

Dated: November 8, 2012.

**William Clark,**

*Acting Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.*

[FR Doc. 2012-28034 Filed 11-19-12; 8:45 am]

**BILLING CODE 6820-EP-P**

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0175; Docket 2012-0076, Sequence 65]

#### Information Collection; Use of Project Labor Agreements for Federal Construction Projects

**AGENCY:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for public comments regarding an extension of an existing OMB information clearance.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of an existing information collection requirement regarding Use of Project Labor Agreements for Federal Construction Projects.

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the Federal Acquisition Regulations (FAR), and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

**DATES:** Submit comments on or before January 22, 2013.

**ADDRESSES:** Submit comments identified by *Information Collection 9000-0175, Use of Project Labor Agreements for Federal Construction Projects*, by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching the OMB control number. Select the link "Submit a Comment" that corresponds with "Information Collection 9000-0175, Use of Project Labor Agreements for Federal Construction Projects". Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "Information Collection 9000-0175, Use of Project Labor Agreements for Federal Construction Projects" on your attached document.

- *Fax:* 202-501-4067.

- *Mail:* General Services

Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417. ATTN: Hada Flowers/IC 9000-0175, Use of Project Labor Agreements for Federal Construction Projects.

*Instructions:* Please submit comments only and cite Information Collection 9000-0175, Use of Project Labor Agreements for Federal Construction Projects, in all correspondence related to this collection. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Mr. Edward Loeb, Procurement Analyst, Office of Governmentwide Acquisition Policy, at telephone (202) 501-0650 or via email to [Edward.loeb@gsa.gov](mailto:Edward.loeb@gsa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Purpose

FAR 22.501 prescribes policies and procedures to implement Executive Order 13502, February 6, 2009 which encourages Federal agencies to consider the use of a project labor agreement (PLA), as they may decide appropriate, on large-scale construction projects, where the total cost to the Government is more than \$25 million, in order to promote economy and efficiency in Federal procurement. A PLA is a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project. FAR 22.503(b) provides that an agency may, if appropriate, require that every contractor and subcontractor engaged in construction on the project agree, for that project, to negotiate or become a party to a project labor agreement with one or more labor organizations if the agency decides that the use of project labor agreements will—

(1) Advance the Federal Government's interest in achieving economy and

efficiency in Federal procurement, producing labor-management stability, and ensuring compliance with laws and regulations governing safety and health, equal employment opportunity, labor and employment standards, and other matters; and,

(2) Be consistent with law.

#### B. Annual Reporting Burden

*Respondents:* 70.

*Responses per Respondent:* 1.

*Annual Responses:* 70.

*Hours per Response:* 1.

*Total Burden Hours:* 70.

*Obtaining Copies of Proposals:*

Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417, telephone (202) 501-4755. Please cite OMB Control No. 9000-0175, Use of Project Labor Agreements for Federal Construction Projects, in all correspondence.

Dated: November 8, 2012.

**William Clark,**

*Acting Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Governmentwide Policy, Office of Governmentwide Policy.*

[FR Doc. 2012-28251 Filed 11-19-12; 8:45 am]

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## 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) has taken final action in the following case:

*Eric J. Smart, Ph.D., University of Kentucky:* Based on the report of an investigation conducted by the University of Kentucky (UK) and additional analysis conducted by ORI in its oversight review, ORI found that Dr. Eric J. Smart, former Professor of Pediatrics and Physiology, Department of Pediatrics and Physiology, UK, engaged in research misconduct in research supported by National Heart, Lung, and Blood Institute (NHLBI), National Institutes of Health (NIH), grants R01 HL062844, R01 HL058475, R01 HL064056, R01 HL068059, and R01 HL073693, National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK), NIH, grant R56 DK063025, and National Center for Research Resources (NCRR), NIH, grant P20 RR105592.

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](mailto: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]

BILLING CODE 4163–18–P