

Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: November 21, 2008.

**Angela C. Arrington,**

*IC Clearance Official, Regulatory Information Management Services, Office of Management.*

### Federal Student Aid

*Type of Review:* Revision.

*Title:* Federal Family Education Loan (FFEL) Program: Deferment Request Forms.

*Frequency:* On Occasion.

*Affected Public:* Individuals or household.

*Reporting and Recordkeeping Hour Burden:*

Responses: 2,399,196.

Burden Hours: 383,871.

*Abstract:* These forms serve as the means by which borrowers in the FFEL Program may request deferment of repayment on their loans if they meet certain statutory and regulatory eligibility requirements. The holders of a borrower's FFEL Program loans use the information collected on these forms to determine whether a borrower meets the eligibility requirements for the specific deferment type that the borrower has requested.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 3916. When you access the information collection, click on "Download Attachments" to view.

Written requests for information should

be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. E8-28230 Filed 11-25-08; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Questions Concerning Technology Transfer Practices at DOE Laboratories

**AGENCY:** Department of Energy.

**ACTION:** Notice of Inquiry; Technology transfer practices at Department of Energy (DOE) laboratories.

**SUMMARY:** DOE hereby publishes the following questions concerning technology practices at DOE laboratories. Interested parties are requested to answer some or all of the questions at their discretion. In answering the questions parties are requested to identify whether they represent a large business (> 500 employees), a small business, a non-profit organization, a university, or other.

**DATES:** Written comments are to be received at the address listed below no later than January 26, 2009.

**ADDRESSES:** Comments may be submitted electronically at: [GC-62@hq.doe.gov](mailto:GC-62@hq.doe.gov); or by mail at: Office of the Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585. ATTN: TECHNOLOGY TRANSFER QUESTIONS.

**FOR FURTHER INFORMATION CONTACT:** Paul A. Gottlieb, Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, Forrestal Building, Room 6F-067, 1000 Independence Ave., SW., Washington, DC 20585; Telephone: (202) 586-3439.

**SUPPLEMENTARY INFORMATION:**

### Questions About DOE Laboratory Technology Transfer Seeking Input From All Parties Including Industry, Universities, Non-Profits and the General Public

As part of an ongoing review of technology partnering agreements at Department of Energy (DOE) laboratories and facilities, DOE solicits input from all parties including industry, universities, non-profits and the general public on the following questions related to technology partnering mechanisms utilized by DOE Laboratories and facilities:

1. Existing and Other Agreements (4 sub questions): The DOE labs currently offer CRADAs, WFO Agreements, and User Agreements, all briefly referenced below. The DOE Orders and model agreements for CRADAs, WFO and User Agreements can be found at [http://www.gc.doe.gov/lab\\_partnering.htm](http://www.gc.doe.gov/lab_partnering.htm). *Questions for Comment:* (i) What improvements to the existing transactions (e.g. CRADAs, WFOs, User Agreements, etc.) would you suggest that DOE consider? (ii) Are there terms and conditions that are troublesome and what steps might DOE take to streamline these agreements? (iii) Are there other types of research agreements or mechanisms that should be offered at DOE labs? (iv) How would such new agreement types or mechanisms be an improvement on or augment the existing agreements

2. Best Practices (2 sub questions) DOE is interested in improving the ways the laboratories collaborate, and improving the transfer and deployment of laboratory technologies into the marketplace. *Question for Comment:* (i) Are there other agency, industry, non-profit or university technology transfer "best practices" DOE should consider adopting? (ii) What are they and how would they improve DOE's current technology transfer program??

3. U.S. Competitiveness: (6 sub questions) Under Cooperative Research and Development Agreements (CRADAs) with DOE labs and under license agreements to lab inventions, the relevant statutes require that a "preference" be given to companies who agree to manufacture new inventions made under those agreements substantially in the U.S. As a matter of DOE policy, DOE has imposed a stricter standard than that required by statute under which every partner must agree to manufacture new technology substantially in the U.S. or make a legally binding commitment to provide an "alternate net benefit to the U.S. economy." The DOE policy is more fully described in the DOE model

CRADA at Article XXII and the guidance provided for that Article. This standard is also more stringent than the standard imposed under 35 U.S.C. Sec. 200 *et seq.* ("Bayh-Dole") for funding agreements with Federal agencies. Bayh-Dole recipients may take ownership of new technologies without limitation on their own manufacture, but must agree not to assign or exclusively license those new technologies to other parties who do not agree to substantially manufacture in the U.S. DOE maintains its commitment to the U.S. economy, but is open to streamlining negotiation of the U.S. Competitiveness issue in view of the practical realities of a global economy. *Questions for Comment:* (i) What alternate approaches to addressing U.S. competitiveness would you suggest DOE consider? (ii) How would these alternatives help transactions/interface with DOE facilities? (iii) background: For example, one possible way to streamline this process is to forego a legally binding commitment from any partner that has a "substantial presence" in the U.S. This could be accomplished in a number of ways, such as where a partner indicates in writing that it or its intended suppliers will make best efforts to manufacture products resulting from the agreement in the U.S., and provides factually supported statements that it satisfies at least two of the following three factors: (1) The partner has or plans to have a manufacturing facility in the U.S. where its products resulting from the agreement will be manufactured; (2) more than half of the partner's assets are located in the U.S. or it derives more than half of its revenue or profits from the U.S.; and (3) significant design and development (other than the CRADA) will be done in the U.S. in an existing U.S. research facility. Another alternative would be to limit the legally binding commitment for substantially manufacturing in the U.S. to a specified number of years, *e.g.*, 5 years. That would give the U.S. manufacturing facility a head start on sales (and setting up supply chains) before manufacturing might be moved offshore, as well provide some certain benefit to U.S. competitiveness. (iii) Would any of these three be a useful approach to industry to better streamline the process of the U.S. Competitiveness negotiation process? (iv) Does DOE's current implementation of U.S. Competitiveness have a negative impact on technology transfer? How? (v) Would approaches taken by other Federal Agencies with regard to U.S. Competitiveness in CRADAs be useful? If so, (vi) what are

those approaches and how are they implemented?

4. The Intellectual Property Rights disposition in Work For Others (WFO) Agreements: (4 sub questions) Under WFO Agreements with DOE labs, the sponsor may access highly specialized or unique DOE facilities, services, or technical expertise. The sponsor pays the full cost of the research with non-federal funds, and, with very limited exceptions may elect ownership in any new inventions by lab employees. Those new inventions are subject to a Government use license, March-In Rights, and U.S. preference provisions in licensing of the patent rights. In addition, at many laboratories the sponsor may mark all newly generated data as proprietary. The current DOE model provides that the sponsor retains title to lab inventions because the sponsor pays full cost and bears all of the risk. On the other hand, one might argue that the laboratory contractor should own the IP it develops because it would allow the laboratory to better ensure full utilization of the intellectual property for the benefit of the public and provide additional benefits to inventors through laboratory royalty sharing policies. If the laboratory owns such inventions, as is the norm under sponsored research at most universities, it could also provide free use of the inventions to non-profit research organizations and universities. As a matter of general policy, the latter position is reflected in the provisions in Bayh-Dole when government funding is involved. One proposal aimed at satisfying both sides of the issue is to modify the terms and conditions of DOE's WFO Agreements so that the labs may retain title to lab employee inventions but grant the sponsor a nonexclusive, royalty-free, non-transferrable, non-sublicensable worldwide license in a field of use with no requirements concerning U.S. manufacture, no Government use license where the Government is not a likely user of the technology, and no March-In Rights. In addition, the sponsor would be offered the opportunity to negotiate an exclusive license in a field of use for reasonable compensation and consideration of U.S. competitiveness. *Question for Comment:* (i) How would these proposed changes affect the attractiveness of WFO Agreements? (ii) What other options do you recommend for DOE to consider? (iii) What is the desirable disposition of IP rights that would stimulate working with a DOE laboratory or facility? (iv) Do the Government reserved license in Sponsor

inventions, March-In Rights, and U.S. preference clauses pose any problems for a successful project?

5. Negotiable or Non-negotiable User Agreements: (3 sub questions) DOE labs also offer User Facility Agreements under which parties may gain access to designated unique lab equipment and facilities to perform their own experiments. Under the Non-proprietary User Agreement, which is aimed primarily at non-commercial, basic science research, a user may access lab equipment/facilities and may collaborate with lab scientists in carrying out its research. The user and the lab share the costs of the research by each absorbing their own costs, the lab and the user may elect to retain ownership of their respective new inventions, and the research data is made publicly available. The Proprietary User Agreement permits the sponsor to conduct proprietary research using unique lab equipment/facilities. In this case, the user pays the full cost of the research, and the user retains ownership of research data and inventions. User Agreements have been used successfully at labs for over 25 years. Typically User Agreements have relatively short durations, their terms and conditions are non-negotiable, and labs are authorized to enter into the agreements without additional DOE approval. As such, execution takes relatively little time. The most recent changes to these agreements permit some terms and conditions to be negotiable, but changes require DOE approval. These new Interim User Agreements and the class patent waivers to which they are attached can be found at <http://www.gc.doe.gov/1002.htm>. Comments are solicited on the terms of these agreements. *Question for Comments:* (i) Do you think these new DOE-wide standardized User Agreement formats which allow for some negotiation will promote more timely placement of User Agreements? (ii) Should DOE allow some negotiability of the terms or utilize agreements that are non-negotiable? (iii) Please describe the pros and cons of each approach.

6. Are there any other issues, concerns, or experiences that could make working with DOE laboratories and facilities more effective and efficient.

#### Disclaimer

*This RFI is issued solely for information and planning purposes and does not constitute a solicitation. In accordance with FAR 15.202(e) responses to this notice are not offers and cannot be accepted by the Government to form a binding contract.*

Respondents are solely responsible for all expenses associated with responding to this RFI. Respondents should not include any confidential information in any information they furnish. Responses to the RFI will not be returned. Respondents will not be notified of the result of the review.

Issued in Washington, DC, on November 20, 2008.

**Devon Streit,**

*Office of Science.*

[FR Doc. E8-28187 Filed 11-25-08; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings

November 20, 2008.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

*Docket Numbers:* RP96-331-019.

*Applicants:* National Fuel Gas Supply Corporation.

*Description:* National Fuel Gas Supply Corp. submits Eighth Revised Sheet No. 12 to FERC Gas Tariff, Fourth Revised Volume No. 1 etc., to be effective 12/1/08.

*Filed Date:* 11/18/2008.

*Accession Number:* 20081119-0366.

*Comment Date:* 5 p.m. Eastern Time on Monday, December 1, 2008.

*Docket Numbers:* RP09-83-000.

*Applicants:* Transcontinental Gas Pipe Line Corp.

*Description:* Transcontinental Gas Pipe Line Corp. submits Twenty-Eighth Revised Sheet No. 1 *et al.* to FERC Gas Tariff, Original Volume No. 2, to be effective 11/17/08.

*Filed Date:* 11/17/2008.

*Accession Number:* 20081118-0107.

*Comment Date:* 5 p.m. Eastern Time on Monday, December 1, 2008.

*Docket Numbers:* RP09-86-000.

*Applicants:* White River Hub, LLC.

*Description:* White River Hub, LLC submits First Revised Sheet 4 to its FERC Gas Tariff, Original Volume 1, to be effective 12/22/08.

*Filed Date:* 11/18/2008.

*Accession Number:* 20081119-0370.

*Comment Date:* 5 p.m. Eastern Time on Monday, December 1, 2008.

*Docket Numbers:* CP07-367-004.

*Applicants:* Columbia Gas Transmission Corporation.

*Description:* Columbia Gas Transmission Corporation submits abbreviated application for authorization to amend its certificate.

*Filed Date:* 11/14/2008.

*Accession Number:* 20081118-0108.

*Comment Date:* 5 p.m. Eastern Time on Monday, December 1, 2008.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Nathaniel J. Davis, Sr.**

*Deputy Secretary.*

[FR Doc. E8-28022 Filed 11-25-08; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings

November 19, 2008.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

*Docket Numbers:* RP96-359-038.

*Applicants:* Transcontinental Gas Pipe Line Corp.

*Description:* Transcontinental Gas Pipeline Corp. submits Service Agreements that contain negotiated rates re Sentinel Expansion Project Phase I.

*Filed Date:* 11/17/2008.

*Accession Number:* 20081118-0106.

*Comment Date:* 5 p.m. Eastern Time on Monday, December 1, 2008.

*Docket Numbers:* RP99-513-047.

*Applicants:* Questar Pipeline Company.

*Description:* Questar Pipeline Company submits Forty-Fifth Revised Sheet 7 *et al.* to First Revised Volume 1, effective 12/17/2008.

*Filed Date:* 11/17/2008.

*Accession Number:* 20081118-0087.

*Comment Date:* 5 p.m. Eastern Time on Monday, December 1, 2008.

*Docket Numbers:* RP08-374-001.

*Applicants:* Maritimes & Northeast Pipeline, L.L.C.

*Description:* Maritimes & Northeast Pipeline, LLC submits First Revised Sheet 268 *et al.* to FERC Gas Tariff, First Revised Volume 1, to be effective 11/15/08.

*Filed Date:* 11/14/2008.

*Accession Number:* 20081118-0046.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, November 26, 2008.

*Docket Numbers:* RP08-523-003.

*Applicants:* Southeast Supply Header, LLC.

*Description:* Southeast Supply Header, LLC submits First Revised Sheet No. 332A to FERC Gas Tariff, Original Volume No. 1, to be effective 12/17/08.

*Filed Date:* 11/17/2008.

*Accession Number:* 20081118-0105.

*Comment Date:* 5 p.m. Eastern Time on Monday, December 1, 2008.

*Docket Numbers:* RP09-80-000.

*Applicants:* Guardian Pipeline, L.L.C.

*Description:* Guardian Pipeline, LLC submits Eighteenth Revised Sheet 5 *et al.* to FERC Gas Tariff, Original Volume 1, to be effective 12/31/08.

*Filed Date:* 11/14/2008.

*Accession Number:* 20081118-0045.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, November 26, 2008.