

## I. Background

The NTSB is an independent Federal agency with statutory responsibility for investigating and determining the probable causes of all civil aviation and certain railroad, highway, marine, hazardous materials, and pipeline accidents and incidents. *See* 49 U.S.C. 1116, 1131. Through its comprehensive public reports on transportation accidents and incidents and safety recommendations, the NTSB protects and promotes public health and safety by helping prevent recurrences of accidents and injuries to the hundreds of millions of Americans who travel or are employed in the nation's channels of transportation each year. The NTSB has issued more than 13,000 safety recommendations since its establishment in 1967.

The NTSB possesses statutory authority to obtain information in investigations by subpoena and "may inspect any record, process, control, or facility related to an accident investigation." *Id.* §§ 1113(a)(1), 1134(a)(2). The NTSB may also "order an autopsy to be performed and have other tests made when necessary to investigate an accident." *Id.* § 1134(f)(1). In any accident investigation, NTSB staff obtains relevant information through a variety of means, including voluntary measures, subpoenas, and testimony at public investigative hearings.

## II. HIPAA Privacy Rule

Congress enacted HIPAA (Pub. L. 104–191, 110 Stat. 1936 (1996)) to create and strengthen national standards for the privacy of Americans' health information, among several other major purposes. In response to a mandate in section 264(c)(1) of HIPAA, the U.S. Department of Health and Human Services (HHS) in 2000 finalized a set of regulatory requirements to protect health information privacy. *See Standards for Privacy of Individually Identifiable Health Information*, 65 FR 82462 (Dec. 28, 2000), as amended, 78 FR 5566 (Jan 25, 2013). These requirements, described collectively as the HIPAA Privacy Rule (Privacy Rule) and codified in relevant part at 45 CFR parts 160 and 164, govern uses and disclosures of individuals' health information by "covered entities": health care providers, health plans, and health care clearinghouses. 45 CFR 160.103.

The Privacy Rule generally limits a covered entity's ability to disclose an individual's protected health information to another person. *See id.* § 164.502(a). An exception to this

general prohibition expressly permits a covered entity to disclose protected health information without the individual's authorization or opportunity to object to a

public health authority that is authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, including, but not limited to, the reporting of disease, injury, vital events such as birth or death, and the conduct of public health surveillance, public health investigations, and public health interventions. . . .

*Id.* § 164.512(b)(1)(i). The Privacy Rule defines a "public health authority" as an agency or authority of the United States, a State, a territory, a political subdivision of a State or territory, or an Indian tribe, or a person or entity acting under a grant of authority from or contract with such public agency, including the employees or agents of such public agency or its contractors or persons or entities to whom it has granted authority, that is responsible for public health matters as part of its official mandate.

*Id.* § 164.501. In the preamble to the final Privacy Rule, HHS described the definition of "public health authority" as a "broad" definition, commensurate with a "broad Congressional mandate [in HIPAA] not to interfere with current public health practices" under State public health laws. 65 FR 82624.

## III. NTSB Public Health Authority Status

The NTSB is a public health authority for purposes of the HIPAA Privacy Rule. HHS specifically cited the NTSB as an example of a public health authority in the preamble to a notice of proposed rulemaking (NPRM) on the Privacy Rule in 1999; the preamble included the NTSB in an illustrative list of several "government agencies and entities [that] carry out public health activities in the course of their missions." *Standards for Privacy of Individually Identifiable Health Information*, 64 FR 59918, 59956 (Nov. 3, 1999). The definition of "public health authority" adopted in the final rule does not differ in any relevant respect from the definition contemplated in the NPRM.<sup>1</sup> In the 14 years since publication of the final Privacy Rule, the NTSB's status as a public health authority has facilitated the Board's access to information that substantially assisted the Board in

<sup>1</sup> In relevant part, the final rule modified the proposed definition of "public health authority" "slightly to clarify that a 'public health authority' also includes a person or entity acting under a grant of authority from or contract with a public health agency." 65 FR 82497. The final rule also added language to the provision authorizing disclosures to a public health authority to permit disclosures to a foreign government agency acting in collaboration with a public health authority. *See* 65 FR 82525.

issuing safety recommendations that prevented accidents and injuries and saved lives.

Moreover, as HHS noted in the NPRM, NTSB's activities, by design, "reduce mortality and injury by making recommendations for safety improvements," 64 FR 59956, and fall well within the ambit of public health activities conducted "for the purpose of preventing or controlling . . . injury," 45 CFR 164.512(b)(1)(i). NTSB investigations thoroughly examine causal and contributing factors in transportation accidents and incidents, including human factors such as fatigue among crewmembers, so regulators, transportation operators, and other stakeholders may implement appropriate measures to prevent the accidents and incidents from recurring. NTSB investigations also examine the nature and extent of accident victims' injuries so that the Board may issue appropriate recommendations to improve the crashworthiness of transportation vehicles and to improve accidents' survivability. Finally, the NTSB examines emergency responses to transportation accidents to identify measures that could mitigate injuries and prevent deaths in the future.

Dated: May 14, 2014.

**Christopher A. Hart,**  
*Acting Chairman.*

[FR Doc. 2014–11579 Filed 5–19–14; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. NRC–2014–0089]

### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) invites public comment about our intention to request the OMB's approval for renewal of an existing information collection that is summarized below. We are required to publish this notice in the **Federal Register** under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* 10 CFR Part 81, "Standard Specifications for the Granting of Patent Licenses."

2. *Current OMB approval number:* 3150-0121.

3. *How often the collection is required:* Applications for licenses are submitted once. Other reports are submitted annually or as events require.

4. *Who is required or asked to report:* Applicants for and holders of NRC licenses to inventions covered by patents or patent applications.

5. *The number of annual respondents:* There are no anticipated respondents to this collection over the next three years.

6. *The number of hours needed annually to complete the requirement or request:* 0 hours. No applications are anticipated during the next 3 years.

7. *Abstract:* As specified in Part 81 of Title 10 of the *Code of Federal Regulations*, the NRC may grant non-exclusive licenses or limited exclusive licenses to its patent inventions to responsible applicants. Applicants for licenses to NRC inventions are required to provide information which may provide the basis for granting the requested license. In addition, all license holders must submit periodic reports on efforts to bring the invention to a point of practical application and the extent to which they are making the benefits of the invention reasonably accessible to the public. Exclusive license holders must submit additional information if they seek to extend their licenses, issue sublicenses, or transfer the licenses. In addition, if requested, exclusive license holders must promptly supply to the United States Government copies of all pleadings and other papers filed in any patent infringement lawsuit, as well as evidence from proceedings relating to the licensed patent.

Submit, by July 21, 2014, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

The public may examine and have copied for a fee publicly-available documents, including the draft supporting statement, at the NRC's Public Document Room, Room O-1F21, One White Flint North, 11555 Rockville

Pike, Rockville, Maryland 20852. The OMB clearance requests are available at the NRC's Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/>. The document will be available on the NRC's home page site for 60 days after the signature date of this notice.

Comments submitted in writing or in electronic form will be made available for public inspection. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed. Comments submitted should reference Docket No. NRC-2014-0089. You may submit your comments by any of the following methods: Electronic comments go to <http://www.regulations.gov> and search for Docket No. NRC-2014-0079. Mail comments to the Acting NRC Clearance Officer, Fajr Majeed (T-5 F50), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Questions about the information collection requirements may be directed to the Acting NRC Clearance Officer, Fajr Majeed (T-5 F50), U.S. Nuclear Regulatory Commission Washington, DC 20555-0001; telephone: 301-415-6736, or by email to [INFOCOLLECTS.Resource@NRC.GOV](mailto:INFOCOLLECTS.Resource@NRC.GOV).

Dated at Rockville, Maryland, this 15th day of May, 2014.

For the Nuclear Regulatory Commission.

**Fajr Majeed,**

*Acting NRC Clearance Officer, Office of Information Services.*

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. NRC-2014-0079]**

### **Agency Information Collection Activities: Proposed Collection; Comment Request**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) invites public comment about our intention to request the OMB's approval for renewal of an existing information collection that is summarized below. We are required to publish this notice in the **Federal Register** under the provisions of the

Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* NRC Form 450, "General Assignment."

2. *Current OMB approval number:* 3150-0114.

3. *How often the collection is required:* Once during the contract closeout process.

4. *Who is required or asked to report:* Contractors.

5. *The number of annual respondents:* 15.

6. *The number of hours needed annually to complete the requirement or request:* 30.

7. *Abstract:* During the contract closeout process for cost-reimbursement and time-and-materials type contracts, the NRC requires the contractor to execute NRC Form 450, General Assignment. Execution of this form grants to the government all rights, title, and interest to refunds arising out of the contractor performance.

Submit, by July 21, 2014, comments that address the followings questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

The public may examine and have copied for a fee publicly-available documents, including the final supporting statement, at the NRC's Public Document Room, Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. The OMB clearance requests are available at the NRC's Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/>. The document will be available on the NRC's home page site for 60 days after the signature date of this notice.

Comments submitted in writing or in electronic form will be made available for public inspection. Since your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed. Comments submitted should reference Docket No. NRC-2014-0079. You may submit your comments by any of the following methods: Electronic comments go to <http://>