

disclosure statements filed after the final rejection or after the filing of a notice of appeal. Furthermore, petitions concerning the refusal to enter amendments and/or evidence remain delegated to the Patent Examining Corps as provided in the Manual of Patent Examining Procedure (MPEP) 1002.02(b) and (c).

Once the Chief Judge accepts the appeal brief as compliant, an examiner's answer will be provided in the *ex parte* reexamination proceeding if the examiner determines that the appeal should be maintained. The examiner will treat all pending, rejected claims as being on appeal. If the notice of appeal or appeal brief identifies fewer than all of the rejected claims as being appealed, the issue will be addressed by the BPAI panel. The jurisdiction of the *ex parte* reexamination proceeding will be transferred to the BPAI when a docketing notice is entered after the time period for filing a reply brief expires or the examiner acknowledges the receipt and entry of the reply brief. After taking jurisdiction, the BPAI will not return or remand the *ex parte* reexamination proceeding to the Patent Examining Corps for issues related to a noncompliant appeal brief.

This notice does not apply to *inter partes* reexamination proceedings. The Office is considering a streamlined procedure for review of briefs filed in *inter partes* reexamination proceedings, in which the Chief Judge will also have the sole responsibility for determining whether briefs filed in *inter partes* reexamination proceedings comply with 37 CFR 41.37, 41.67, 41.68, and 41.71.

Dated: May 18, 2010.

David J. Kappos,

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

[FR Doc. 2010-12534 Filed 5-24-10; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Base Closure and Realignment

AGENCY: Office of Economic Adjustment, DoD.

ACTION: Notice.

SUMMARY: This notice is provided pursuant to section 2905(b)(7)(B)(ii) of the Defense Base Closure and Realignment Act of 1990. It provides a partial list of military installations closing or realigning pursuant to the 2005 Base Closure and Realignment (BRAC) Report. It also provides a

corresponding listing of the Local Redevelopment Authorities (LRA) for the Air Force Research Laboratory, Arizona, and portions of the Newport Naval Complex, Rhode Island, recognized by the Secretary of Defense, acting through the Department of Defense, Office of Economic Adjustment (OEA), as well as the point of contact, address, and telephone number for the LRA for each installation.

Representatives of State and local governments, homeless providers, and other parties interested in the redevelopment of the installation should contact the person or organization listed. The following information will also be published simultaneously in a newspaper of general circulation in the area of the installation.

DATES: Effective May 25, 2010.

FOR FURTHER INFORMATION CONTACT:

Director, Office of Economic Adjustment, Office of the Secretary of Defense, 400 Army Navy Drive, Suite 200, Arlington, VA 22202-4704, (703) 604-6020.

Local Redevelopment Authority (LRA)

Arizona

Installation Name: Air Force Research Laboratory.

LRA Name: City of Mesa.

Point of Contact: Patrick Murphy, Project Manager, City of Mesa Economic Development.

Address: 20 E. Main Street, Suite 200, P.O. Box 1466, Mesa, AZ 85211-1466.

Phone: (480) 644-3964.

E-mail address:
patrick.murphy@mesaaz.gov.

Rhode Island

Installation Name: Newport Naval Complex.

LRA Name: Aquidneck Island Reuse Planning Authority (AIRPA).

Point of Contact: Tina Dolen, Executive Director, Aquidneck Island Reuse Planning Authority.

Address: 437 Broadway, Newport, RI 02840-1739.

Phone: (401) 845-9299.

E-mail Address:
tina@acquidneckplanning.org.

Dated: May 20, 2010.

Mitchell S. Bryman,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2010-12521 Filed 5-24-10; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Federal Advisory Committee; Department of Defense Wage Committee; Closed Meeting

AGENCY: Civilian Personnel Management Service (Wage and Salary Division), DoD.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the provisions of section 10 of Public Law 92-463, the Federal Advisory Committee Act, DoD announces the Department of Defense Wage Committee will meet in closed session on June 1, 2010, in Rosslyn, Virginia.

DATES: The meeting will be held on June 1, 2010, at 10 a.m.

ADDRESSES: The meeting will be held at 1400 Key Boulevard, Level A, Room A101, Rosslyn, Virginia 22209-5144.

FOR FURTHER INFORMATION CONTACT: Mr. Craig Jerabek, Designated Federal Officer for the Department of Defense Wage Committee, 1400 Key Boulevard, Suite A105, Arlington, Virginia 22209-5144, Telephone: (703) 696-1735, Fax: (703) 696-5472, E-mail: *craig.jerabek@cpms.osd.mil.*

SUPPLEMENTARY INFORMATION: Under the provisions of section 10(d) of the Federal Advisory Committee Act of 1972, Public Law 92-463, it is hereby determined that every Wage Committee meeting concerns matters listed in 5 U.S.C. 552b(c)(2) and 5 U.S.C. 552b(c)(4), and that, accordingly, the meeting will be closed to the public.

Purpose of Meeting

The Committee will receive, review, and consider wage survey specifications, wage survey data, local wage survey committee reports and recommendations, and wage schedules derived there from.

Request for Waiver

Due to unforeseen difficulties, the Designated Federal Officer was unable to process the **Federal Register** notice for the June 1, 2010, meeting of the Department of Defense Wage Committee, as required by 41 CFR 102-3.150(a). Accordingly, the Committee Management Officer for the Department of Defense, pursuant to 41 CFR 102-3.150(b), waives the 15-calendar day notification requirement.

Dated: May 20, 2010.

Mitchell S. Bryman,

*Alternate OSD Federal Register Liaison
Officer, Department of Defense.*

[FR Doc. 2010-12522 Filed 5-24-10; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Public Hearings of the Draft Environmental Impact Statement for Basing the U.S. Marine Corps Joint Strike Fighter F-35B on the West Coast

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: Pursuant to section (102)(2)(c) of the National Environmental Policy Act (NEPA) of 1969, and regulations implemented by the Council on Environmental Quality (40 Code of Federal Regulations [CFR] parts 1500–1508), Department of Navy (DoN) NEPA regulations (32 CFR part 775), and U.S. Marine Corps (USMC) NEPA directives (Marine Corps Order P5090.2A, changes 1 and 2), DoN has prepared and filed with the U.S. Environmental Protection Agency (EPA) a Draft Environmental Impact Statement (EIS) that evaluates the potential environmental consequences that may result from the basing of the F-35B Joint Strike Fighter (JSF) on the West Coast of the United States.

With the filing of the Draft EIS, DoN is initiating a 46-day public comment period and has scheduled two public comment meetings to receive oral and written comments on the Draft EIS. Federal, State and local agencies, and interested parties are encouraged to provide comments in person at any of the public comment meetings, or in writing anytime during the public comment period. This notice announces the date and location of the public meetings and provides supplementary information about the environmental planning effort.

DATES: The Draft EIS public review period will begin May 21, 2010, and end on July 6, 2010. Each of the two public meetings will be conducted as an informational open house. Individuals will have the opportunity to review the information presented in the Draft EIS. Marine Corps and Navy representatives will be available to clarify information related to the Draft EIS. Public comment meetings will be held:

(1) June 15, 2010, 5 p.m. to 8 p.m., at Scripps-Miramar Ranch Library

Miramar, 10301 Scripps Lake Drive, San Diego, CA.

(2) June 17, 2010, 4 p.m. to 7 p.m., at Gila Vista Junior High School, 2245 S. Arizona Ave., Yuma, AZ.

Attendees will be able to submit written comments at the public meetings. A stenographer will be present to transcribe oral comments; however, to ensure the accuracy of the record, all statements should be submitted in writing. Equal weight will be given to oral and written statements. All statements, oral transcription and written, submitted during the public review period will become part of the public record on the Draft EIS and will be responded to in the Final EIS. Comments may also be submitted by regular U.S. mail or electronically as described below.

ADDRESSES: A copy of the Draft EIS is available at the project Web site, <http://www.usmcjsfwest.com>, and at the local libraries identified at the end of this notice. Comments on the Draft EIS can be submitted via the project Web site, or submitted in writing to: Naval Facilities Engineering Command Southwest, Attn: JSF EIS Project Manager, 1220 Pacific Highway, San Diego, California 92132-5190. Mailed comments must be postmarked by July 6, 2010, and electronic comments must be submitted on or before July 6, 2010, to be considered in this environmental review process.

FOR FURTHER INFORMATION CONTACT: Ms. Adrienne Saboya, Environmental Planner, Central Integrated Product Team at telephone: 619-532-4742, by fax: 619-532-4160 or write to Naval Facilities Engineering Command Southwest, Attn: Ms. Adrienne Saboya, 1220 Pacific Highway, San Diego, California 92132-5190.

SUPPLEMENTARY INFORMATION: A Notice of Intent (NOI) for the EIS was published in the **Federal Register** on January 19, 2009 (Vol. 74, No. 10, p. 2515).

Proposed Action

The proposed action would base up to 11 operational F-35B squadrons and 1 Operational Test and Evaluation (OT&E) squadron (184 aircraft) on the West Coast, and would replace eight F/A-18 squadrons (126 aircraft) and four AV-8B squadrons (56 aircraft) currently authorized for basing on the West Coast. The proposed action also includes construction and/or renovation of airfield facilities necessary to accommodate and maintain the F-35B squadrons, including construction of an auxiliary landing field on the Barry M. Goldwater Range West in Arizona;

changes to personnel in support of basing; and conducting F-35B training and readiness operations in existing airspace and on existing ranges to ensure pilots attain and maintain combat ready status. The eight F/A-18 squadrons to be replaced are currently authorized for basing at Marine Corps Air Station (MCAS) Miramar. The four AV-8B squadrons are based at MCAS Yuma.

Purpose and Need

The purpose of the Proposed Action is to efficiently and effectively maintain combat capability and mission readiness as the Marine Corps faces increased deployments across a spectrum of conflicts, and a corresponding increased difficulty in maintaining an aging legacy aircraft inventory. The need for the proposed action is to replace aging legacy aircraft and integrate the operational and OT&E F-35B squadrons into the existing Marine Corps command and organizational structure. This action would also ensure that the Marine Corps' aircrews benefit from the aircraft's major technological improvements and enhanced training and readiness requirements.

Alternatives Considered in the Draft EIS

The proposed F-35B squadrons would be split between two aviation facilities. Evaluations were made of the following five split-basing alternatives.

- Alternative 1 (Preferred)—Six operational squadrons at MCAS Miramar in San Diego County, California, and five operational squadrons plus one OT&E squadron at MCAS Yuma in southwestern Arizona.
- Alternative 2—Four operational squadrons at MCAS Miramar and seven operational squadrons plus one OT&E squadron at MCAS Yuma.
- Alternative 3—Seven operational squadrons plus one OT&E squadron at MCAS Miramar and four operational squadrons at MCAS Yuma.
- Alternative 4—One operational squadron plus one OT&E squadron at MCAS Miramar and ten operational squadrons at MCAS YUMA.
- Alternative 5—Ten operational squadrons at MCAS Miramar and one operational squadron plus one OT&E squadron at MCAS Yuma.

Under all basing alternatives, MCAS Miramar would lose eight F/A-18 squadrons and MCAS Yuma would lose four AV-8B squadrons. Construction of an auxiliary landing field within the Barry M. Goldwater Range West, as well as operations within the Bob Stump Training Range Complex and Barry M. Goldwater Range East are included as