

These estimates include the start-up burden and attendant costs, such as determining compliance obligations. However, non-GLBA entities will give notice only once during the clearance period ahead. Thus, averaged over that three-year period, the estimated annual burden for non-GLBA entities is 1,089,000 hours and \$30,749,000 in labor costs, rounded.<sup>7</sup>

Entities that are subject to the Commission's GLBA privacy notice regulation already provide privacy notices to their customers.<sup>8</sup> Because the FACT Act and the proposed Rule contemplate that the new affiliate marketing notice can be included in the GLBA notices, the burden on GLBA regulated entities would be greatly reduced. Accordingly, the GLBA entities would incur 6 hours of burden during the first year of the clearance period, comprised of a projected 5 hours of managerial time and 1 hour of technical time to execute the notice, given that the proposed Rule provides a model.<sup>9</sup> Staff also estimates that 3,350 GLBA entities under the FTC's jurisdiction would be affected, so that the total burden for GLBA entities during the first year of the clearance period would approximate 20,000 hours and \$716,000 in associated labor costs.<sup>10</sup> Allowing for increased familiarity with procedure, the paperwork burden in ensuing years would decline, with GLBA entities each incurring an estimated 4 hours of annual burden (3 hours of managerial time and 1 hour of technical time) during the remaining two years of the clearance, amounting to 13,400 hours and \$472,000 in labor costs in each of the ensuing two years. Thus, averaged over the three-year clearance period, the estimated annual burden for GLBA entities is 15,600 hours and \$553,000 in labor costs.

Cumulatively for both GLBA and non-GLBA entities, the average annual burden over the prospective three-year clearance period, rounded, is approximately 1,105,000 burden hours

hours of clerical labor at \$14.44 per hour—a combined \$371.27—multiplied by 1.06426 (a combined \$395.13)—for the estimated 233,400+ non-GLBA business families subject to the proposed Rule.

<sup>7</sup> 3,268,000 hours ÷ 3 = 1,089,000; \$92,247,000 ÷ 3 = \$30,749,000.

<sup>8</sup> Financial institutions must provide a privacy notice at the time the customer relationship is established and then annually so long as the relationship continues. Staff's estimates assume that the affiliate marketing opt-out will be incorporated in the institution's initial and annual notices.

<sup>9</sup> As stated above, no clerical time is included in the estimate because the notice likely would be combined with existing GLBA notices.

<sup>10</sup> 3,350 GLBA entities × [(\$34.20 × 5 hours) + (\$29.80 × 1 hour)] × 1.06426 wage multiplier (see note 6).

and \$31,302,000 in labor costs, rounded. GLBA entities are already providing notices to their customers so there are no new capital or non-labor costs, as this notice may be consolidated into their current notices. For non-GLBA entities, the rule provides for simple and concise model forms that institutions may use to comply. Thus, any capital or non-labor costs associated with compliance for these entities are negligible.

**William Blumenthal,**

*General Counsel.*

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**BILLING CODE 6750-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### Findings of Research Misconduct

**AGENCY:** Office of the Secretary, HHS.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Office of Research Integrity (ORI) and the Assistant Secretary for Health have taken final action in the following case:

*Kartik Prabhakaran, University of Pittsburgh:* Based on the report of an inquiry conducted by the University of Pittsburgh (UP), extensive oral and written admissions by the Respondent, and additional analysis conducted by the Office of Research Integrity (ORI) during its oversight review, the U.S. Public Health Service (PHS) found that Mr. Kartik Prabhakaran, former graduate student in the joint M.D./Ph.D. program at UP, engaged in research misconduct while supported by National Institutes of Neurological Disorders and Stroke (NINDS), National Institutes of Health (NIH), grant F30 NS0905-01 and National Eye Institute (NEI), NIH, grants 5 R01 EY005945, 5 P30 EY008098, and 5 R01 EY015291.

Specifically, Mr. Prabhakaran falsified and fabricated data that was included in a PowerPoint presentation and in a paper published in *Immunity* (2005). Mr. Prabhakaran's research misconduct occurred while he was a student in the M.D./Ph.D. program for UP's School of Medicine. He is no longer in UP's Ph.D. program but is still enrolled in its M.D. program in the School of Medicine. The *Immunity* publication has been retracted (*Immunity* 24:657, May 2006).

Mr. Prabhakaran has entered into a Voluntary Exclusion Agreement in which he has voluntarily agreed, for a

period of four (4) years, beginning on March 15, 2007:

(1) To exclude himself from serving in any advisory capacity to PHS, including but not limited to service on any PHS advisory committee, board, and/or peer review committee, or as a consultant; and

(2) That any institution that submits an application for PHS support for a research project on which Mr. Prabhakaran's participation is proposed, that uses him in any capacity on PHS supported research, or that submits a report of PHS-funded research in which he is involved must concurrently submit a plan for supervision of his duties to the funding agency for approval. The supervisory plan must be designed to ensure the scientific integrity of his research contribution. Mr. Prabhakaran agreed to ensure that a copy of the supervisory plan also is submitted to ORI by the institution. Mr. Prabhakaran agreed that he will not participate in any PHS-supported research until such a supervision plan is submitted to ORI.

#### FOR FURTHER INFORMATION CONTACT:

Director, Division of Investigative Oversight, Office of Research Integrity, 1101 Wootton Parkway, Suite 750, Rockville, MD 20852, (240) 453-8800.

**Chris B. Pascal,**

*Director, Office of Research Integrity.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### Proposed Information Collection Activity; Comment Request Proposed Projects

*Title:* Case Plan Requirement, Section 442, 471(a)(16), 475(1) and 475(5)(A) of the Social Security Act.

*OMB No.:* 0980-0140.

*Description:* The Administration for Children and Families (ACF) is requesting authority to renew an existing information collection that is expiring October 31, 2007. The collection of information for the case plan requirement is authorized by titles IV-B, Section 422 (42 U.S.C. 422), and IV-E, Sections 471 and 475 (42 U.S.C. 471 and 475) of the Social Security Act (the Act). States must develop State plans for both Titles IV-B and IV-E that are approved by the Secretary, U.S. Department of Health and Human Services. Both plans require that States maintain a case review system that periodically reviews case plans

developed for each child receiving services under the Act.

Title IV-B provides for child welfare services funding and title IV-E provides for foster care maintenance payments for eligible children. Sections 442(b)(2) and (8)(A)(ii) of the Act require States to coordinate services and assistance under Federal programs, including titles IV-B and IV-E, and to ensure that States are operating a case review system that meets the review system that meets the requirements of section 475(5) of the Act.

Title IV-E funding, Section 471(a) of the Act, requires that State plans

provide for the development of a case plan for each child receiving foster care maintenance payments and provide for a case review system that meets the requirements described in section 475(5)(B) of the Act with respect to each child.

The case plan is a written document that provides a narrative description of the child-specific program of care that addresses the needs of each child regarding safety, permanency and well-being. Federal regulations at 45 CFR 1356.21(g) and section 475(1) of the Act delineate the specific information that should be addressed in the case plan.

ACF neither specifies a recordkeeping format for the case plan nor requires submission of the case plan to the Federal Government. Case plan information is recorded in a format developed and maintained by State child welfare agencies. Case plans are periodically reviewed under the purview of State case review systems.

In computing the number of burden hours for this information collection, ACF based the annual burden estimates on States' experiences in developing case plans.

*Respondents:* State title IV-B and title IV-E Agencies.

#### ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number for responses per respondent	Average burden hours per response	Total burden hours
Case Plan .....	701,461	1	2.60	1,823,799

Estimated Total Annual Burden Hours: 1,823,799.

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 Administration, Office of Information Services, 370 L'Enfant Promenade, SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. E-mail address: [infocollection@acf.hhs.gov](mailto:infocollection@acf.hhs.gov). All requests should be identified by the title of the information collection.

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) 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: May 15, 2007.

**Robert Sargis,**

*Reports Clearance Officer.*

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#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### Administration for Children and Families

##### Statement of Organization, Functions and Delegation of Authority

Notice is hereby given that I have redelegated to the Regional Program Managers, Office of Child Support Enforcement, the following authorities vested in me by the Assistant Secretary of Administration for Children and Families in the memoranda dated February 16, 2007.

(a) Authorities Delegated.

1. The authority to approve Title IV-D State plans and amendments.

2. Authority to certify and transmit State requests for full collection services by the Secretary of Treasury and State applications to use courts of the United States to enforce court orders.

(b) Limitations.

1. These redelegations shall be exercised under financial and administrative requirements applicable to all Administration for Children and Families authorities.

2. The authority to approve Title IV-D State plans and amendments requires review and clearance by legal counsel and consultation with Central Office, Office of Child Support Enforcement,

except as provided in written guidelines issued by the Commissioner.

3. These authorities may not be redelegated.

(c) Effective Date.

This redelegation is effective on the date of signature.

(d) Effect on Existing Delegations.

This redelegation of authority supersedes all previous delegations from the Deputy Director/Commissioner, Office of Child Support Enforcement, on these subjects.

I hereby affirm and ratify any actions taken by any Regional Program Manager which, in effect, involved the exercise of these authorities prior to the effective date of this redelegation.

Dated: May 10, 2007.

**Margot Bean,**

*Deputy Director/Commissioner, Office of Child Support Enforcement.*

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