

proceedings before the U.S. Patent and Trademark Office;

(b) In consideration of a release of any claims;

(c) In exchange for or as a part of the consideration for a license under adversely held patents;

(d) As necessary for meeting obligations of the U.S. under any treaty, international agreement arrangement or cooperation, memorandum of understanding or similar arrangement; or

(e) In consideration for the settlement or resolution of any proceeding under the Department of Energy Organization Act or other law.

**§§ 781.61, 781.62, 781.63, and 781.64**  
[Removed and Reserved]

■ 8. Remove and reserve §§ 781.61, 781.62, 781.63, and 781.64.

■ 9. Section 781.65 is revised to read as follows:

**§ 781.65 Appeals.**

(a) Standing. The following parties have the right to appeal under this part:

(1) Pursuant to 37 CFR 404.11:

(i) A person whose application for a license has been denied;

(ii) A licensee whose license has been modified or terminated, in whole or in part;

(iii) A person who timely filed a written objection in response to the notice required by 37 CFR 404.7(a)(1)(i) or (b)(1)(i) and who can demonstrate to the satisfaction of the Federal agency that such person may be damaged by the agency action; or

(2) A management and operating contractor appealing an agency decision to grant a copyright license to a third party pursuant to the Rights in Data-Technology Transfer clause for DOE management and operating contracts per 48 CFR part 970.

(b) Notice of Appeal. Appeal under paragraph (a) of this section shall be initiated by filing a Notice of Appeal with the Secretary, ATTN: Deputy General Counsel for Technology Transfer and Procurement (“Deputy General Counsel”), within thirty (30) days from the date of receipt of a written notice by the Department of Energy of an action set forth in paragraph (a) of this section. The Notice of Appeal shall specify the portion of the decision from which the appeal is taken. A statement of fact and argument in the form of a brief in support of the appeal shall be submitted with the Notice of Appeal or within thirty (30) days thereafter.

(c) Procedure. Appeals under this section shall be conducted pursuant to rules of procedure provided by the Deputy General Counsel.

(d) Within sixty (60) days of receiving appellant’s brief pursuant to paragraph (b) of this section or such other time period set by the Deputy General Counsel, the Office of the Assistant General Counsel for Technology Transfer and Intellectual Property shall submit to the Deputy General Counsel a response brief and shall timely serve a copy of the response brief to appellant.

(e) The Deputy General Counsel shall consider the facts and arguments submitted in appellant’s brief submitted under paragraph (b) of this section, as well as those presented by the Assistant General Counsel for Technology Transfer and Intellectual Property. An appeal by a licensee under paragraph (a)(1)(ii) of this section may include a hearing, upon request of the licensee, to address a dispute over any relevant fact. Such request for a hearing must be received by the Deputy General Counsel within thirty (30) days of appellant’s receipt of the response brief.

(f) The Deputy General Counsel shall issue a written decision, which shall constitute the final action of the Department on the matter.

(g) The parties may agree to Alternate Dispute Resolution in lieu of an appeal.

(h) Appeals Arising Under National Nuclear Security Administration (NNSA) Management and Operating Contracts. For appeals pursuant to paragraph (a)(2) of this section arising under management and operating contracts administered by NNSA for NNSA facilities, the NNSA Deputy General Counsel for Procurement shall be designated as the appeal authority (Deputy General Counsel) pursuant to paragraphs (b) through (f) of this section.

**§§ 781.66, 781.71, and 781.81** [Removed and Reserved]

■ 10. Remove and reserve §§ 781.66, 781.71 and 781.81.

[FR Doc. 2012–2162 Filed 1–31–12; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Parts 27 and 29**

[Docket No. FAA–2009–0660; Amdt. Nos. 27–47A, 29–54A; and Docket No. FAA–2009–0413; Amdt. No. 29–55A]

**RIN 2120–AJ52, 2120–AJ51**

**Damage Tolerance and Fatigue Evaluation for Composite Rotorcraft Structures, and Damage Tolerance and Fatigue Evaluation for Metallic Structures; Correction**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** The FAA is correcting two final rules, “Damage Tolerance and Fatigue Evaluation for Composite Rotorcraft Structures” (76 FR 74655), published December 1, 2011, and “Damage Tolerance and Fatigue Evaluation for Metallic Structures” (76 FR 75435), published December 2, 2011. In the “Composite Rotorcraft Structures” rule, the FAA amended its regulations to require evaluation of fatigue and residual static strength of composite rotorcraft structures using a damage tolerance evaluation, or a fatigue evaluation if the applicant establishes that a damage tolerance evaluation is impractical. In the “Metallic Structures” rule, the FAA amended its regulations to address advances in structural fatigue substantiation technology for metallic structures to provide an increased level of safety by avoiding or reducing the likelihood of the catastrophic fatigue failure of a metallic structure. This document corrects errors in the preamble of those two documents by adding a statement advising that affected parties do not need to comply with the information collection requirements until the Office of Management and Budget (OMB) approves the collections.

**DATES:** This correction is effective February 1, 2012. The “Composite Rotorcraft Structures” final rule becomes effective January 30, 2012. The “Metallic Structures” final rule becomes effective January 31, 2012.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this action, contact Sharon Y. Miles, Regulations and Policy Group, Rotorcraft Directorate, ASW–111, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, Texas 76137; telephone (817) 222–5122; facsimile (817) 222–5961; email

sharon.y.miles@faa.gov. For legal questions concerning this action, contact Steve C. Harold, Directorate Counsel, ASW-7G, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, Texas 76137, telephone (817) 222-5099; facsimile (817) 222-5945, email steve.c.harold@faa.gov.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 1, 2011, the FAA published the final rule entitled, "Damage Tolerance and Fatigue Evaluation for Composite Rotorcraft Structures" (76 FR 74655). On December 2, 2011, the FAA published the final rule entitled, "Damage Tolerance and Fatigue Evaluation for Metallic Structures" (76 FR 75435).

In the "Composite Rotorcraft Structures" final rule, the FAA amended its regulations to require evaluation of fatigue and residual static strength of composite rotorcraft structures using a damage tolerance evaluation, or a fatigue evaluation if the applicant establishes that a damage tolerance evaluation is impractical.

In the "Metallic Structures" final rule, the FAA amended its regulations to address advances in structural fatigue substantiation technology for metallic structures. This provides an increased level of safety by avoiding or reducing the likelihood of the catastrophic fatigue failure of a metallic structure. These increased safety requirements help ensure that should serious accidental damage occur during manufacturing or within the operational life of the rotorcraft, the remaining structure could withstand, without failure, any fatigue loads that are likely to occur, until the damage is detected or the part is replaced.

Both final rules included information collection requirements. However, the FAA inadvertently neglected to include a statement advising affected parties that they are not required to comply with these portions of the regulations until the Office of Management and Budget (OMB) approves the collections and assigns control numbers under the Paperwork Reduction Act of 1995. The FAA will publish in the **Federal Register** a notice of the control numbers assigned by OMB when these information collection requirements are approved.

##### Corrections

In FR Doc. 2011-30945, beginning on page 74655 in the **Federal Register** of December 1, 2011, make the following correction:

On page 74655, in the second column, after "Dates: Effective January 30, 2012.," insert "Affected parties, however, are not required to comply with the information collection requirement in §§ 27.573 and 29.573 until the Office of Management and Budget (OMB) approves the collection and assigns a control number under the Paperwork Reduction Act of 1995. The FAA will publish in the **Federal Register** a notice of the control number assigned by the Office of Management and Budget (OMB) for this information collection requirement."

In FR Doc. 2011-30941, beginning on page 75435 in the **Federal Register** of December 2, 2011, make the following correction:

On page 75435, in the second column, after "Dates: Effective January 31, 2012.," insert "Affected parties, however, are not required to comply with the information collection requirement in § 29.571 until the Office of Management and Budget (OMB) approves the collection and assigns a control number under the Paperwork Reduction Act of 1995. The FAA will publish in the **Federal Register** a notice of the control number assigned by the Office of Management and Budget (OMB) for this information collection requirement."

Issued in Washington, DC, on January 26, 2012.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

[FR Doc. 2012-2170 Filed 1-27-12; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

**18 CFR Parts 1b, 2, 3a, 4, 5, 11, 12, 131, 157, 284, 376, 380, and 385**

[Docket No. RM11-30-000; Order No. 756]

#### Technical Corrections to Commission Regulations

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission is issuing this Final Rule to make minor changes to its regulations. This Final Rule revises a number of references that have become outdated for various reasons or contain typographical errors. Generally, these changes add or delete language in the current regulations by eliminating obsolete information, incorporating reference to updated electronic filing

options, modernizing language, and correcting incorrect citations and clerical mistakes. The revisions are intended to be ministerial and/or informational in nature.

**DATES:** *Effective Date:* The rule will become effective February 1, 2012.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Yu, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502-8482.

#### SUPPLEMENTARY INFORMATION:

Before Commissioners: Jon Wellinghoff, Chairman; Philip D. Moeller, John R. Norris, and Cheryl A. LaFleur.

Issued January 19, 2012.

#### I. Introduction

1. The Commission is issuing this Final Rule to make minor changes to its regulations. This Final Rule revises a number of references that have become outdated for various reasons or contain typographical errors. Generally, these changes add or delete language in the current regulations by eliminating obsolete information, incorporating reference to updated electronic filing options, modernizing language, and correcting incorrect citations and clerical mistakes. The revisions are intended to be ministerial and/or informational in nature.

#### II. Discussion

##### A. Minor Revisions To Correct References and Outdated Nomenclature

2. In Part 3a of Title 18 of the *Code of Federal Regulations*, this Final Rule corrects references, where appropriate, to the "FPC" and the "Federal Power Commission" (the predecessor to the Federal Energy Regulatory Commission) to read "FERC" or "Federal Energy Regulatory Commission." Additionally, the Commission's contact information is updated and corrected in Part 380.

3. In Parts 2, 3a, 4, 12, and 284, references to outdated titles, positions, and technologies are revised.

4. In Parts 1b, 2, 4, 5, 131, 157, 284, 376, and 380, multiple outdated and incorrect references to Commission regulations, guidelines, the **Federal Register**, and Federal statutes are removed or corrected.

##### B. Corrections to Grammatical, Typesetting, and Typographical Mistakes

5. In Parts 1b, 2, 4, 157, 380, and 385, this Final Rule corrects grammatical, typesetting, and typographical mistakes in the Commission's regulations to improve the clarity and accuracy of the regulations.