

membership is also comprised of trade members such as suppliers and fabricators of products and materials used in store design, as well as general contractors who provide labor and project management services and build the projects.

The complaint alleges that ISP engages in substantial activities for the economic benefit of its members. The complaint alleges that ISP has approximately 800 members, many of whom provide store planning services for a fee or who are employed by store planning or design firms that provide store planning services for a fee. It alleges that ISP is and has been organized in substantial part for the profit of its members.

The complaint charges that ISP has violated Section 5 of the Federal Trade Commission Act by acting as a combination of its members and in agreement with some of its members to restrain price and non-price competition among its members and others. The complaint alleges that in furtherance of the combination and agreement, ISP has adopted and maintained provisions in its Code of Ethics that state, among other things, "a member shall not render professional services without compensation" (*ISP Code of Ethics*, Section 2) and "a member shall not knowingly compete with another member on the basis of professional charges, or use donations as a device for obtaining professional advantage" (*ISP Code of Ethics*, Section 3). The Code also provides that "a member shall not offer his services in competition except as provided by such competition codes as the Institute may establish" (*ISP Code of Ethics*, Section 4). Applicants for membership in ISP must agree in writing to follow ISP's By-laws, which contain its Code of Ethics.

The complaint alleges that the above acts and practices constitute unfair methods of competition which have restrained competition unreasonably and injured consumers by discouraging price competition among store planners and depriving consumers and users of store planners' services of the benefit of free and open competition among store planners.

ISP has signed a consent agreement containing the proposed consent order. The proposed consent order would prohibit ISP from restricting, impeding, declaring unethical or unprofessional or advising against price competition among its members. That is, ISP would no longer be able to restrict members from providing free or discounted services.

To ensure and monitor compliance, the consent order provides, among other

things, that within 90 days after the order becomes final ISP shall remove from *ISP's Code of Ethics*, its constitution and bylaws and any existing ISP policy statement, commentary or guideline — including those appearing on ISP's website — any provision, policy statement, commentary or guideline which is inconsistent with the order. The order also requires that ISP publish in *ISP International News* and on its website, the revised versions of such documents. In addition, the order requires ISP to publish a copy of the order and complaint in the *ISP International News*. It further provides that the order and complaint shall be published on the ISP website for at least one year, with a link placed in a prominent position on the website's home page. The proposed consent order also contains other provisions to monitor compliance.

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 its terms.

By direction of the Commission.

C. Landis Plummer

Acting Secretary

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Program Announcement 03026]

Strengthening Epidemiologic Services and Surveillance in Central America, the Dominican Republic and Haiti; Notice of Availability of Funds

A. Authority and Catalog of Federal Domestic Assistance Number

This program is authorized under sections 301 and 307 of the Public Health Service Act, [42 U.S.C. sections 242], as amended, and section 104 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b). The Catalog of Federal Domestic Assistance number is 93.283.

B. Purpose

The Centers for Disease Control and Prevention (CDC) announces the availability of fiscal year (FY) 2003 funds for a cooperative agreement program for Strengthening Epidemiologic Services and Surveillance in Central America, the Dominican Republic, and Haiti.

The purpose of the program is to underpin the ability of the Ministries of Health (MOH) of the participating countries in the *Servicio de Investigacion Epidemiologica y Vigilancia de Centro America la Republica Dominicana y Haiti* (SIEVCADH) project to develop public health surveillance, investigate priority public health problems, and provide epidemiologic response to disease outbreaks and other public health emergencies. By doing so, applied public health programs in Central America, the Dominican Republic, and Haiti will be strengthened.

The objectives of this program are: (1) To produce high-quality public health surveillance, epidemiologic assessment and epidemiologic investigation in order to increase the effectiveness and efficiency of public health action, programs, and policy in SIEVCADH project countries; (2) to produce an enhanced and sustainable professional staff capacity to continue carrying out these activities in SIEVCADH project countries; and (3) to continue development of the Masters in Epidemiology with specialization in Field Epidemiology as an academic umbrella for the previous two objectives. The increased capacity in emergency response, epidemiologic investigation and surveillance will be essential to achieving the project's goal of developing sustainable capacity in field epidemiology in Central America, the Dominican Republic, and Haiti.

Measurable outcomes of the program will be in alignment with one or more of the following performance goals for the Epidemiology Program Office (EPO): Maximize the distribution and use of scientific information and prevention messages through modern communication technology, efficiently respond to the needs of its public health partners through the provision of epidemiologic assistance, and implement accessible training programs to provide an effective work force for staffing state and local health departments, laboratories, and ministries of health in developing countries.

C. Eligible Applicants

Assistance will be limited to academic institutions in Central America.

Note: Title 2 of the United States Code section 1611 states that an organization described in section 501(c)(4) of the Internal Revenue Code that engages in lobbying activities is not eligible to receive Federal funds constituting an award, grant or loan.