

phone number, should not be included in the comments.

**FOR FURTHER INFORMATION CONTACT:**

Linda Therkorn, Office of the Deputy Commissioner for Patent Examination Policy, by telephone at 571-272-8800, or Ray Chen, Office of the Solicitor, by telephone at 571-272-9035, by mail addressed to: Mail Stop Comments, P.O. Box 1450, Alexandria, VA 22313-1450, or by facsimile transmission to 571-273-0125, marked to the attention of Linda Therkorn or Ray Chen.

**SUPPLEMENTARY INFORMATION:** The USPTO has published a notice setting forth interim guidelines to be used by USPTO personnel in their review of patent applications to determine whether the claims in a patent application are directed to patent eligible subject matter under 35 U.S.C. 101. See *Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility*, 1300 *Off. Gaz. Pat. Office* 142 (Nov. 22, 2005) (Patent Subject Matter Eligibility Interim Guidelines). The USPTO published a notice on December 20, 2005 requesting public comment on the interim guidelines. See *Request for Comments on Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility*, 70 FR 75451 (Dec. 20, 2005) (Request for Comments).

A case currently awaiting decision by the U.S. Supreme Court, *Laboratory Corp. of America Holdings v. Metabolite Laboratories, Inc.*, S.Ct. No. 04-607 (*LabCorp*), may impact the question of patent subject matter eligibility under 35 U.S.C. 101. The December 2005

Request for Comments indicated that the USPTO expected that a decision in *LabCorp* would be rendered sometime before the end of June 2006, and that USPTO would publish a notice further extending the period for public comment on the USPTO's Patent Subject Matter Eligibility Interim Guidelines if necessary to permit the comments to take into account the Court's decision in *LabCorp*. See *Request for Comments on Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility*, 70 FR at 75452. Therefore, the USPTO is further extending the period for public comment on the USPTO's Patent Subject Matter Eligibility Interim Guidelines until July 31, 2006 to permit the comments to take into account the Court's decision in *LabCorp* (still expected before the end of June 2006).

Dated: June 9, 2006.

**John Doll,**

*Commissioner for Patents.*

[FR Doc. E6-9300 Filed 6-13-06; 8:45 am]

**BILLING CODE 3510-16-P**

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**COMMODITY FUTURES TRADING COMMISSION**

**Sunshine Act Meetings**

**TIME AND DATE:** 11 a.m., Friday, June 16, 2006.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:**

Enforcement Matters.

**FOR FURTHER INFORMATION CONTACT:**

Eileen A. Donovan, 202-418-5100.

**Eileen A. Donovan,**

*Acting Secretary of the Commission.*

[FR Doc. 06-5438 Filed 6-12-06; 2:26 pm]

**BILLING CODE 6351-01-M**

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

[Transmittal No. 06-35]

**36(b)(1) Arms Sales Notification**

**AGENCY:** Defense Security Cooperation Agency, Department of Defense.

**ACTION:** Notice.

**SUMMARY:** The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104-164 dated 21 July 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. J. Hurd, DSCA/DBO/ADM, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 06-35 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: June 7, 2006.

**C.R. Choate,**

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

**BILLING CODE 5001-06-M**



DEFENSE SECURITY COOPERATION AGENCY  
WASHINGTON, DC 20301-2800

0 6 JUN 2006  
In reply refer to:  
I-06/005969

The Honorable J. Dennis Hastert  
Speaker of the House of Representatives  
Washington, D.C. 20515-6501

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 06-35, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Japan for defense articles and services estimated to cost \$458 million. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

Sincerely,

A handwritten signature in black ink, appearing to read "J. B. Kohler".

JEFFREY B. KOHLER  
LIEUTENANT GENERAL, USAF  
DIRECTOR

**Enclosures:**

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

**Same ltr to:**

House  
Committee on International Relations  
Committee on Armed Services  
Committee on Appropriations

Senate  
Committee on Foreign Relations  
Committee on Armed Services  
Committee on Appropriations

## Transmittal No. 06-35

**Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control Act, as amended**

- (i) **Prospective Purchaser:** Japan
- (ii) **Total Estimated Value:**
- |                                 |                             |
|---------------------------------|-----------------------------|
| <b>Major Defense Equipment*</b> | <b>\$372 million</b>        |
| <b>Other</b>                    | <b><u>\$ 86 million</u></b> |
| <b>TOTAL</b>                    | <b>\$458 million</b>        |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** nine SM-3 Block IA Standard missiles with MK 21 Mod 2 canisters, Ballistic Missile Defense (BMD) upgrades to one AEGIS Weapon System, AEGIS BMD Vertical Launch System ORDAULTs, containers, spare and repair parts, publications, documentation, supply support, U.S. Government and contractor technical assistance and other related elements of logistics support.
- (iv) **Military Department:** Navy (LVK)
- (v) **Prior Related Cases, if any:** numerous FMS cases pertaining to the AEGIS Weapon Systems and Standard missiles
- (vi) **Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:** none
- (vii) **Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:** See Annex attached
- (viii) **Date Report Delivered to Congress:** 0 6 JUN 2006

\* as defined in Section 47(6) of the Arms Export Control Act.

**POLICY JUSTIFICATION****Japan - SM-3 Block IA Standard Missiles**

The Government of Japan has requested a possible sale of nine SM-3 Block IA Standard missiles with MK 21 Mod 2 canisters, Ballistic Missile Defense (BMD) upgrades to one AEGIS Weapon System, AEGIS BMD Vertical Launch System ORDLTs, containers, spare and repair parts, publications, documentation, supply support, U.S. Government and contractor technical assistance and other related elements of logistics support. The estimated cost is \$458 million.

Japan is one of the major political and economic powers in East Asia and the Western Pacific and a key ally of the United States in ensuring the peace and stability of that region. It is vital to the U.S. national interest to assist Japan to develop and maintain a strong and ready self-defense capability, which will contribute to an acceptable military balance in the area. This proposed sale is consistent with these U.S. objectives and with the 1960 Treaty of Mutual Cooperation and Security.

Japan's agreement to provide fuel/logistics to U.S. and allied ships supporting Operation Enduring Freedom and its deployment of an AEGIS destroyer to the Indian Ocean have focused new obligations on the Japan Self Defense Forces (JSDF). The Japan Maritime Self Defense Forces (JMSDF) has four AEGIS destroyers operating with SM-2 missiles at sea; the fifth and sixth AEGIS destroyers are under construction. Although comparable weapons are not currently deployed in Northeast Asia, the proposed sale of SM-3 missiles and BMD upgrades to the AEGIS Weapon System will not significantly alter the existing military balance in the region as the proposed sale enhances only defensive capabilities. The JMSDF is fully capable of integrating the modified AEGIS Weapon System and SM-3 Block IA into its operational forces and will receive data sufficient to maintain and support the systems.

The AEGIS Weapon System and Standard missiles will be used on JMSDF ships and will provide, in concert with JSDF PAC-3 Patriot missiles, the initial ballistic missile defense for mainland Japan. Japan already has the upgraded AEGIS Weapon System and SM-3 Block IA Standard missiles in its inventory and will have no difficulty absorbing the additional upgraded Weapon System and missiles.

The principle contractors will be:

Lockheed-Martin Maritime System and Sensors  
Raytheon Company, Equipment Division  
United Defense

Moorestown, New Jersey  
Andover, Massachusetts  
Minneapolis, Minnesota

There are no known offset agreements proposed in connection with this potential sale.

**Implementation of this proposed sale will not require the assignment of any U.S. Government and contractor representatives to Japan.**

**There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.**

**Transmittal No. 06-35****Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control Act****Annex  
Item No. vii****(vii) Sensitivity of Technology:**

1. The SM-3 Block IA Standard missile hardware includes the Propulsion Train (MK-72 Booster and Steering Control Section), the Third Stage Rocket Motor, Guidance Section, and Kinetic Warhead. The Propulsion Train and Third Stage Rocket Motor are classified Confidential. The Guidance Section and the Kinetic Warhead are classified Secret. Certain operating frequencies and performance characteristics are classified Secret. Confidential documentation to be provided includes: parametric documents, general performance data, firing guidance, dynamics information, and some flight analysis procedures.

2. Upgrades to the Vertical Launching System (VLS) Global Positioning Satellite (GPS) Integrator (VGI) include initialization data enhancements to the fiber optic distribution system connecting the VGI to the missile to support tactical requirements. VGI enhancements will be accomplished through commercial off-the-shelf products and are considered Unclassified. The software associated with these enhancements is classified Confidential.

3. Further enhancements include upgrades to the Launch Control Computer Program (LCCP), Launch Control Unit computer programs, and Launch Sequencer computer programs to control training, warfare, decryption and digital data processing. The LCCP is classified Confidential.

4. The Aegis Weapon System hardware upgrades include modifications to the current SPY-1D and Command and Decision configurations. Modifications to the SPY-1D configuration include upgraded signal processor cards and providing a Mission Planner Laptop and System Calibration Using Satellites Laptop. While the hardware is Unclassified, the computer programs that run on these systems are classified Secret. Command and Decision modifications include providing a TAC-3600 adjunct computer and circuit card assemblies to provide an additional internal network path. While the hardware is Unclassified, the computer programs running on the system are classified Secret. Interoperability enhancements include additional capability of secure communications and cueing via upgrading to a Common Data Link Management System. This will upgrade the Common Shipboard Data Terminal Set and the

**Command and Control Processor. Satellite TADIL-J functionality will additionally be incorporated. These interoperability systems are classified Secret.**

**5. The AEGIS documentation in general is Unclassified; however, some operational and maintenance manuals are classified Confidential and one AEGIS maintenance manual supplement is classified Secret. The manuals and technical documents are limited to that necessary for operational organizational maintenance.**

**6. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.**

[FR Doc. 06-5406 Filed 6-13-06; 8:45 am]

BILLING CODE 5001-06-C

**DEPARTMENT OF DEFENSE**

[USN-2006-0031]

**United States Marine Corps; Privacy Act of 1974; System of Records**

**AGENCY:** United States Marine Corps, DoD.

**ACTION:** Notice to delete a records system.

**SUMMARY:** The U.S. Marine Corps is deleting one system of records notice from its inventory of records systems subject to the Privacy Act of 1974, as amended (5 U.S.C. 552a).

**DATES:** Effective June 14, 2006.

**ADDRESSES:** Send comments to Headquarters, U.S. Marine Corps, FOIA/PA Section (CMC-ARSE), 2 Navy Annex, Room 1005, Washington, DC 20380-1775.

**FOR FURTHER INFORMATION CONTACT:** Ms. Tracy D. Ross at (703) 614-4008.

**SUPPLEMENTARY INFORMATION:** The U.S. Marine Corps' records system notices for records systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended have been published in the **Federal Register** and are available from the address above.

The U.S. Marine Corps proposes to delete a system of records notice from its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. The changes to the system of records are not within the purview of subsection (r) of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, which requires the submission of new or altered systems reports.

Dated: June 7, 2006.

**C.R. Choate,**

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

**MFD00007**

**SYSTEM NAME:**

Marine Corps Financial Records System (February 22, 1993, 58 FR 10630).

**REASON:**

The records are contained in systems of records that are maintained by the Defense Finance and Accounting Service (DFAS), and the Department of the Navy as follows:

T7332, Defense Debt Management System (June 27, 2002, 67 FR 43292).

T5500b, Garnishment Processing Files (August 24, 2005, 70 FR 49589).

MFD00003, Marine Corps Total Force System (MCTFS) (September 9, 1996, 61 FR 47503).

[FR Doc. 06-5400 Filed 6-13-06; 8:45 am]

BILLING CODE 5001-06-M

**DEPARTMENT OF DEFENSE**

[DOD-2006-OS-0140]

**Office of the Inspector General; Privacy Act of 1974; System of Records**

**AGENCY:** Office of the Inspector General, DoD.

**ACTION:** Notice to alter a system of records.

**SUMMARY:** The Office of the Inspector General (OIG) is altering a system of records to its existing inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

**DATES:** The changes will be effective on July 14, 2006, unless comments are received that would result in a contrary determination.

**ADDRESSES:** Send comments to Chief, FOIA/PA Office, Inspector General, Department of Defense, 400 Army Navy Drive, Room 201, Arlington, VA 22202-4704.

**FOR FURTHER INFORMATION CONTACT:** Mr. Darryl R. Aaron at (703) 604-9785.

**SUPPLEMENTARY INFORMATION:** The Office of the Inspector General notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address above.

The proposed systems reports, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, were submitted June 6, 2006, to the House Committee on Government Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: June 7, 2006.

**C.R. Choate,**

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

**CIG-11**

**SYSTEM NAME:**

Budget Information Tracking System (BITS) (July 23, 2003, 68 FR 43501).

**CHANGES:**

\* \* \* \* \*

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Delete entry and replace with: "All Office of the Inspector General (OIG) employees, contractors, or other personnel sponsored by the OIG who participate in OIG Travel, Permanent Change of Station, Awards, Overtime/