Medicaid program, a State health department, or the Drug Enforcement Administration must submit a written request to the State PMP that identifies the summary statistics sought. The requesting Department, program, administration, etc., must certify that the requested information is necessary for research to be conducted by such department, program, or administration, respectively, and the intended purpose of the research is related to a function committed to such department, program, or administration by law that is not investigative in nature.

(e) An agent of the State agency or entity of another State that is responsible for the establishment and maintenance of the State’s controlled substance monitoring program must submit a written request on Agency letterhead that identifies the requestor as the person responsible for that State’s controlled substance monitoring program. After authentication by the disclosing State PMP, the requesting State certifies that (I) the State has an application approved under this section; and (II) the requested information is for the purpose of implementing the State’s controlled substance monitoring program.

Patients. The Administrator notes that NASPER does not specifically designate disclosures to patients as a category for minimum requirements, perhaps because HIPAA and other patient information access provisions already permit sufficient patient access to their own controlled prescription drug information. The Administrator invites specific comment on this issue.

Unsolicited Disclosures of Information from PMPs. Practitioners and Dispensers. Under 42 U.S.C. 280g–3(f)(2)(A), NASPER requires that “[I]n consultation with practitioners, dispensers, and other relevant and interested stakeholders, a State receiving a grant under subsection (a) * * * shall establish a program to notify practitioners and dispensers of information that will help identify and prevent the unlawful diversion or misuse of controlled substances * * *.”

The Administrator understands that notifying prescribers and dispensers when PMP activity suggest drug diversion, or identifying individuals who may need substance abuse treatment, is important to reducing substance abuse and reducing illicit distribution of controlled prescription substances. In addition, the Administrator is aware that many States have established “thresholds” that trigger such notifications. States have considerable latitude in establishing such programs; and, at a minimum

**SUMMARY:** The National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and Prevention (CDC) announces the availability of the following draft document available for public comment entitled “Updating the List of Hazardous Drugs for the NIOSH Alert: Additions and Deletions to the NIOSH Hazardous Drug List.” The document and instructions for submitting comments can be found at http://www.cdc.gov/niosh/review/public/105a/.

**DATES:** Comments must be postmarked by June 30, 2009.

**ADDRESSES:** You may submit comments to nioshdocket@cdc.gov or to the NIOSH Docket Office, Robert A. Taft Laboratories, MS–C34, 4676 Columbia Parkway, Cincinnati, OH 45226 or by facsimile (513) 533-6265. Comments should be in Microsoft Word format and should reference NIOSH docket number 105-A. NIOSH includes all comments received without change in the docket, including any personal information provided. After the comment period has closed, comments will be able to be accessed electronically at http://www.cdc.gov/NIOSH under the link to the NIOSH docket. As appropriate, NIOSH will post comments with the commenters’ names, affiliations and other information, on the Internet.

**Background:** The “NIOSH Alert: Preventing Occupational Exposures to Antineoplastic and Other Hazardous Drugs in Health Care Settings” was published in September 2004 (http://www.cdc.gov/niosh/docs/2004–165/).

Since that time, approximately 60 new drugs have received FDA approval and approximately 60 drugs have received special warnings (usually black box warnings) based on reported adverse effects in patients. An additional 16 drugs were included from the updated National Institutes of Health (NIH) Hazardous Drug List. From this list of approximately 150 drugs, 62 drugs were determined to have one or more characteristic of a hazardous drug and published for comment in NIOSH docket number 105.

After review by experts, public review and comment, input from stakeholders and review of the scientific literature, NIOSH has proposed a second draft list of hazardous drugs. A number of drugs were removed from the initial proposed list based on comments from the various groups and organizations. The second draft list identifies 24 drugs that fit the NIOSH definition of hazardous drugs. Based on comments received by NIOSH, Bacillus Calmette-Guerin (BCG) will be removed from Appendix A in the 2004
NIOSH Alert on Hazardous Drugs
(http://www.cdc.gov/niosh/docs/2004-165/)
due to potential adverse effects in some
patients from cross-contamination.
This guidance document does not
have the force and effect of law.

FOR FURTHER INFORMATION CONTACT:
Barbara MacKenzie, NIOSH, Robert A.
Taft Laboratories, MS–C26, 4676
Columbia Parkway, Cincinnati, OH
45226, telephone (513) 533–8132, E-
mail: hazardousdrugs@cdc.gov.
Reference: http://www.cdc.gov/niosh/
docs/2004–102/. Web address for this
document: http://www.cdc.gov/niosh/
review/public/105a/. All information
received in response to this notice will
be available for public examination and
copying at the NIOSH Docket Office,
4676 Columbia Parkway, Room 111.
Cincinnati, Ohio, 45226, telephone
(513) 533–8303.

Christine M. Branche,
Acting Director, National Institute for
Occupational Safety and Health, Centers for
Disease Control and Prevention.

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BILLING CODE 4163–19–P

DEPARTMENT OF HOMELAND
SECURITY

U.S. Citizenship and Immigration
Services

Agency Information Collection
Activities: New Information Collection; Comment Request

ACTION: 30-Day Notice of Information
Collection Under Review; Form I–312,
Designation of Attorney in Fact.

The Department of Homeland
Security, U.S. Immigration and Customs
Enforcement (USICE), has submitted the
following information collection request
for review and clearance in accordance
with the Paperwork Reduction Act of
1995. The information collection was
previously published in the Federal
Register on February 12, 2009 Vol. 74
No. 28 7072, allowing for a 60-day
public comment period. No comments
were received on this information
collection.

The purpose of this notice is to allow
an additional 30 days for public
comments. Comments are encouraged
and will be accepted for thirty days May
29, 2009. Written comments and
suggestions from the public and affected
agencies regarding items contained in
this notice and especially with regard to
the estimated public burden and
associated response time should be
directed to the Office of Information and
Regulatory Affairs, Office of
Management and Budget. Comments
should be addressed to OMB Desk
Officer, for United States Immigration
and Customs Enforcement, Department
of Homeland Security, and sent via
electronic mail to
oiraselection@omb.eop.gov or faxed
to (202) 395–6974.

Written comments and suggestions
from the public and affected agencies
concerning the proposed collection of
information should address one or more
of the following four points:
(1) Evaluate whether the proposed
collection of information is necessary
for the proper performance of the
functions of the agency, including
whether the information will have
practical utility;
(2) Evaluate the accuracy of the
agency’s estimate of the burden of the
proposed collection of information,
including the validity of the
methodology and assumptions used;
(3) Enhance the quality, utility, and
clarity of the information to be
collected; and
(4) Minimize the burden of the
collection of information on those who
are to respond, including through the
use of appropriate automated,
electronic, mechanical, or other
 technological collection techniques or
other forms of information technology,
e.g., permitting electronic submission of
responses.

Overview of This Information
Collection

(1) Type of Information Collection:
New information collection.
(2) Title of the Form/Collection:
Designation of Attorney in Fact.
(3) Agency form number, if any, and
the applicable component of the
Department of Homeland Security
sponsoring the collection: Form I–312.
U.S. Immigration and Customs
Enforcement.
(4) Affected public who will be asked
or required to respond, as well as a brief
abstract: Primary: Individuals or
Households. The I–312 is the
instrument the U.S. Immigration and
Customs Enforcement (ICE) uses to
provide immigration bond obligors a
means to designate an attorney to accept
on the obligor’s behalf, the return
of cash or United States bonds or notes
deposited to secure an immigration
bond upon the cancellation of the bond
or the performance of the obligor.
(5) An estimate of the total number of
respondents and the amount of time
estimated for an average respondent to
respond: 12,500 responses at 30 minutes
(.50 hours) per response.

(6) An estimate of the total public
burden (in hours) associated with the
collection: 6,250 annual burden hours.
Requests for a copy of the proposed
information collection instrument, with
instructions; or inquiries for additional
information should be directed to:
Joseph M. Gerhart, Chief, Records
Management Branch; U.S. Immigration
and Customs Enforcement, 500 12th
Street, SW., Room 3138, Washington,
DC 20536; (202) 732–6337.

Lee Shirkey,
Acting Chief, Records Management Branch,
U.S. Immigration and Customs Enforcement,
Department of Homeland Security.

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BILLING CODE 9111–28–P

DEPARTMENT OF HOMELAND
SECURITY

U.S. Citizenship and Immigration
Services

Agency Information Collection
Activities: National Interest Waivers;
Supplemental Evidence to I–140 and I–
485, Extension of a Currently
Approved Information Collection;
Comment Request

ACTION: 30-Day Notice of Information
Collection Under Review: National
Interest Waivers: Supplemental
Evidence to I–140 and I–485; OMB
Control No. 1615–0063.

The Department of Homeland
Security, U.S. Citizenship and
Immigration Services (USCIS) has
submitted the following information
collection request to the Office of
Management and Budget (OMB) for
review and clearance in accordance
with the Paperwork Reduction Act of
1995. The information collection was
previously published in the Federal
Register on February 11, 2009, at 74 FR
6915, allowing for a 60-day public
comment period. USCIS did not receive
any comments for this information
collection.

The purpose of this notice is to allow
an additional 30 days for public
comments. Comments are encouraged
and will be accepted until May 29,
2009. This process is conducted in
accordance with 5 CFR 1320.10.

Written comments and/or suggestions
regarding the item(s) contained in this
notice, especially regarding the
estimated public burden and associated
response time, should be directed to the
Department of Homeland Security
(DHS), and to the Office of Information
and Regulatory Affairs, Office of