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 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.

Federal Cost: $43,500.

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 (FEPAs) 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 has 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 involved 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 agencies, 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 mistreatment 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[1] misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

- *Fabrication* is making up results and recording or reporting them.
- *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.[2]
- *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.
- Research misconduct does not include honest error or honest differences of opinion.

II. Findings of Research Misconduct

A finding of research misconduct requires that:

- There be a significant departure from accepted practices of the scientific community for maintaining the integrity of the research record;
- The misconduct be committed intentionally, or knowingly, or in reckless disregard of accepted practices; and
- The allegation be proven by a preponderance of evidence.

III. Responsibilities of Federal Agencies and Research Institutions[3]

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] Research, as defined herein, includes all basic, applied, and demonstration research in all fields of science, engineering, and mathematics.

[2] The research record is defined as the record of data or results that embody the facts resulting fromscientific inquiry, and includes, for example, laboratory records, both physical and electronic, research proposals, progress reports, abstracts, theses, oral presentations, internal reports, and journal articles.

[3] 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.* Adjudication decisions are 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 civil or 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 nonprocurement 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.

Item No.	Bureau	Subject
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.
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 telecommunications 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.

Advisory Opinion 1999–23: Arkansas Bankers, Inc. PAC by Ken D. Hammonds.

Advisory Opinion 1999–26: Virginia Taxpayers Party by counsel, William J. Olson.

Title 26: Draft Final Rules on Audit Procedures, Primary and General Election ''Bright Line,'' and Vice Presidential Committees.

Coordination Rulemaking (continued from September 30, 1999).

OGC Task Priority Recommendations.

Administrative Matters.

PERSON TO CONTACT FOR INFORMATION: Mr. Ron Harris, Press Officer, Telephone: (202) 694–1220.

Mary W. Dove,

Acting Secretary of the Commission.

[FR Doc. 99–27026 Filed 10–12–99; 3:33 pm]

BILLING CODE 6715–01–M

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

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.: 203–011678

Title: Hamburg-Sued/Crowley Cooperative Service Contract Agreement

Parties:

Hamburg-Suedamerikanische Dampfschifffahrts-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.