

ORI found that the Respondent engaged in research misconduct by falsifying and/or fabricating data that were included in ten (10) published papers, one (1) submitted manuscript, seven (7) grant applications, and three (3) progress reports over a period of ten (10) years. Respondent reported experimental data for knockout mice that did not exist in five (5) grant applications and three (3) progress reports and also falsified and/or fabricated images in 45 figures included in the following:

- *J. Biol. Chem.* 277(7):4925–31, 2002
- *Am J. Physiol. Cell Physiol.* 291(6):C1271–8, 2006
- *Am J. Physiol. Cell Physiol.* 294(1):C295–305, 2008
- *J. Lipid Res.* 42:1444–1449, 2001
- *J. Biol. Chem.* 275:25595, 2000
- *J. Biol. Chem.* 277(26):23525–33, 2002
- *Proc. Natl. Acad. Sci. USA* 101(10):3450–5, 2004
- *J. Biol. Chem.* 280(33):29543–50, 2005
- *J. Biol. Chem.* 273:6525–6532, 1998
- *Am J. Physiol. Cell Physiol.* 282:C935–46, 2002
- “Effects of HIV protease and nucleoside reverse transcriptase inhibitors on macrophage cholesterol accumulation in humans,” submitted August 6, 2008
- R01 HL078976–01
- R01 HL078979–01A1
- R01 DK063025–01A2
- R01 HL088150–01
- U54 CA116853–01
- R01 HL093155–01
- R01 HL068509–01A1
- Progress reports HL078976–02, –03, and –04.

As a result of its investigation, UK recommended that the publication(s) listed above be retracted or corrected.

Specifically, ORI finds that Respondent:

- Falsely reported in Figure 14 and associated text in NIH grant applications R01 HL07897601 and –01A1 that experiments were performed to determine if endothelial-specific caveolin-1 null mice were protected from saturated fatty acid-induced atherosclerosis, when these mutant mice did not exist in the laboratory at the time; Dr. Smart also falsely reported the use of these mice in related progress reports R01 HL078976–02, –03, and –04 and in three (3) additional NIH grant applications: Figure 11 in R01 HL088150–01, Figure 11 in U54 CA116853, and Figure 9 in DK063025–01A2
- Falsified and/or fabricated images in NIH grant application R01 HL078976–01A1 by duplicating and altering bands in 14 Western blot images and one (1) RT–PCR image included in Figures 3, 6, 11, 12, 13, 14, and 15; false Western blots were also included in the earlier version of the grant application R01 HL078976–01, Figures 3, 6, 11, 13, and 14
- Falsified and/or fabricated Western blots and one (1) RNase protection assay by duplicating and altering bands in thirty-three (33) figures included in ten (10) published

papers, one (1) submitted manuscript, and two (2) NIH grant applications. Specifically, false or fabricated images were included in:

- < Figures 5 and 7, *J. Biol. Chem.* 277(7):4925–31, 2002
- < Figure 4B, *Am J. Physiol. Cell Physiol.* 291(6):C1271–8, 2006
- < Figures 2A, 3A, 6A, and 7A, *Am J. Physiol. Cell Physiol.* 294(1):C295–305, 2008
- < Figures 3, 5, and 6, *J. Lipid Res.* 42:1444–1449, 2001
- < Figure 2A, *J. Biol. Chem.* 275(33):25595–99, 2000
- < Figures 2A/B/C and 4A/B, *J. Biol. Chem.* 277(26):23525–33, 2002
- < Figures 2B/D and 4, *Proc. Natl. Acad. Sci. USA* 101(10):3450–5, 2004
- < Figures 1A and 5B, *J. Biol. Chem.* 280(33):29543–50, 2005
- < Figures 1A, 2A/B, and 4A, *J. Biol. Chem.* 273:6525–6532, 1998
- < Figure 1B, *Am J. Physiol. Cell Physiol.* 282:C935–46, 2002
- < Figures 2A, 4, 6B, 7, and 8 in a submitted manuscript
- < Figures 7A, 8A, 9A, and 10B in grant application HL093155–01
- < Figures 4, 7, and 13 in grant application HL068509–01A1.

Dr. Smart has entered into a Voluntary Exclusion Agreement and has voluntarily agreed for a period of seven (7) years, beginning on October 23, 2012:

(1) To exclude himself from any contracting or subcontracting with any agency of the United States Government and from eligibility or involvement in nonprocurement programs of the United States Government referred to as “covered transactions” pursuant to HHS’ Implementation (2 CFR part 376 *et seq.*) of OMB Guidelines to Agencies on Governmentwide Debarment and Suspension, 2 CFR part 180 (collectively the “Debarment Regulations”);

(2) To exclude himself voluntarily 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

(3) To request that the following publications be retracted or corrected: *J. Biol. Chem.* 277(7):4925–31, 2002; *Am J. Physiol. Cell Physiol.* 291(6):C1271–8, 2006; *Am J. Physiol. Cell Physiol.* 294(1):C295–305, 2008; *J. Lipid Res.* 42:1444–1449, 2001; *J. Biol. Chem.* 275:25595, 2000; *J. Biol. Chem.* 277(26):23525–33, 2002; *Proc. Natl. Acad. Sci. USA* 101(10):3450–5, 2004; *J. Biol. Chem.* 280(33):29543–50, 2005; *J. Biol. Chem.* 273:6525–6532, 1998; *Am J. Physiol. Cell Physiol.* 282:C935–46, 2002.

FOR FURTHER INFORMATION CONTACT:

Director, Office of Research Integrity, 1101 Wootton Parkway, Suite 750, Rockville, MD 20852, (240) 453–8200.

David E. Wright,

Director, Office of Research Integrity.

[FR Doc. 2012–28209 Filed 11–19–12; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Request for Nominations for Candidates To Serve on the National Public Health Surveillance and Biosurveillance Advisory Committee (NPHSBAC)

Correction: This notice was published in the **Federal Register** on November 6, 2012, Volume 77, Number 215, page 66620. Paragraphs three through six of the notice should read as follows:

Federal employees will not be considered for membership. Members may be invited to serve up to four-year terms. Consideration is given to representation from diverse geographic areas, both genders, all ethnic and racial groups, and the disabled. Nominees must be U.S. citizens.

The following information must be submitted for each candidate: name, affiliation, address, telephone number, and current curriculum vitae. Email addresses are requested if available.

Nominations should be sent, in writing, and postmarked by November 30, 2012 to: Vernellia Johnson, Management and Program Analyst, Public Health Surveillance and Informatics Program Office, Centers for Disease Control and Prevention, Office of Surveillance, Epidemiology and Laboratory Services, 1600 Clifton Road NE., MS E–97, Atlanta, Georgia 30333 or via email to hft9@cdc.gov. Telephone and facsimile submissions cannot be accepted.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Dated: November 13, 2012.

Elaine L. Baker,

Director, Management Analysis and Services Office Centers for Disease Control and Prevention.

[FR Doc. 2012–28172 Filed 11–19–12; 8:45 am]

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