persons. Comments received during this period will become part of the public record. After 60 days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

The complaint alleges that two representatives of Precision Moulding Co., Inc. visited one of its competitors and invited the competitor to raise its prices for stretcher bars. The complaint alleges that the invitation to collude, if accepted, would constitute an agreement in restraint of trade.

Solicitations to collude have been condemned as unlawful under Section 2 of the Sherman Act (attempted monopolization), under the wire and mail fraud statutes,[2] and under Section 5 of the FTC Act. In this case, the structure of the stretcher market is not conducive to prosecution under Section 2 of the Sherman Act. Market structure does not affect whether an alleged solicitation to collude can be prosecuted under the wire fraud or mail fraud statutes. However, those statutes do not apply in this case, because there is no evidence that Precision Moulding Company, Inc. used either the telephone (or another form of wire communication) or the mail to invite its competitor to collude. Thus, if not prosecuted under Section 5 of the FTC Act, the conduct would go unpunished.

Solicitations to collude have been alleged to be unfair methods of competition that violate Section 5 of the FTC Act, which reaches anticompetitive activities that may not violate the Sherman Act.[3] During the past several years, the Commission has entered into several consent agreements involving invitations to collude that could not be reached under the wire and mail fraud statutes. *See YKK*, C–3345 (1993); *Quality Trailer Products*, C–3403 (1992) (''Quality''); *A.E. Clevite, Inc.*, C–3429 (1993). The Commission has condemned invitations to collude where the evidence is unambiguous, regardless of market power. Section 5 provides an appropriate vehicle for relief where the conduct falls short of criminal liability.

[2] *See* 18 U.S.C.A. §§ 1341, 1343 (mail and wire fraud).

[3] *See Fashion Originators' Guild* v. *FTC*, 312 U.S. 457, 466 (1941); *FTC* v. *Brown Shoe Co.*, 384 U.S. 316, 321 (1966) (Commission could ''ban trade practices which conflict with the basic policies of the Sherman and Clayton Acts even though such practices may not actually violate those laws''); *FTC* v. *Cement Institute*, 333 U.S. 683, 708 (1948) (Commission was intended to ''restrain practices as 'unfair' which, although not yet having grown into Sherman Act dimensions would most likely do so if left unrestrained'').

The alleged conduct engaged in by Precision Moulding Co., Inc. and the terms of the proposed consent order are similar to the conduct alleged and the relief obtained in *Quality Trailer Products*, C–3403 (1992). In *Quality*, according to the Commission complaint, two representatives of a firm visited the headquarters of a competitor and met with an officer of the firm. During the course of the meeting, they invited the competitor to fix prices. As in *Quality*, the visit here was uninvited, and the solicitor informed its competitor in a private conservation that its prices were too low. *See Quality* (Concurring Statement of Commissioner Azcuenaga) (Nov. 5, 1992).

The proposed consent order prohibits Precision Moulding Co., Inc. from requesting, suggesting, urging, or advocating that any other producer or seller of stretcher bars raise, fix or stabilize prices or price levels, or engage in any other pricing action. The proposed consent order also prohibits Precision Moulding Co., Inc. from entering into, adhering to, maintaining, or carrying out any combination, conspiracy, agreement, understanding, plan or program with any other producer or seller of stretcher bars to fix, raise, establish, control, maintain or stabilize prices or price levels. The provisions of the order apply to stretcher bar products of any size.

The purpose of this analysis is to facilitate public comment on the proposed order, and 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.

[FR Doc. 96–16114 Filed 6–24–96; 8:45 am]

BILLING CODE 6750–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Findings of Scientific Misconduct

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Office of Research Integrity (ORI) has made final findings of scientific misconduct in the following case:

Robert J. Altman, M.D., University of California at San Francisco (UCSF): Based on an investigation conducted by the institution as well as information obtained by ORI during its oversight review, ORI found that Robert J. Altman, M.D., Research Fellow, Department of Obstetrics, Gynecology, and Reproductive Sciences, UCSF, committed scientific misconduct by fabricating and falsifying data in research supported by two National Institutes of Health grants.

Specifically, Dr. Altman fabricated an experiment related to an ovarian cell line injected intraperitoneally into 12 nude mice. The resulting data were reported in (1) a manuscript in page proof entitled ''Inhibiting vascular endothelial growth factor arrests growth of ovarian cancer in an intraperitoneal model'' (Journal of the National Cancer Institute); (2) a manuscript entitled ''Vascular endothelial growth factor is essential for human ovarian carcinoma growth in vivo,'' submitted to the Journal of Clinical Investigation (JCI manuscript); and (3) a published abstract entitled ''Vascular endothelial growth factor is essential for ovarian cancer growth in vivo'' (Society for Gynecologic Investigation, abstract #079). Further, in the JCI manuscript, Dr. Altman (1) falsified the number of subjects with ovarian tumors from whom he obtained sections of tissue for examination of the expression of vascular endothelial growth factor (VEGF) purportedly by both *in situ* hybridization and immunohistochemistry, and (2) falsely reported that VEGF expression was examined by in situ hybridization and immunohistochemistry in papillary serous- (n=7) and mucinous- (n=5) cystadenocarcinomas, when the number of surgical cases involving papillary serous tumors was four and the number of mucinous tumors was zero. Dr. Altman examined VEGF expression in only three papillary serous tumor specimens, one specimen both in situ and by immunohistochemistry and the remaining two solely by immunohistochemistry.

Dr. Altman has entered into a Voluntary Exclusion Agreement with ORI in which he has voluntarily agreed, for the three (3) year period beginning June 11, 1996, to exclude himself from:

(1) Any contracting or subcontracting with any agency of the United States Government and from eligibility for, or involvement in, nonprocurement transactions (e.g., grants and cooperative agreements) of the United States Government as defined in 45 C.F.R. Part 76 (Debarment Regulations), and (2) Serving in any advisory capacity to the Public Health Service (PHS), including but not limited to service on any PHS advisory committee, board, and/or peer review committee, or as a consultant.

The above voluntary exclusion shall not apply to Dr. Altman's future training

or practice of clinical medicine whether as a medical student, resident, fellow, or licensed practitioner, as the case may be, unless that practice involves research or research training.

FOR FURTHER INFORMATION CONTACT: Director, Division of Research Investigations, Office of Research Integrity, 5515 Security Lane, Suite 700, Rockville, MD 20852.

Chris B. Pascal,

Acting Director, Office of Research Integrity.

[FR Doc. 96–16102 Filed 6–24–96; 8:45 am]

BILLING CODE 4160–17–P

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects

Title: Comprehensive Child Development Program Management Information System.

OMB No.: 0980–0226.

Description: The Comprehensive Child Development Program (CCDP) provides comprehensive services to low-income families through 19 grantees. Data on the feasibility and management of the program will be collected through the management information (MIS) submitted here. The data will be collected from CCDP grantee agencies and will continue to be used for (1) research, (2) federal monitoring, and (3) internal project management.

Respondents: State, Local or Tribal Govt.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
CCDP MIS	11,212	16.2	.14	25,935

Estimated Total Annual Burden Hours: 25,935.

In compliance with the requirements of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Information Services, Division of Information Resource Management Services, 370 L'Enfant Promenade, SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. All requests should be identified by title.

In addition, requests for copies may be made and comments forwarded to the Reports Clearance Officer over the Internet by sending message to rsargis@acf.dhhs.gov. Internet messages must be submitted as an ASCII file without special characters or encryption.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Dated: June 19, 1996.

Larry Guerrero,

Director, Office of Information System Services.

[FR Doc. 96–16049 Filed 6–24–96; 8:45 am]

BILLING CODE 4184–01–M

Submission for OMB Review; Comment Request

Title: Objective Evaluation Report (OER), Administration for Native Americans.

OMB No.: 0980–0144.

Description: The project self-evaluation information collected by the Objective Evaluation Report about a grantee's project is needed to meet ANA's legislatively required evaluation of grantee locally-determined financial assistance grant objective. The report is used in the following Administration for Native American's Program's competitive areas grants—Social and Economic Development Strategies (SEDS), ANA Regulatory Environmental Enhancement, ANA Native American Languages Preservation and Enhancements, and ANA Mitigation of Environomental Impacts to Indian Lands due to Department of Defense Activities. The information, when aggregated, is used to evaluate and monitor the grant project.

Respondents: State, Local or Tribal Govt.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
OWP	250	1	2	500