pages will be accepted via FAX transmittal. This limitation is necessary to assure access to the equipment. Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat at staff at (202) 663–4078 (voice) or (202) 663–4074 (TDD). (These are not toll-free telephone numbers.) Copies of comments submitted by the public will be available to review at the Commission’s library, Room 6502, 1801 L Street, NW, Washington, DC 20507, between the hours of 9:30 and 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Joachim Neckere, Director, Program Research and Surveys Division, 1801 L Street, NW, Room 9222, Washington, DC 20507, (202) 663–4958 (voice) or (202) 663–7063 (TDD).

SUPPLEMENTARY INFORMATION: The Commission solicits public comment to enable it to:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the Commission’s functions, including whether the information will have practical utility;

(2) Evaluate the accuracy of the Commission’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 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

Collection Title: Local Union Report (EEO–3).

OMB Number: 3046–0006.

Frequency of Report: Biennial.

Type of Respondent: Referral local unions with 100 or more members.

Description of Affected Public: Referral local unions and independent or unaffiliated referral unions and similar labor organizations.

Responses: 3,000.

Reporting Hours: 3,000 (4,500 hours including recordkeeping).

Number of Forms: 1.


Abstract: Section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e–8(c), requires employers, employment agencies, and labor organizations to make and keep records relevant to a determination of whether unlawful employment practices have or are being committed and to make reports therefrom as required by the EEOC. Accordingly, the EEOC has issued regulations which set forth the reporting requirement for various kinds of labor organizations—Referral local unions with 100 or more have been required to submit EEO–3 reports since 1967 (biennially since 1985). The individual reports are confidential.

EEO–3 data are used by the EEOC to investigate charges of discrimination against referral local unions. In addition, the data are used to support EEOC decisions and conciliations, and for research. Pursuant to section 709(d) of Title VII of the Civil Rights Act of 1964, as amended, EEO–3 data are also shared with 86 State and Local Fair Employment Practices Agencies (FEPA) and other government agencies.

Burden Statement: The respondent burden for this information collection is minimal. The estimated number of respondents included in the annual EEO–3 survey is 3,000 referral local unions. Since each union files one EEO–3 report, the number responses is 3,000. The total biennial reporting burden is estimated to be 3,000 hours, and total biennial reporting and recordkeeping burden is 4,500 hours.

This is an average burden estimate and is based on a long history of reporting experience. The burden is dependent on the size of the referral local union and on the number of referrals made by the union during the reporting period. Smaller unions may well take under an hour to complete the report. Over the years, the Commission has reduced the reporting and record keeping burden by eliminating all local unions with fewer than 100 members, by requiring record keeping for a two month period only, by changing the data collection instrument, and by changing the frequency of the data collection from an annual to a biennial basis. Further reductions, such as filing by diskette or magnetic tape, have been less successful because referral local unions appear less likely to have computerized record keeping and reporting capabilities.

Dated: October 6, 1999.

For the Commission.

Ida L. Castro,
Chairwoman.

[FR Doc. 99–26790 Filed 10–13–99; 8:45 am]

BILLING CODE 6570–01–M

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Proposed Federal Policy on Research Misconduct To Protect the Integrity of the Research Record

AGENCY: Office of Science and Technology Policy.

ACTION: Request for public comment on proposed Federal policy on research misconduct.

SUMMARY: The Office of Science and Technology Policy (OSTP) proposes a government-wide Federal policy for research misconduct for adoption and implementation by agencies that conduct and support research. The proposed policy addresses behavior that has the potential to affect the integrity of the research record and establishes procedural safeguards for handling allegations of research misconduct. It has been cleared by the National Science and Technology Council (NSTC) and is the result of an extensive interagency development, review, and clearance process initiated in April 1996. This policy notice was developed by OSTP in consultation with the Office of Management and Budget (OMB), and OMB supports the solicitation of comment on the proposed policy and procedures.

The policy consists of a definition of research misconduct and guidelines for handling allegations of research misconduct. Following consideration of public comments received, the agencies will be directed to implement the policy. In some cases, this may require agencies to amend or replace regulations addressing research misconduct that are already in place. In other cases, agencies may implement the policy through administrative mechanisms. An important objective of this policy is to achieve uniformity in research misconduct policies across the agencies of the Federal government. It is intended that agencies will adopt the final Federal research misconduct policy, and therefore potentially affected parties should express their views on the policy in response to this notice.

DATES: The Office of Science and Technology Policy welcomes comments on the proposed policy. To be assured consideration, comments must be postmarked no later than December 13, 1999.

ADDRESSES: Comments should be addressed to Sybil Francis, Office of Science and Technology Policy, Executive Office of the President, Washington, DC 20502.
FOR FURTHER INFORMATION CONTACT: 
Sybil Francis, Office of Science and Technology Policy, Executive Office of 
the President, Washington, DC 20502. 
Tel: 202−456−6040; Fax: 202−456−6027; 
e-mail: sfrancis@ostp.eop.gov.

SUPPLEMENTARY INFORMATION: Advances in science and engineering depend on 
the reliability of the research record, as 
do the benefits associated with them in 
areas such as health and national 
security. Sustained public trust in the 
scientific enterprise also requires 
confidence in the research record and in 
the processes involved in its ongoing 
development. It is for these reasons, and in the 
interest of ensuring uniformity in 
Federal agency policies addressed to 
behaviors that might affect the integrity 
of the research record, that the NSTC 
initiated discussions regarding the 
development of a government−wide 
research misconduct policy in April 
1996. Since then, the proposed policy 
have undergone extensive agency review 
and clearance at a number of levels. The 
NSTC's Research Integrity Panel (RIP), 
comprised of representatives from the 
major research agencies developed the 
first draft of the policy. It was tasked by 
the NSTC to propose a definition of 
research misconduct and to develop 
guidelines for responding to allegations 
of research misconduct. The RIP 
forwarded its report and 
recommendations to the NSTC 
Committee on Science in December 
1996, which broadened review of the 
policy to additional agencies, subjecting 
it to further analysis. The full NSTC 
approved the proposed policy in May 
1999, clearing the way for this notice of 
proposed policy. The notice was 
developed by OSTP in consultation 
with OMB, and OMB supports the 
solicitation of comment on the proposed 
policy and procedures. 
The proposed policy defines the 
scope of the Federal government's 
interest in the accuracy and reliability of 
the research record and the processes 
in its development. It consists of a 
definition of research misconduct 
and establishes basic guidelines for 
responding to allegations of research 
misconduct, including procedural 
safeguards. An important objective of 
this policy is to achieve uniformity 
across the Federal agencies in 
the definition of research misconduct 
they use and consistency in their processes 
for responding to allegations of research 
misconduct. It is expected that the final 
policy will apply to all research funded 
by the Federal government, including 
intramural research conducted by the 
Federal agencies, research conducted or 
managed by contractors, and research 
performed at universities. Commentators are invited to express 
their views on the proposed policy 
and on the premise that a uniform 
government−wide policy is a desirable 
goal.

Following consideration of public 
comments received, agencies will be 
directed to implement the policy. In 
some cases, this may require agencies to 
amend or replace extant regulations 
addressing research misconduct. In 
other cases, agencies may need to put 
new regulations in place or implement 
the policy through administrative 
mechanisms.
The proposed policy addresses 
behavior subject to administrative 
action and applies only to research 
misconduct as defined in the policy. It 
does not supersede government policies 
or procedures for addressing other 
matters, such as the unethical treatment 
of human research subjects or 
mismanagement of laboratory animals used 
in research, nor does it supersede 
criminal or civil law. It does not limit 
agency or institutional policies and 
prerogatives in addressing other forms 
of misconduct, including those that 
might occur in the course of conducting 
research, including the misuse of public 
funds. Agencies will address these other 
issues as authorized by law and as 
appropriate to their missions and 
objectives.

Proposed Policy 
The proposed policy consists of the 
following:

I. Research Misconduct Defined 
Research misconduct is defined as 
fabrication, falsification, or plagiarism 
in proposing, performing, or reviewing 
research, or in reporting research 
results.
1. Fabrication is making up results 
and recording or reporting them.
2. Falsification is manipulating 
research materials, equipment, or 
processes, or changing or omitting data 
or results such that the research is not 
accurately represented in the research 
record.
3. Plagiarism is the appropriation 
of another person’s ideas, processes, 
results, or words without giving 
appropriate credit, including those 
obtained through confidential review of 
others' research proposals and 
manuscripts.
4. Research misconduct does not 
include honest error or honest 
differences of opinion.

II. Findings of Research Misconduct 
A finding of research misconduct 
requires that:
1. There be a significant departure 
from accepted practices of the scientific 
community for maintaining the integrity 
of the research record;
2. The misconduct be committed 
intentionally, or knowingly, or in 
reckless disregard of accepted practices; 
and
3. The allegation be proven by a 
preponderance of evidence.

III. Responsibilities of Federal Agencies 
and Research Institutions

Agencies and research institutions are 
partners who share responsibility for 
the integrity of the research process. Federal 
agencies have ultimate oversight 
authority for Federally funded research, 
but research institutions bear primary 
responsibility for prevention and 
detection of research misconduct, and 
for the inquiry, investigation, and 
adjudication of allegations of research 
misconduct.

Agency Policies and Procedures. 
Agency policies and procedures with 
regard to both their intramural as well 
as their extramural programs must 
conform to those outlined in this 
document.

Agency Referral to Research 
Institution. In most cases, agencies will 
rely on the researcher's home institution 
to respond to allegations of research 
misconduct. Agencies will therefore usually 
direct allegations of research 
misconduct made directly to them to the 
appropriate research institution. A 
Federal agency may elect not to defer to 
the research institution if it determines 
the institution is not prepared to handle 
the allegation in a manner consistent 
with the definition of research 
misconduct and procedures outlined 
herein; if Federal agency involvement is 
needed to protect the Federal 

1 This includes all organizations receiving Federal 
research funds, including, for example, colleges and 
universities, intramural Federal research 
laboratories, Federally funded research 
and development centers, national user facilities, 
industrial laboratories, or other research institutes. 
Independent researchers and small research 
institutions are covered by this policy but it is 
understood that they may not have the institutional 
structures in place to meet the full range of 
responsibilities outlined in this policy. Under such 
circumstances the agency may elect not to defer 
the investigations to the small research institution or 
independent researcher.


government’s or the public’s interest, including the necessity to ensure public health and safety; or if the allegation involves an individual or an entity of sufficiently small size that it cannot reasonably conduct the investigation itself. At any time, the Federal agency may proceed with its own inquiry or investigation.

- **Multiple Phases of the Investigation.** An agency’s or research institution’s response to an allegation of research misconduct will usually consist of several phases, including an inquiry to determine if the allegation has substance and if an investigation is warranted; and an investigation, the formal examination and evaluation of the relevant facts leading either to dismissal of the case or a recommendation for a finding of research misconduct. If an investigation results in a recommendation for a finding of misconduct, an adjudication phase follows whereby the recommendations are reviewed and appropriate action determined. The subject of the allegation may also appeal a Federal agency finding of research misconduct.

- **Separation of Phases.** A adjudication decision is separated organizationally from the agency’s or research institution’s inquiry and investigation processes. Any appeals process should likewise be separated organizationally from the inquiry or investigation.

- **Institutional Notification of the Agency.** When research institutions receive allegations of research misconduct, they will notify the relevant responsible agency (or agencies in some cases) of the allegation upon completion of an inquiry, if (1) the allegation involves Federally funded research (or an application for Federal funding) and meets the Federal definition of research misconduct given above, and (2) there is sufficient evidence to proceed to an investigation. Research institutions will keep the agency informed of the progress of the investigation, its outcome, and any actions taken. Upon completion of the investigation, the research institution will forward to the agency a report of the case and recommendations for its disposition.

- **Other Reasons to Notify the Agency.** At any time during an inquiry or investigation, the institution will notify the Federal agency if public health or safety is at risk; if agency resources or interests are threatened; if research activities should be suspended; if there is reasonable indication of possible violations of Federal criminal law; if Federal action is required to protect the interests of those involved in the investigation; if the research institution believes the inquiry or investigation may be made public prematurely so that appropriate steps can be taken to safeguard evidence and protect the rights of those involved; or if the scientific community or public should be informed.

- Agency Follow-up to Institutional Action. The agency will review the findings and any corrective actions taken by the research institution, take additional investigative steps if necessary, and determine what actions may be required to protect the government’s interests. Upon completion of its review, the agency will take appropriate administrative action in accordance with applicable laws or regulations. When the agency has made a final determination and has closed a case, it will notify the subject of the allegation and the involved institution of the disposition of the case.

- When more than one agency is involved. A lead agency should be designated to coordinate responses to allegations of research misconduct when more than one agency is involved in funding activities relevant to the allegation. In cases where the sanction is less than government-wide suspension or debarment, agencies may implement their own administrative actions in accordance with established agency and contractual procedures.

### IV. Guidelines for Fair and Timely Procedures

The following guidelines are provided to assist agencies and research institutions in developing fair and timely procedures for responding to allegations of research misconduct.

Implementation of these guidelines should provide safeguards for subjects of allegations as well as for informants. Fair and timely procedures include the following:

- **Safeguards for Informants.** Safeguards for informants give individuals the confidence that they can bring good faith allegations of research misconduct to the attention of appropriate authorities or serve as informants to an investigation without suffering retribution;

- **Safeguards for the Subject of the Allegation.** Safeguards for the subjects of allegations give individuals the confidence that their rights are protected and that the mere filing of an allegation of research misconduct against them will not bring their research to a halt or be the basis for other disciplinary or adverse action absent other compelling reasons. Other safeguards include timely written notification of the subject regarding substantive allegations made against him or her; a description of all such allegations; and the opportunity to respond to allegations and to the evidence and findings upon which they are based.

- **Objectivity and Expertise.** The selection of individuals to review allegations and conduct investigations who have appropriate expertise and have no unresolved conflicts of interests, helps to ensure fairness throughout all phases of the process.

- **Timeliness.** Reasonable time limits for the conduct of the inquiry, investigation, adjudication, and appeal phases, with allowances for extensions where appropriate, provide confidence that the process will be well-managed; and

- **Confidentiality During Inquiry and Investigation.** To the extent possible consistent with a fair investigation and as allowed by law, knowledge about the identity of subjects and informants is limited to those who need to know. Records maintained by the agency during the course of responding to an allegation of research misconduct should be exempt from disclosure under the Freedom of Information Act to the extent permitted by law and regulation.

### V. Actions

- **Seriousness of the Misconduct.** In deciding what administrative actions are appropriate, the agency should consider the seriousness of the misconduct, including whether the misconduct was intentional or reckless; was an isolated event or part of a pattern; had significant impact on the research record; and had significant impact on other researchers or institutions.

- **Administrative Actions.** Administrative actions available include, but are not limited to, letters of reprimand; the imposition of special certification or assurance requirements to ensure compliance with applicable regulations or terms of an award; suspension or termination of an active award; or suspension and debarment in accordance with the government-wide rule on procurement suspension and debarment, Subpart 9.4 of the Federal Acquisition Regulation. In the event of suspension or debarment, the information is made publicly available through the List of Parties Excluded from Federal Procurement and Nonprocurement Programs maintained by the U.S. General Services Administration.

- **In Case of Criminal Violations.** If the funding agency believes that criminal violations may have occurred,
the agency should refer the matter to the appropriate criminal investigative body.

Dated: October 5, 1999.

Barbara Ann Ferguson,
Administrative Officer, Office of Science and Technology Policy.

[FR Doc. 99–26608 Filed 10–13–99; 8:45 am]
BILLING CODE 3170–01–P

FEDERAL COMMUNICATIONS COMMISSION

Sunshine Act Meeting: Deletion of Agenda Item From October 8th Meeting

October 8, 1999.

The following items has been deleted from the list of agenda items scheduled for consideration at the October 8, 1999, Open Meeting that were previously listed in the Commission’s Notice of October 1, 1999. Items 1 and 4 have been adopted by the Commission.

<table>
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<tr>
<th>Item No.</th>
<th>Bureau</th>
<th>Subject</th>
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| 1        | Common Carrier | Title: Applications of Ameritech Corporation, Transferor, and SBC Communications, Inc., Transferee, for Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95 and 101 of the Commission’s Rules (CC Docket No. 98–141). Summary: The Commission will consider a Memorandum Opinion and Order concerning applications for approval to transfer control of licenses and lines.

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<th>Item No.</th>
<th>Bureau</th>
<th>Subject</th>
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| 4        | Common Carrier Cable Services Engineering and Technology and Wireless Telecommunications. | Title: Local Competition and Broadband Reporting.

Summary: The Commission will consider a Notice of Proposed Rulemaking proposing to collect data about the development of local telephone service competition and the deployment of broadband services from telecommunication carriers and others.

Federal Communications Commission.

Magalie Roman Salas,
Secretary.

[FR Doc. 99–26877 Filed 10–8–99; 4:58 pm]
BILLING CODE 6712–01–M

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

AGENCY: Federal Election Commission.

PREVIOUSLY ANNOUNCED DATE & TIME: Thursday, September 30, 1999, 10 a.m., meeting open to the public.

The following item was added to the agenda: Coordination Rulemaking.

DATE & TIME: Tuesday, October 19, 1999, 10 a.m.

PLACE: 999 E Street, NW., Washington, D.C.

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. 437g.

Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and Title 26, U.S.C. Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

DATE & TIME: Thursday, October 21, 1999 at 10 a.m.

PLACE: 999 E Street, NW., Washington, DC (ninth floor).

STATUS: This meeting will be open to the public.

ITEMS TO BE DISCUSSED:

Correction and Approval of Minutes.

Synopsis:

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, NW., Room 962. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the Federal Register.

Agreement No.: 203–011679

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

Title: Hamburg-Sued/Crowley Cooperative Service Contract Agreement

Parties:

Hamburg-Suedamerikanische Dampfschiffahrts-gesellschaft
Eggert & Amsinck
Crowley American Transport, Inc.

Synopsis: Under the proposed agreement, Crowley is assigning its rights under certain service contracts to Hamburg-Sued. Further, the agreement authorizes the parties to jointly negotiate and execute service contracts, and amend their joint contracts. The agreement also contains non-compete provisions that are related to Hamburg-Sued’s imminent purchase of certain Crowley assets and services. The parties request expedited review.

Agreement No.: 203–011679

Title: ASF/STC Agreement

Parties:

Cosco Container Lines Ltd.
Evergreen Marine Corporation
Hanjin Shipping Co., Ltd.
Hyundai Merchant Marine Co., Ltd.
Kawasaki Kisen Kaisha, Ltd.
Mitsui O.S.K. Lines, Ltd.
Nippon Yusen Kaisha, Ltd.
Yang Ming Marine Transport Corporation

Synopsis: The proposed cooperative working agreement would authorize the parties to exchange information and to reach non-binding agreement on both general issues and economic trends affecting the industry, the general level of rates and rate trends, and membership in other agreements and associations, all on a worldwide basis.