

contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917), as amended by the **Federal Register** notice published on October 30, 2002 (67 FR 66109), is applicable to this solicitation.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection displays a currently valid Office of Management and Budget control number.

#### VI. Executive Order 12866

It has been determined that this notice is "not significant" for the purpose of Executive Order 12866.

#### VII. Executive Order 13132

It has been determined that this notice does not contain policies with Federalism implications as that term is defined in EO 13132.

#### VIII. Regulatory Flexibility Analysis

Because notice and comment are not required under 5 U.S.C. 553, or any other law, for this notice related to public property, loans, grants, benefits or contracts, 5 U.S.C. 553(a), a Regulatory Flexibility Analysis is not required and has not been prepared for this notice. 5 U.S.C. 601 *et seq.*

**Authority:** Pub. L. 108-7, "The Consolidated Appropriations Resolution, 2003," and Public Law 106-113, "The Consolidated Appropriations Act, Fiscal Year 2000."

**Dr. Bernadette McGuire-Rivera,**

*Associate Administrator, Office of Telecommunications and Information Applications.*

[FR Doc. 03-8678 Filed 4-8-03; 8:45 am]

**BILLING CODE 3510-60-P**

#### PATENT AND TRADEMARK OFFICE

##### Submission for OMB Review; Comment Request

The United States Patent and Trademark Office (USPTO) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

**AGENCY:** United States Patent and Trademark Office (USPTO).

**Title:** Admittance to Practice and Roster of Registered Patent Attorneys and Agents Admitted to Practice Before the United States Patent and Trademark Office (USPTO).

**Form Number(s):** PTO-158, PTO-158A, PTO-275, PTO-107A, PTO-1209, PTO-2126.

**Agency Approval Number:** 0651-0012.

**Type of Request:** Revision of a currently approved collection.

**Burden:** 58,745 hours annually.

**Number of Respondents:** 64,142 responses per year.

**Avg. Hours Per Response:** The USPTO estimates that it will take the public approximately 30 minutes (0.5 hours) to complete either an application or registration to practice before the USPTO, or an application for a foreign resident to practice before the USPTO and, depending upon the complexity of the situation, to gather, prepare and submit the application. It is estimated to take 20 minutes (0.33 hours) to complete undertakings under 37 CFR 10.10(b); 10 minutes (0.17 hours) to complete data sheets; 5 minutes (0.08 hours) to complete the oath or affirmation, and the request for a paper copy of the continuing training program and furnished narrative; 45 minutes (0.75 hours) to complete the petition for waiver of regulations; and 90 minutes (1.5 hours) to complete the written request for reconsideration of disapproval notice of application and the petition for reinstatement to practice. It is estimated to take 2 hours and 10 minutes (2.17 hours) for the annual practitioner registration/continuing training program—ten minutes (0.17 hours) to fill out the form and an average of 2 hours (2.0 hours) to complete the continuing training examination online. It is estimated to take 2 hours and 5 minutes (2.08 hours) for the paper-based version of the annual practitioner registration/continuing training program—five minutes (0.08 hours) to request the materials and an average of 2 hours (2.0 hours) to complete the continuing training examination on paper. These times include time to gather the necessary information, prepare, and submit the forms and requirements in this collection.

**Needs and Uses:** This information is required by 35 U.S.C. 2(b)(2)(d), administered by the USPTO through 37 CFR 10.5-10.19. The information is used by the Director of the Office of Enrollment and Discipline (OED) to determine if the applicant for registration is of good moral character and repute; has the necessary legal, scientific, and technical qualifications; and is otherwise competent to advise and assist applicants in the presentation and prosecution of applications for patent grants.

**Affected Public:** Individuals or households; business or other for-profit; the Federal Government; and State, Local or Tribal Governments.

**Frequency:** On occasion.

**Respondent's Obligation:** Required to obtain or retain benefits.

**OMB Desk Officer:** David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Susan K. Brown, Records Officer, Office of Data Architecture and Services, Data Administration Division, (703) 308-7400, USPTO, Suite 310, 2231 Crystal Drive, Washington, DC 20231, or by e-mail at [susan.brown@uspto.gov](mailto:susan.brown@uspto.gov).

Written comments and recommendations for the proposed information collection should be sent on or before May 9, 2003 to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20503.

Dated: April 1, 2003.

**Susan K. Brown,**

*Records Officer, USPTO, Office of Data Architecture and Services, Data Administration Division.*

[FR Doc. 03-8602 Filed 4-8-03; 8:45 am]

**BILLING CODE 3510-16-P**

#### DEPARTMENT OF DEFENSE

##### Office of the Secretary

##### Submission for OMB Review; Comment Request

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

**DATES:** Consideration will be given to all comments received by May 9, 2003.

**Title, Form Number, and OMB Number:** International Military Student Information; DD Form 2339; OMB Number 0702-0064.

**Type of Request:** Reinstatement.

**Number of Respondents:** 3,000.

**Responses Per Respondent:** 1.

**Annual Responses:** 3000.

**Average Burden Per Resonse:** 15 minutes (average).

**Annual Burden Hours:** 750 hours.

**Needs and Uses:** The DD Form 2399 is required in support of international military students who are attending training in the United States with the Military Departments as part of the security assistance training program. The DD Form 2399 is utilized in

gathering information on the international student prior to his/her arrival in the United States in order that civilian and military sponsors can be assigned to assist the student during his/her training.

*Affected Public:* Individuals or Households.

*Frequency:* On Occasion.

*Respondent's Obligation:* Voluntary.

*OMB Desk Officer:* Ms. Jacqueline Zeiher.

Written comments and recommendations on the proposed information collection should be sent to Ms. Zeiher at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

*DoD Clearance Officer:* Mr. Robert Cushing.

Written requests for copies of the information collection proposal should be sent to Mr. Cushing, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302.

Dated: April 3, 2003.

**Patricia L. Toppings,**

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

[FR Doc. 03-8620 Filed 4-8-03; 8:45 am]

**BILLING CODE 5001-08-M**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Submission for OMB Review; Comment Request

##### ACTION: Notice

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

**DATES:** Consideration will be given to all comments received by May 9, 2003.

*Title, Form Number, and OMB*

*Number:* Application and Agreement for Establishment of a National Defense Cadet Corps Unit; DA Form 3126-1; OMB Number 0702-0110.

*Type of Request:* Reinstatement.

*Number of Respondents:* 35.

*Responses Per Respondent:* 1.

*Annual Responses:* 35.

*Average Burden Per Response:* 60 minutes (average).

*Annual burden Hours:* 35 hours.

*Needs and Uses:* Educational Institutions desiring to host a National Defense Cadet Corps Unit (NDCC) may apply by using a DA Form 3126-1. The DA Form 3126-1 documents the agreement and becomes a contract

signed by both the secondary institution and the U.S. Government. This form provides information on the schools's facilities and states specific conditions if a NDCC unit is placed at the institution. The data provided on the application is used to determine which school(s) will be selected.

*Affected Public:* State, Local, or Tribal Government; Not-For-Profit Institutions.

*Frequency:* On Occasion.

*Respondent's Obligation:* Required to obtain or retain benefits.

*OMB Desk Officer:* Ms. Jacqueline Zeiher.

Written comments and recommendations on the proposed information collection should be sent to Ms. Zeiher at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

*DOD Clearance Officer:* Mr. Robert Cushing.

Written requests for copies of the information collection proposal should be sent to Mr. Cushing, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302.

Dated: April 2, 2003.

**Patricia L. Toppings,**

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

[FR Doc. 03-8621 Filed 4-8-03; 8:45 am]

**BILLING CODE 5001-08-M**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### DoD Health Information Privacy Program

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Notice.

**SUMMARY:** Under 45 CFR part 164, "Standards for Privacy of Individually Identifiable Health Information" and DoD 6025.18-R, "DoD Health Information Privacy Regulation" provisions are made to allow appropriate uses and disclosures of protected health information concerning members of the armed forces to assure the proper execution of the military mission, provided that the Department of Defense publishes in the **Federal Register** a notice describing implementation of these provisions. This notice implements those provisions.

**EFFECTIVE DATES:** This notice is effective April 14, 2003.

**FOR FURTHER INFORMATION CONTACT:** CDR Sam Jenkins, Health Information Privacy Officer, TRICARE Management Activity, Skyline 5, Suite 810, 5111

Leesburg Pike, Falls Church, Virginia 22041-3206, (703) 681-5611, extension 6824.

**SUPPLEMENTARY INFORMATION:** In accordance with 45 CFR 164.512(K)(1)(i), the Department of Defense has established in DoD 6025.18-R, paragraph C7.11.1, the following provisions.

1. *General Rule.* A covered entity (including a covered entity not part of or affiliated with the Department of Defense) may use and disclose the protected health information of individuals who are Armed Forces personnel for activities deemed necessary by appropriate military command authorities to assure the proper execution of the military mission.

2. *Appropriate Military Command Authorities.* For purposes of paragraph 1, appropriate Military Command authorities are the following:

2.1. All Commanders who exercise authority over an individual who is a member of the Armed Forces, or other person designated by such a Commander to receive protected health information in order to carry out an activity under the authority of the Commander.

2.2 The Secretary of Defense, the Secretary of the Military Department responsible for the Armed Force for which the individual is a member, or the Secretary of Homeland Security when a member of the Coast Guard when it is not operating as a service in the Department of the Navy.

2.3. Any official delegated authority by a Secretary listed in subparagraph 2.2 to take an action designed to ensure the proper execution of the military mission.

3. *Purposes for Which the Protected Health Information May Be Uses or Disclosed.* For purposes of paragraph 1, the purposes for which any and all of the protection health information of an individual who is a member of the Armed Forces may be used or disclosed are the following:

3.1. To determine the member's fitness for duty, including but not limited to the member's compliance with standards and all activities carried out under the authority of DoD Directive 1308.1, "DoD Physical Fitness and Body Fat Program," July 20, 1995, DoD Instruction 1332.38, "Physical Disability Evaluation," November 14, 1996, DoD Directive 5210.42, "Nuclear Weapons Personnel Reliability Program (PRP)," January 8, 2001, and similar requirements.

3.2. To determine the member's fitness to perform any particular