

appropriate action or make final the agreement's proposed order.

This matter concerns alleged false or misleading representations that Onyx Graphics made to consumers concerning its participation in the Safe Harbor privacy framework ("Safe Harbor") agreed upon by the U.S. and the European Union ("EU"). It is among the Commission's first cases to challenge deceptive claims about the Safe Harbor. The Safe Harbor provides a mechanism for U.S. companies to transfer data outside the EU consistent with European law. To join the Safe Harbor, a company must self-certify to the U.S. Department of Commerce ("Commerce") that it complies with seven principles and related requirements. Commerce maintains a public website, ([www.export.gov/safeharbor](http://www.export.gov/safeharbor)), where it posts the names of companies that have self-certified to the Safe Harbor. The listing of companies indicates whether their self-certification is "current" or "not current." Companies are required to re-certify every year in order to retain their status as "current" members of the Safe Harbor framework.

Onyx Graphics develops and markets commercial printing software and solutions for the digital color printing marketplace, including through a website ([www.onyxgfx.com](http://www.onyxgfx.com)). According to the Commission's complaint, since at least October 2006, Onyx Graphics has set forth on its website privacy policies and statements about its practices, including statements that it is a current participant in the Safe Harbor.

The Commission's complaint alleges that Onyx Graphics falsely represented that it was a current participant in the Safe Harbor when, in fact, from August 2007 until July 2009, Onyx Graphics was not a current participant in the Safe Harbor. The Commission's complaint alleges that in August 2006, Onyx Graphics submitted a self-certification to Commerce, which it did not renew in August 2007. Commerce then updated the company's status to "not current" on the Commerce public website. Onyx Graphics remained in "not current" status until it submitted a self-certification to Commerce in July 2009.

The proposed order applies to Onyx Graphics's representations about its membership in any privacy, security, or any other compliance program sponsored by the government or any other third party. It contains provisions designed to prevent Onyx Graphics from engaging in the future in practices

similar to those alleged in the complaint.

Part I of the proposed order prohibits Onyx Graphics from making misrepresentations about its membership in any privacy, security, or any other compliance program sponsored by the government or any other third party.

Parts II through VI of the proposed order are reporting and compliance provisions. Part II requires Onyx Graphics to retain documents relating to its compliance with the order for a five-year period. Part III requires dissemination of the order now and in the future to persons with responsibilities relating to the subject matter of the order. Part IV ensures notification to the FTC of changes in corporate status. Part V mandates that Onyx Graphics submit an initial compliance report to the FTC, and make available to the FTC subsequent reports. Part VI is a provision "sunsetting" the order after twenty (20) years, with certain exceptions.

The purpose of the analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier OS-0990-New]

### Agency Information Collection Request; 60-Day Public Comment Request

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

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed information collection request for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the

proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, e-mail your request, including your address, phone number, OMB number, and OS document identifier, to [Sherrette.funncoleman@hhs.gov](mailto:Sherrette.funncoleman@hhs.gov), or call the Reports Clearance Office on (202) 690-6162. Written comments and recommendations for the proposed information collections must be directed to the OS Paperwork Clearance Officer at the above e-mail address within 60 days.

*Proposed Project:* Research Mentoring Dyad: Comparing the Views of Faculty Advisors/Mentors and Their Ph.D. Students on Training/Learning to Be a Responsible Researcher—OMB No. 0990-New—Office of Research Integrity (ORI).

*Abstract:* This effort is consistent with the directive to ORI to "focus more on preventing misconduct and promoting research integrity" (**Federal Register**: May 12, 2000, Volume 65, Number 93). Study results will be used to promote mentoring best practices, in particular for the responsible conduct of research, by raising awareness of the role of faculty members in developing young scientists, promoting discussion in the scientific community, and informing institutions on where and how to focus resources from the unique perspective of both faculty and doctoral student. To gather information to promote ORI's objectives, this study will use in-depth personal interviews with 100 faculty who participated in the ORI Faculty Survey and agreed to be re-contacted and 100 matched doctoral students who have graduated in the last five years. These one-time interviews will be used to find out how faculty and their students view the training and education of responsible researchers. Interviews with matched faculty/doctoral student pairs will provide a unique opportunity to compare these two perspectives and will strengthen and elaborate on the ORI Faculty Survey results.

## ESTIMATED ANNUALIZED BURDEN TABLE

Forms	Type of respondent	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Interview Protocol .....	Faculty .....	100	1	2	200
Interview Protocol .....	Doctoral Student Graduates .....	100	1	2	200
Total .....	.....	.....	.....	.....	400

**Seleda Perryman,**

*Office of the Secretary, Paperwork Reduction Act Reports Clearance Officer.*

[FR Doc. E9-25028 Filed 10-16-09; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the National Coordinator for Health Information Technology; HIT Standards Committee's Implementation Workgroup Meeting; Notice of Meeting

**AGENCY:** Office of the National Coordinator for Health Information Technology, HHS.

**ACTION:** Notice of meeting.

This notice announces a forthcoming meeting of a public advisory subcommittee of the Office of the National Coordinator for Health Information Technology (ONC). The meeting will be open to the public.

*Name of Committee:* HIT Standards Committee's Implementation Workgroup.

*General Function of the Committee:* To provide recommendations to the National Coordinator on standards, implementation specifications, and certification criteria for the electronic exchange and use of health information for purposes of adoption, consistent with the implementation of the Federal Health IT Strategic Plan, and in accordance with policies developed by the HIT Policy Committee. The Implementation Workgroup is charged with benchmarking adoption rates for proposed standards across diverse settings; soliciting public input on what stakeholders need to lower the barriers to standards adoption; evaluating the degree to which proposed standards achieve policy objectives; and establishing an ongoing process to gather public input to inform future standards development, revisions to existing standards, or guidance on tools to minimize the cost of adoption.

*Date and Time:* The meeting will be held on October 29, 2009, from 9 a.m. to 3 p.m./Eastern Time.

*Location:* The Omni Shoreham Hotel, 2500 Calvert Street, NW., Washington, DC. The hotel telephone number is 202-234-0700.

*Contact Person:* Judy Sparrow, Office of the National Coordinator, HHS, 330 C Street, SW., Washington, DC 20201, 202-205-4528, Fax: 202-690-6079, e-mail: [judy.sparrow@hhs.gov](mailto:judy.sparrow@hhs.gov). Please call the contact person for up-to-date information on this meeting. A notice in the **Federal Register** about last minute modifications that impact a previously announced advisory committee meeting cannot always be published quickly enough to provide timely notice.

*Agenda:* The Implementation Workgroup will be hearing testimony from stakeholder groups, such as purchasers, vendors, and users, on health information technology adoption experiences with the proposed standards. The Workgroup intends to monitor the adoption rate of proposed standards, identify opportunities to accelerate implementation, and establish a continuous feedback loop on the development of new or revised standards.

In addition to soliciting verbal and formal written comments at the hearing, the Workgroup will use a Web-based tool to engage the public. The ONC is setting up a Web-based tool to engage the public in the topic; please visit the ONC Web site closer to the meeting date for additional information.

ONC intends to make background material available to the public no later than two (2) business days prior to the meeting. If ONC is unable to post the background material on its Web site prior to the meeting, it will be made publicly available at the location of the advisory subcommittee meeting, and the background material will be posted on ONC's Web site after the meeting, at <http://healthit.hhs.gov>. The meeting will be available via Webcast; visit <http://healthit.hhs.gov> for instructions on how to listen via telephone or Web.

*Procedure:* Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person from October 29th until

November 12, 2009. Oral comments from the public will be scheduled at the close of the meeting on October 29, 2009. Time allotted for each presentation may be limited. If the number of speakers requesting to comment is greater than can be reasonably accommodated during the scheduled open public hearing session, ONC will take written comments after the meeting until close of business on that day.

Persons attending Committee meetings are advised that the agency is not responsible for providing access to electrical outlets.

ONC welcomes the attendance of the public at its advisory committee meetings. Seating is limited at the location, and ONC will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Judy Sparrow at least seven (7) days in advance of the meeting.

ONC is committed to the orderly conduct of its advisory committee meetings. Please visit our Web site at <http://healthit.hhs.gov> for procedures on public conduct during advisory committee meetings.

Notice of this meeting is given under the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., App. 2).

Dated: October 13, 2009.

**Judith Sparrow,**

*Office of Programs and Coordination, Office of the National Coordinator for Health Information Technology.*

[FR Doc. E9-25051 Filed 10-14-09; 4:15 pm]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Solicitation for Members of the National Vaccine Advisory Committee

**AGENCY:** Department of Health and Human Services, Office of the Secretary, Office of Public Health and Science.

**ACTION:** Notice.

**Authority:** 42 U.S.C. 300aa-5, Section 2105 of the Public Health Service (PHS)