

in the policy) by third parties. The policy also enables the commission to confirm certain nonpublic information that has not been confirmed by third parties. Under the new policy, the Commission will confirm the fact that it is investigating a transaction after the transaction itself has been made public and regardless of whether the fact of the investigation has been made public by third parties.

The Commission long has followed a policy of declining to confirm the existence of its investigations until it issues or authorizes filing of a complaint, or until the matter is closed.<sup>1</sup> This policy is based on the premise that public disclosure of pending investigations and identification of targets can interfere with the conduct and successful resolution of such matters.<sup>2</sup> The Commission concluded in the 1977 Policy Statement that "disclosure of the identities of businesses under investigation would cause those businesses severe economic injury even before the Commission determines whether there is reason to believe the law has been violated."

I have been informed that the business community will have no objection to having the Commission confirm the fact that it is investigating a transaction even if the parties have not confirmed the fact of the investigation. I do not know the basis for this information. Assuming the information is correct, I support the new policy in its entirety because the policy presumably would not result in the harm the Commission identified in 1977.<sup>3</sup> Nevertheless, I would have preferred to seek comment on this aspect of the new policy before adopting it. Good reasons support the Commission's long standing policy not to confirm or deny the existence of a nonpublic investigation, and the Commission has been able to live with that policy for many years. It

<sup>1</sup> In 1977, the Commission reaffirmed its then-current policy of maintaining the confidentiality of most nonpublic investigations. See FTC Policy statement, 42 Fed. Reg. 64,135 (Dec. 22, 1977) ("1977 Policy Statement"). This Policy Statement sets forth exceptions for industrywide investigations and investigations involving "significant risk of economic harm or risk to public health or safety." In addition, certain investigations may become public by operation of law or the Commission's Rules, for example, on filing of a petition to quash compulsory process, 16 C.F.R. § 4.9(b)(4), on filing of an application for clearance, 16 C.F.R. § 4.9(10)(ii), or on publication in the **Federal Register** of a notice of early termination under the Clayton Act, 15 U.S.C. § 18a(b)(2).

<sup>2</sup> *Id.* See also Exemption 7A to the mandatory public disclosure requirements of the Freedom of Information Act, 5 U.S.C. § 552(b)(7)(A); and Exemption 7A to the open meeting requirements of the Government in the Sunshine Act, 5 U.S.C. § 552b(c)(7)(A).

<sup>3</sup> See note 1.

seems appropriate and not unduly burdensome for the Commission to seek public comment on this aspect of the proposal for thirty days before adopting it. To the extent that the Commission has chosen not to seek public comment, I dissent.

[FR Doc. 97-9820 Filed 4-15-97; 8:45 am]

BILLING CODE 6750-01-M

## GENERAL SERVICES ADMINISTRATION

### Federal Acquisition Policy Division, FAR Secretariat; Cancellation of Standard Forms

AGENCY: General Services Administration.

ACTION: Notice.

SUMMARY: Since 48 CFR 52.215-41 and 42 give agencies more flexible procedures in requesting exceptions for submitting certified cost and pricing data, the following Standard Forms are canceled:

SF 1412, Request For Exemption From Submission Of Certified Cost Or Pricing Data.

SF 1412A, Request For Exemption From Submission Of Certified Cost Or Pricing Data—Continuation.

DATES: Effective April 16, 1997.

FOR FURTHER INFORMATION CONTACT: Ms. Barbara Williams, General Services Administration, (202) 501-0581.

Dated: March 19, 1997.

**Barbara M. Williams,**  
*Deputy Standard and Optional Forms Management Officer.*

[FR Doc. 97-9754 Filed 4-15-97; 8:45 am]

BILLING CODE 6820-34-M

## GENERAL SERVICES ADMINISTRATION

### Interagency Committee for Medical Records (ICMR); Revision of SF 93, Medical Record—Report of Medical History

AGENCY: General Services Administration.

ACTION: Notice.

SUMMARY: The General Services Administration/ICMR is revising the SF 93, Medical Record—Report of Medical History to update the information collected on the patient. You can obtain the updated form in three ways:

From the "U.S. Government Management Policy CD-ROM";

On the internet. Address: <http://www.gsa.gov/forms>; or

Through the Federal Supply Service using National Stock Number 7540-00-181-8368 (revision 6-96).

FOR FURTHER INFORMATION CONTACT: Ms. Barbara Williams, General Services Administration, (202) 501-0581.

DATES: Effective April 16, 1997.

Dated: March 20, 1997.

**Barbara M. Williams,**  
*Deputy Standard and Optional Forms Management Officer.*

[FR Doc. 97-9753 Filed 4-15-97; 8:45 am]

BILLING CODE 6820-34-M

## GENERAL SERVICES ADMINISTRATION

### Real Estate Management; Cancellation of a Standard Form

AGENCY: Public Building Service, General Services Administration.

ACTION: Notice.

SUMMARY: This notice announces the General Services Administration's intent to cancel the following Standard form because of low user demand: SF 2B, U.S. Government Lease for Real Property (Short Form).

This form was replaced with GSA Form 3626, U.S. Government Lease for Real Property (Short Form). You can get copies of this form from the contact person mentioned below or from the following internet address: <http://www.gsa.gov/pbs/pe/standcla/standcla.htm>.

FOR FURTHER INFORMATION CONTACT: Mr. Gary Roberts, Real Estate Management Division, Office of Property Acquisition and Realty Services, (202) 501-0407.

DATES: Effective April 16, 1997.

Dated: March 7, 1997.

**Theodore D. Freed,**  
*Standard and Optional Forms Management Officer.*

[FR Doc. 97-9755 Filed 4-15-97; 8:45 am]

BILLING CODE 6820-34-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 a final finding of scientific misconduct in the following case:

*Manoj Misra, Ph.D., Dartmouth College:* Based upon the Office of Research Integrity's (ORI) review of a report forwarded to ORI by Dartmouth