

compliance to assemble the necessary equipment, for a total of 10,000 burden hours. Staff also estimates that the companies that already have recordkeeping systems would require only one hour to comply with the proposed recordkeeping requirements, for a total burden estimate of 49,900 hours. The Commission is requesting that this figure be rounded up to 50,000 hours. A burden estimate of 50,000 hours, which is a yearly estimate, would allow approximately 100 new companies to enter the industry during each succeeding year without requiring the Commission to modify the burden estimate.

The Commission's February 14, 1995 Application to OMB did not request clearance for the various disclosure requirements contained in the proposed Telemarketing Rule. The Commission is now submitting these disclosure requirements to OMB for clearance. The primary purpose of the rule's disclosure requirements is to assist in preventing deceptive and abusive telemarketing acts or practices by ensuring that customers are informed of the purpose of the call and the terms and conditions of the potential sale.

Specifically, the revised proposed rule requires sellers or telemarketers to disclose the identity of the seller; the purpose of the call; the nature of goods or services; and that no purchase is necessary to win if a prize promotion is offered in conjunction with a sales offer of goods or services. If requested, the telemarketer must also disclose the no-purchase entry method of the prize promotion.

Staff estimates that 40,000 industry members make approximately 9 billion calls per year, or 225,000 calls per year per company. However, sections 310.6(d) and (e) provide that if an industry member chooses to solicit consumers by using advertising media other than direct mail or by using direct mail solicitations that make certain required disclosures, they are exempted from complying with other disclosures required by the rule. Because the burden of complying with written disclosures is much lower than the burden of complying with all the rule's provisions, staff estimates that at least 9,000 firms will choose to adopt marketing methods that exempt them from oral disclosure requirements. Staff estimates that it will take 7 seconds for callers to disclose the

required information. Staff also estimates that at least 60% result in "hang-ups" before the seller or telemarketer can make all the required oral disclosures. Staff estimates that hang-up calls last for only 2 seconds. Accordingly, staff estimates that the total disclosure burden of these requirements is approximately 250 hours per firm or 7.75 million hours.

The revised proposed rule also requires additional disclosures before the customer pays for goods or services. Specifically, the sellers or telemarketers must disclose the total costs to purchase, receive, or use the offered goods or services; all material restrictions; all material terms and conditions of the seller's refund, cancellation, exchange, or repurchase policies if a representation about the policy is part of the sales offer; and that no purchase is necessary to win if a prize promotion is offered in conjunction with a sales offer of goods or services. The telemarketer must disclose the non-purchase entry method for the prize promotion. Staff estimates that approximately 10 seconds is necessary to make these required disclosures. However, these disclosures need only be made where a call results in an actual sale. Staff estimates that sales occur in approximately 6 percent of telemarketing calls. Accordingly, the estimated burden for the disclosures is 37.5 hours per firm or 1.163 million hours.

Alternately, the disclosures required before the customer pays for goods or services may be *in writing*. As discussed above, staff estimates that approximately 9,000 firms will choose to comply with this optional written disclosure requirement. Although this burden estimate is difficult to quantify, mailing campaigns appear to be much less burdensome for firms than are individual oral disclosures. Staff also finds that these disclosure requirements are closely consistent with the ordinary business practices of most members of the industry. Nonetheless, staff has no reliable data from which to conclude that there is *no* separately identifiable burden associated with this provision. Therefore, staff estimates that a typical firm will spend approximately 10 hours per year engaged in activities ensuring compliance with this provision of the rule, for an estimated burden estimate of 90,000 hours.

Total Yearly Burden

Based on these figures, staff estimates the total yearly burden of the proposed rule to be 9,053,000 hours (50,000 recordkeeping hours + 9,003,000 disclosure hours). The basis for this estimate is described in more detail in the Supporting Statement submitted with the Amended Request for OMB Review.

DATES: Comments on this application must be submitted on or before June 30, 1995.

ADDRESSES: Send comments both to Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3228, Washington, DC 20503, ATTN: Desk Officer for the Federal Trade Commission, and to the Office of the Secretary, Room 159, Federal Trade Commission, Washington, DC 20580. Copies of the submission to OMB may be obtained from the Public Reference Section, Room 130, Federal Trade Commission, Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: David M. Torok, Attorney, Bureau of Consumer Protection, Division of Marketing Practices, Federal Trade Commission, Washington, DC 20580, (202) 326-3140.

Donald S. Clark,
Secretary.

[FR Doc. 95-15186 Filed 6-21-95; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Agency Information Collection Under OMB Review

Title: Monthly "FLASH" Report of Selected AFDC Program Data.

OMB No.: 0970-0071.

Description: The information collected by use of this form is used to monitor program trends and serves as advanced indicators of program activity and costs. The affected public is comprised of State and local agencies administering AFDC programs. The forms are completed by State agencies administering AFDC programs.

Respondents: State and Local governments.

Title	Number of respondents	Number of responses per respondent	Average burden per response	Burden
Flash report	54	12	2.5	1,620

Estimated Total Annual Burden: 1,620.

Additional Information

Copies of the proposed collection may be obtained from Bob Sargis of the Division of Information Resource Management, ACF, by calling (202) 690-7275.

OMB Comment

Consideration will be given to comments and suggestions received within 30 days of publication. Written comments and recommendations for the proposed information collection should

be sent directly to the following: Office of Management and Budget, Paperwork Reduction Project, 725 17th Street NW., Washington, D.C. 20503, Attn: Ms. Wendy Taylor.

Dated: June 20, 1995.

Roberta Katson,

Acting Director, Office of Information Resource Management.

[FR Doc. 95-15470 Filed 6-22-95; 8:45 am]

BILLING CODE 4184-01-M

Agency Information Collection Under OMB Review

Title: Job Opportunity and Basic Skills (JOBS) Participation Rate Quarterly Report.

OMB No.: 0970-0098.

Description: The ACF is required to collect monthly information on a quarterly basis to determine the Federal Financial Participation (FFP) matching rate that states are entitled to receive. Authorization for this request is granted in the Family Support Act of 1988.

Respondents: State, Local, or Tribal Govt.

Title	Number of respondents	Number of responses per respondent	Average burden per response	Burden
ACF-103	51	4	12	2448

Estimated Total Annual Burden: 2448.

Additional Information

Copies of the proposed collection may be obtained from Bob Sargis of the Division of Information Resource Management, ACF, by calling (202) 690-7275.

OMB Comment

Consideration will be given to comments and suggestions received within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget, Paperwork Reduction Project, 725 17th Street NW., Washington, DC 20503, Attn: Ms. Wendy Taylor.

Dated: June 19, 1995.

Roberta Katson,

Acting Director, Office of Information Resource Management.

[FR Doc. 95-15471 Filed 6-22-95; 8:45 am]

BILLING CODE 4184-01-M

ACTION: Notice.

SUMMARY: Notice is hereby given that the Office of Research Integrity (ORI) has completed an investigation and does not find scientific misconduct in the following case:

David Plotkin, M.D., Memorial Cancer Research Foundation of Southern California: The Division of Research Investigations (DRI), Office of Research Integrity (ORI), investigated allegations that clinical trial data forms submitted from the Memorial Cancer Research Foundation of Southern California (MCRF), Los Angeles, California, contained falsified and fabricated information. The data forms were submitted to the Statistical Office of the National Surgical Adjuvant Breast and Bowel Project (NSABP) located at the University of Pittsburgh. The NSABP project at MCRF received funding from the National Cancer Institute (NCI), with Dr. David Plotkin as Principal Investigator.

In mid-April 1994, the Chicago Tribune obtained a copy of an April 1990 NSABP Audit Report that indicated there was a "serious problem * * * with respect to the accuracy of the data reported to the NSABP" from the MCRF. A Chicago Tribune reporter reviewed records on some subjects

entered on NSABP trials at MCRF and found apparent discrepancies between reported data and medical records. Much of the questioned data was related to the B-06 clinical trial which compared lumpectomy (with or without radiation therapy) to total mastectomy for the treatment of breast cancer.

ORI reviewed records and data on 59 patients reported to NSABP between 1973 and 1994 and did not find falsification, fabrication, or deliberate misrepresentation on the part of Dr. Plotkin or his staff. ORI found that many of the discrepancies originally identified by the NSABP and the Chicago Tribune were the result of a review of incomplete records, honest error on the part of one or more of the participating parties, or differences in interpretations or judgments of the facts.

FOR FURTHER INFORMATION, CONTACT:

Director, Division of Research Investigations, Office of Research Integrity, 301-443-5330.

Lyle W. Bivens,

Director, Office of Research Integrity.

[FR Doc. 95-15397 Filed 6-22-95; 8:45 am]

BILLING CODE 4160-17-P

Office of the Secretary

Completion of Investigation

AGENCY: Office of the Secretary, HHS.