates in this notice.

*Project Period:* We will determine each project period based on the project proposed and will specify this period in the grant award document.

### III. Eligibility Information

1. *Eligible Emergency Repair Applicants:* To be eligible for an emergency repair grant, an LEA must enroll a high percentage (at least 40 percent) of federally connected children in ADA who reside on Indian lands or who have a parent on active duty in the