and 1C in *Molecular Cancer Therapeutics* 9:2724–36, 2010. The Respondent does not agree with ORI's finding of research misconduct and asserts that there are extenuating circumstances for her actions.

Specifically, ORI found that Respondent:

1. included falsely labeled immunoblots in Figures 1D and 2A as follows:

a. Figure 1D (lower panel), representing the total ERK levels in extracts from cells exposed to 15 Gy of gamma radiation for 0–120 minutes, by using results from an unrelated experiment for MAPK levels in extracts from cells exposed to 2, 12, or 20 Gy of gamma irradiation for 1, 5, 20, or 60 minutes

b. Figure 2A (KSR1 panel), representing a control Flag-KSR1 immunoblot for extracts of cells transfected with control (TRE), wild-type KSR (KSR–S), or dominant negative inactive KSR (DN–KSR) exposed to no radiation or 5 minutes gamma irradiation, by using results form an unrelated experiment for KSR-transfected cells (KSR–S) irradiated with 0, 2, 5, 20, 15, 20 Gy irradiation

c. Figure 2A (ERK panel), representing a control ERK immunoblot for extracts of cells transfected with control (TRE), wild-type KSR (KSR–S), or dominant negative inactive KSR (DN–KSR) exposed to no radiation or 5 minutes gamma irradiation, by using results from an unrelated experiment for KSR-transfected cells (KSR–S) irradiated with 0, 2, 5, 10, 15, 20 Gy irradiation

2. included falsified images in Figures 1D, 2A, and Supplementary Figures 1B and 1C by duplicating bands within the figures as follows:

a. Figure 1D (top panel) for an immunoblot for p-ERK in A431 cells, by using the same bands to represent cells treated with ionizing radiation for 5 and 10 minutes with the bands for 60 and 90 minutes

b. Figure 2A (top) for an *in vitro* kinase assay for p-GST-Elk-1, by duplicating lanes 2 and 5 to represent the control plasmid (TRE) at 5 minutes post radiation (lane 2) and the dominant negative inactive KSR (DN–KSR) NT lane (lane 5)

c. Supplementary Figure 1B (middle panel) for an *in vitro* kinase assay for p-GST–MEK, by using the same bands to represent cells exposed to 5 and 20 Gy ionizing radiation

d. Supplementary Figure 1C (top panel) for an immunoblot for p-MEK1/2, by using the same bands to represent cells exposed to 2 and 20 Gy ionizing radiation

Dr. Xing has entered into a Voluntary Settlement Agreement (Agreement) and has voluntarily agreed:

(1) that if within three (3) years from the effective date of the Agreement, Respondent receives or applies for U.S. Public Health Service (PHS) support, Respondent agrees to have her PHS-supported research supervised for a period of three (3) years beginning on the date of her employment in which she receives or applies for PHS support, and to notify her employer(s)/institution(s) of the terms of this supervision; Respondent agrees that prior to the submission of an application for PHS support for a research project on which the Respondent's participation is proposed and prior to Respondent's participation in any capacity on PHS-supported research, Respondent shall ensure that a plan for supervision of her duties is submitted to ORI for approval; the supervision plan must be designed to ensure the scientific integrity of Respondent's research; Respondent agrees that she shall not participate in any PHS-supported research until such a supervision plan is submitted to and approved by ORI; Respondent agrees to maintain responsibility for compliance with the agreed upon supervision plan;

(2) that if within three (3) years from the effective date of this Agreement, Respondent receives or applies for PHS support, for a period of three (3) years beginning on the date of her employment in which she receives or applies for PHS support, any institution employing her to work on PHS-supported projects shall submit, in conjunction with each application for PHS funds, or report, manuscript, or abstract involving PHS-supported research in which Respondent is involved, a certification to ORI that the data provided by Respondent are based on actual experiments or are otherwise legitimately derived and that the data, procedures, and methodology are accurately reported in the application, report, manuscript, or abstract; and

(3) to exclude herself 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 for a period of three (3) years beginning on November 13, 2014.

FOR FURTHER INFORMATION CONTACT: Acting Director, Office of Research Integrity, 1101 Wootton Parkway, Suite 750, Rockville, MD 20852, (240) 453–8200.

Donald Wright,

Acting Director, Office of Research Integrity.

[FR Doc. 2014–29295 Filed 12–12–14; 8:45 am]

BILLING CODE 4150–31–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) has taken final action in the following case:

James P. Warne, Ph.D., University of California San Francisco: Based on an assessment conducted by the University of California San Francisco (UCSF), the Respondent's admission, and additional analysis conducted by ORI in its oversight review, ORI found that Dr. James P. Warne, former Senior Scientist, Diabetes Center, UCSF School of Medicine, engaged in research misconduct in research supported by National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK), National Institutes of Health (NIH), grants DK080427, DK007161, and DK063720.

ORI found that Respondent engaged in research misconduct by falsifying data that were included in the following two (2) publications and two (2) grant applications:

- *Cell Metabolism* 14:791–803, 2011 (hereafter referred to as the ''*Cell Metabolism* paper'')
- *Journal of Neuroscience* 33(29):11972–85, 2013 (hereafter referred to as the ''*Journal of Neuroscience* paper'')
- R01 DK080427–06A1 submitted to NIDDK, NIH
- R01 AA022665–01A1 submitted to the National Institute on Alcohol Abuse and Alcoholism (NIAAA), NIH

ORI found that Respondent falsified data and related text by altering the experimental data to support the experimental hypothesis. Specifically:

1. Respondent fabricated graphs purported to represent the results of ten (10) different ELISA experiments measuring norephinephrin (NE) or leptin levels in wild-type mice, in AGRP knockout mice, or in AGRP RNAi mice and controls that had received brain infusions of alpha-MPT, a tyrosine hydroxylase inhibitor or vehicle and leptin or AGRP in the following figures:

- Figures 2D/E, 3G, and 7C in the *Cell Metabolism* paper
- Figures 6B/C/E, Figure 8C, and Figure 9H in the *Journal of Neuroscience* paper; Figures 6B/C/E of the *Journal of Neuroscience* paper also were included as Figures 5A/C/B in grant application DK080427–06A1, and Figure 8C of the *Journal of Neuroscience* paper also was included as Figure 8C in grant application DK080427–06A1
- Figure 10B in grant application DK080427–06A1

2. Respondent fabricated graphs purported to represent the results of six (6) different quantitative polymerase chain reaction (Q–PCR) experiments measuring mRNA levels in mouse liver from wild-type or AGRP RNAi mice and controls that had received brain infusions of alpha-MPT, a tyrosine hydroxylase inhibitor or vehicle and leptin, AGRP knockout mice injected with ethanol, or wild-type mice injected with ethanol and caffeine in the following figures:

- Figure 2F in the *Cell Metabolism* paper
- Figures 5A, 6F, and 9A in the *Journal of Neuroscience* paper; Figure 5A of the *Journal of Neuroscience* paper also was included as Figure 4A in grant application DK080427–06A1, and Figure 6F of the *Journal of Neuroscience* paper also was included as Figure 7A in grant application DK080427–06A1
- Figure 3B in grant application AA022665–06A1

Dr. Warne has entered into a Voluntary Settlement Agreement (Agreement) and has voluntarily agreed:

(1) to have his research supervised for a period of three (3) years, beginning on November 18, 2014; Respondent agrees that prior to the submission of an application for U.S. Public Health Service (PHS) support for a research project on which the Respondent's participation is proposed and prior to Respondent's participation in any capacity on PHS-supported research, Respondent shall ensure that a plan for supervision of his duties is submitted to ORI for approval; the supervision plan must be designed to ensure the scientific integrity of Respondent's research contribution; Respondent agrees that he shall not participate in any PHS-supported research until such a supervision plan is submitted to and approved by ORI; Respondent agrees to maintain responsibility for compliance with the agreed upon supervision plan;

(2) that for a period of three (3) years, beginning on November 18, 2014, any institution employing him shall submit, in conjunction with each application for PHS funds, or report, manuscript, or abstract involving PHS-supported research in which Respondent is involved, a certification to ORI that the data provided by Respondent are based on actual experiments or are otherwise legitimately derived and that the data, procedures, and methodology are accurately reported in the application, report, manuscript, or abstract;

(3) 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 for a period of three (3) years, beginning on November 18, 2014; and

(4) that as a condition of the Agreement, the senior authors will request retraction or correction of the following papers:

- *Cell Metabolism* 14:791–803, 2011
- *Journal of Neuroscience* 33(29):11972–85, 2013

FOR FURTHER INFORMATION CONTACT: Acting Director, Office of Research Integrity, 1101 Wootton Parkway, Suite 750, Rockville, MD 20852, (240) 453–8200.

Donald Wright,

Acting Director, Office of Research Integrity.

[FR Doc. 2014–29337 Filed 12–12–14; 8:45 am]

BILLING CODE 4150–31–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[Docket No. ATSDR–2014–0001]

Availability of Draft Toxicological Profiles

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Department of Health and Human Services (DHHS).

ACTION: Notice of availability, and request for comments.

SUMMARY: This notice announces the availability of Set 26 Toxicological Profiles for review and comment. Comments can include additional information or reports on studies about the health effects of Set 26 substances. Although ATSDR considered key studies for each of these substances during the profile development process, this **Federal Register** notice solicits any relevant, additional studies, particularly unpublished data. ATSDR will evaluate the quality and relevance of such data or studies for possible inclusion into the profile. ATSDR remains committed to providing a public comment period for this document as a means to best serve public health and our clients. The Set 26 Toxicological Profiles are available online at *http://www.atsdr.cdc.gov/toxprofiles/index.asp* and *http://www.regulations.gov/#!home,* docket ATSDR–2014–0001.

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), § 104(i)(3),[42 U.S.C. 9604(i)(3)], directs the ATSDR administrator to prepare Toxicological Profiles of priority hazardous substances and, as necessary, to revise and publish each updated toxicological profile.

DATES: To be considered, comments on the draft Toxicological Profiles must be received not later than March 16, 2015. Comments received after close of the public comment period will be considered solely at the discretion of ATSDR, based upon what is deemed to be in the best interest of the general public.

ADDRESSES: You may submit comments, identified by docket number ATSDR–2014–0001, by any of the following methods:

- Federal eRulemaking Portal: *http://www.regulations.gov/#!home.* Follow the instructions for submitting comments.
- *Mail:* Division of Toxicology and Human Health Sciences, 1600 Clifton Rd., NE., MS F57, Atlanta, Ga., 30333.

Instructions: All submissions received must include the agency name and docket number for this notice. All relevant comments will be posted without change. Because all public comments regarding ATSDR Toxicological Profiles are available for public inspection, no confidential business information or other confidential information should be submitted in response to this notice.

FOR FURTHER INFORMATION CONTACT: Ms. Delores Grant, Division of Toxicology and Human Health Sciences, 1600 Clifton Rd., NE., MS F–57, Atlanta, Ga., 30333. Phone: 770–488–3351.

SUPPLEMENTARY INFORMATION: The Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA or Superfund) (42 U.S.C. 9601 *et seq.*) establishes certain responsibilities for ATSDR and the U.S. Environmental Protection Agency (U.S. EPA) with regard to hazardous substances most commonly found at facilities on the CERCLA National Priorities List (NPL). As part of these responsibilities, the