

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.

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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