

the decay of plutonium into electrical power and therefore use less plutonium to generate comparable amounts of electrical power. Both of these systems would provide up to about 100 watts of electric power and would be capable of functioning both in the vacuum of space and in the environments encountered on the surfaces of the planets, moons and other bodies. Differences in SRG and MMRTG mechanical and thermal interfaces would allow a broad range of mission specific spacecraft designs. More than one MMRTG or SRG could be integrated with a spacecraft to provide power levels exceeding 100 watts electrical.

This Tier I EIS will address in broad terms the technology development activities of NASA, DOE, and the industrial contractors involved in:

- Development and testing of advanced RPSs through final design, testing, and fabrication of flight qualified SRGs and MMRTGs, and
- Long-term research and development of technologies that could enhance the capabilities of future radioisotope power systems (e.g., systems that convert heat into electricity more efficiently and smaller systems).

It is anticipated that development and test activities involving use of radioisotopes would be performed at existing DOE sites that currently perform similar activities. Fuel processing and fabrication would likely occur at existing facilities at Los Alamos National Laboratory (LANL) in Los Alamos, New Mexico, which are currently used for the fabrication of the fuel for the GPHS modules. Advanced RPS assembly and testing would likely be performed at Argonne National Laboratory—West (west of Idaho Falls, Idaho). These activities were previously carried out at DOE's Mound, Ohio facility. Additional safety testing of an integrated advanced RPS could be performed at one or more of several existing facilities; including DOE facilities such as LANL and Sandia National Laboratory (Albuquerque, New Mexico) or the U.S. Army's Aberdeen Proving Grounds (Aberdeen, Maryland). Activities associated with the development, testing, and verification of the power conversion systems could be performed at several existing facilities including some NASA facilities (Glenn Research Center at Lewis Field, Cleveland, Ohio; and the Jet Propulsion Laboratory, Pasadena, California) and several commercial facilities (Boeing Rocketdyne, Canoga Park, California; Teledyne Energy Systems, Hunt Valley, Maryland; Stirling Technology Corporation, Kennewick, Washington;

and Lockheed Martin, Valley Forge, Pennsylvania).

NASA plans to address the environmental impacts of the development and use of Advanced RPSs through a two-tiered NEPA process. This Tier I EIS will address the proposed development, overall purpose and need for the development of advanced RPSs, development, testing and fabrication of the MMRTG and SRG. This Tier 1 EIS will also address proposed research and development work regarding technologies that could further enhance the capabilities of future RPSs. Specific future developments of a new generation of space qualified RPSs (e.g., more efficient systems than the proposed MMRTG or SRG, or systems with smaller electrical power output) would be the subject of separate Tier II environmental documentation, as appropriate, using the most pertinent data and analysis directly related to those developments. Mission-specific use of any of these RPSs would be subject to separate environmental documentation.

Alternatives to be considered in this Tier I EIS will include, but will not necessarily be limited to the No Action Alternative, by which NASA would not pursue development of advanced RPSs.

Written public input and comments on alternatives and environmental impacts, and concerns associated with the development of advanced RPSs are hereby requested.

**Jeffrey E. Sutton,**

*Assistant Administrator for Institutional and Corporate Management.*

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## **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**[Notice 04-055]**

### **Notice of Prospective Patent License**

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of Prospective Patent License.

**SUMMARY:** NASA hereby gives notice that StarGate Research, Inc., of Denver, CO, has applied for a partially exclusive license to practice the invention described and claimed in U.S. Patent No. 6,354,540 identified as Case No. MSC-22931-1, and entitled "Androgynous, Reconfigurable Closed Loop Feedback Controlled Low Impact Docking System With Load Sensing Electromagnetic Capture Ring." The patent is assigned to the United States

of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to the Johnson Space Center.

**DATES:** Responses to this notice must be received by May 7, 2004.

**FOR FURTHER INFORMATION CONTACT:** Theodore Ro, Patent Attorney, NASA Johnson Space Center, Mail Stop HA, Houston, TX 77058-8452; telephone (281) 244-7148.

Dated: April 19, 2004.

**Keith T. Sefton,**

*Chief of Staff, Office of the General Counsel.*

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## **NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

### **Determination of the Chairman of the National Endowment for the Arts as to Certain Advisory Committees: Public Disclosure of Information and Activities**

The National Endowment for the Arts utilizes advice and recommendations of advisory committees in carrying out many of its functions and activities.

The Federal Advisory Committee Act, as amended (Pub. L. 92-463), governs the formation, use, conduct, management, and accessibility to the public of committees formed to advise and assist the Federal Government. Section 10 of the act specifies that department and agency heads shall make adequate provisions for participation by the public in the activities of advisory committees, except to the extent a determination is made in writing by the department or agency head that a portion of an advisory committee meeting may be closed to the public in accordance with subsection (c) of section 552b of title 5, United States Code (the Government in the Sunshine Act).

It is the policy of the National Endowment for the Arts to make the fullest possible disclosure of records to the public, limited only by obligations of confidentiality and administrative necessity. Consistent with this policy, meetings of the following Endowment advisory committees will be open to the public except for portions dealing with the review, discussion, evaluation, and/or ranking of grant applications: Combined Arts, Fellowships, Leadership Initiatives, Partnership, Special Projects, and the Federal Advisory Committee on International Exhibitions.

The portions of the meetings involving the review, discussion, evaluation and ranking of grant applications may be closed to the public for the following reasons:

The Endowment Advisory Committees listed above review and discuss applications for financial assistance. While the majority of applications received by the agency are submitted by organizations, all of the applications contain the names of and personal information relating to individuals who will be working on the proposed project. In reviewing the applications, committee members discuss the abilities of the listed individuals in their fields, the reputations of the listed individuals among their colleagues, the ability of the listed individuals to carry through on projects they start, and their background and performance. Consideration of these matters is essential to the review of the artistic excellence and artistic merit of an application.

Consequently, in the interest of meeting our obligation to consider artistic excellence and artistic merit when reviewing applications for financial assistance:

It is hereby determined in accordance with the provisions of section 10(d) of the Act that the disclosure of information regarding the review, discussion, and evaluation of applications for financial assistance as outlined herein is likely to disclose information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Therefore, in light of the above, I have determined that the above referenced meetings or portions thereof, devoted to review, discussion, evaluation, and/or ranking of applications for financial assistance may be closed to the public in accordance with subsection (c)(6) of section 552b of title 5, United States Code.

The staff of each committee shall prepare a summary of any meeting or portion not open to the public within three (3) business days following the conclusion of the meeting of the National Council on the Arts considering applications recommended by such committees. The summaries shall be consistent with the considerations that justified the closing of the meetings.

All other portions of the meetings of these advisory committees shall be open to the public unless the Chairperson of the National Endowment for the Arts or a designee determines otherwise in accordance with section 10(d) of the Act.

The Panel Coordinator shall be responsible for publication in the **Federal Register** or, as appropriate, in local media, of a notice of all advisory committee meetings. Such notice shall be published in advance of the meetings and contain:

1. Name of the committee and its purposes;
2. Date and time of the meeting, and, if the meeting is open to the public, its location and agenda; and
3. A statement that the meeting is open to the public, or, if the meeting or any portion thereof is not to be open to the public, a statement to that effect.

The Panel Coordinator is designated as the person from whom lists of committee members may be obtained and from whom minutes of open meetings or open portions thereof may be requested.

#### **Guidelines**

Any interested person may attend meetings of advisory committees that are open to the public.

Members of the public attending a meeting will be permitted to participate in the committee's discussion at the discretion of the chairperson of the committee, if the chairperson is a full-time Federal employee; if the chairperson is not a full-time Federal employee then public participation will be permitted at the chairperson's discretion with the approval of the full-time Federal employee in attendance at the meeting in compliance with the order.

Dated: April 14, 2004.

**Dana Gioia,**

*Chairman, National Endowment for the Arts.*

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### **NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

#### **Determination of the Chairperson of the National Endowment for the Arts Regarding Potential Closure of Portions of Meetings of the National Council on the Arts**

Section 6(f) of the National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951 *et seq.*) authorizes the National Council on the Arts to review applications for financial assistance to the National Endowment for the Arts and make recommendations to the Chairperson.

The Federal Advisory Committee Act (FACA), as amended (Pub. L. 92-463) governs the formation, use, conduct, management, and accessibility to the

public of committees formed to advise the Federal Government. Section 10 of that Act directs meetings of advisory committees to be open to the public, except where the head of the agency to which the advisory committee reports determines in writing that a portion of a meeting may be closed to the public consistent with subsection (c) of section 552b of Title 5, United States Code (the Government in the Sunshine Act.)

It is the policy of the National Endowment for the Arts that meetings of the National Council on the Arts be conducted in open session, including those parts during which applications are reviewed. However, in recognition that the Endowment is required to consider the artistic excellence and artistic merit of applications for financial assistance and that consideration of individual applications may require a discussion of matters such as an individual artist's abilities, reputation among colleagues, or professional background and performance, I have determined to reserve the right to close limited portions of Council meetings if such information is to be discussed. The purpose of the closure is to protect information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy. Closure for this purpose is authorized by subsection (c)(6) of section 552b of Title 5 United States code.

Additionally, at one of its meetings, the Council will consider prospective nominees for the National Medal of Arts award in order to advise the President of the United States in his final selection of National Medal of Arts recipients. During this session, similar information of a personal nature will be discussed. As with applications for financial assistance, disclosure of this information about individuals who are under consideration for the award would constitute a clearly unwarranted invasion of personal privacy.

Therefore, in light of the above, I have determined that the portion of the July 2004 Council meeting, devoted to consideration of prospective nominees for the National Medal of Arts award, may be closed to the public. Closure for these purposes is authorized by subsections (c)(6) of section 552b of Title 5, United States Code. A record shall be maintained of any closed portion of the Council meeting. Further, in accordance with the FACA, a notice of any intent to close any portion of the Council meeting will be published in the **Federal Register**.