

**SUPPLEMENTARY INFORMATION:** This is a summary of the text of the *Public Notice*, DA 01-933 released April 23, 2001. This document is available on the Commission's Internet site, at [www.fcc.gov/oet/info/mitrereport/](http://www.fcc.gov/oet/info/mitrereport/). It is also available for inspection and copying during regular business hours in the FCC Reference Center, Room CY-A257, 445 12th Street, SW, Washington, DC, and also may be purchased from the Commission's duplication contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

#### Summary of the Public Notice

1. On April 18, 2001, MITRE Corporation delivered to the FCC a Report titled "Analysis of Potential MVDDS Interference to DBS in the 12.2-12.7 GHz Band." The MITRE Corporation report was conducted pursuant to Section 1012, Prevention of Interference to Direct Broadcast Satellite Services, of the Commerce, Justice, State and Judiciary Appropriations Act, (CJSJA Act), H.R. 5548 (enacted on December 21, 2000, as part of Public Law 106-553). This document can be found through the Commission's Electronic Comment Filing System (ECFS) at [www.fcc.gov/e-file/ecfs.html](http://www.fcc.gov/e-file/ecfs.html). It can also be found directly at [www.fcc.gov/oet/inf/mitrereport/](http://www.fcc.gov/oet/inf/mitrereport/). (The report contains many color diagrams so use of a color printer is recommended in order to follow the technical details in hard copies.) Pursuant to the statute, the Commission seeks comment on this report.

2. The *First Report and Order and Further Notice of Proposed Rulemaking* in ET Docket 98-206, 66 FR 7606, January 24, 2000, ([http://www.fcc.gov/Bureaus/Engineering\\_Technology/Orders/2000/fcc00418.pdf](http://www.fcc.gov/Bureaus/Engineering_Technology/Orders/2000/fcc00418.pdf)) proposed that a new Multichannel Video Distribution and Data Service (MVDDS) share the existing Direct Broadcast Satellite Service (DBS) downlink allocation at 12.2-12.7 GHz. The MITRE Corporation report addresses the question of possible interference from MVDDS to DBS users in accordance with Section 1012 of the CJSJA Act.

3. Comments on The MITRE Corporation report shall be filed by no later than May 15, 2001. Replies to the comments shall be filed no later than May 23, 2001. Comments and replies are to be filed with the Commission following the same procedures applicable to the First Report and Order and Further Notice of Proposed Rule Making in this proceeding, ET Docket No. 98-206. Comments filed through the ECFS can be sent as an electronic file via the Internet at [www.fcc.gov/e-file/](http://www.fcc.gov/e-file/)

[ecfs.html](http://ecfs.html). In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket number. Parties may also submit an electronic comment by Internet e-mail. To obtain filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message: "get form <your e-mail address>". A sample form and directions will be sent in reply.

4. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. Generally, only one electronic submission must be filed. If filing by paper, parties must file an original and four copies. Parties should send comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Parties are also encouraged to file a copy of all pleadings on a 3.5 inch diskette in Word 97 format.

5. This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. See 47 CFR 1.1200 and 1.1206. Persons making oral ex parte presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance or the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required. See 47 CFR 1.1206(b). Other rules pertaining to oral and written ex parte presentations in permit-but-disclose proceedings are set forth in 47 CFR 1.1206(b).

6. This action is taken pursuant to authority found in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r); and pursuant to §§ 0.31 and 0.241 of the Commission's Rules, 47 CFR 0.31 and 0.241.

Federal Communications Commission.

**Geraldine Matise,**

*Deputy Chief, Policy and Rules Division,  
Office of Engineering and Technology.*

[FR Doc. 01-11077 Filed 5-2-01; 8:45 am]

**BILLING CODE 6712-01-P**

#### FEDERAL ELECTION COMMISSION

##### Sunshine Act Meeting

**AGENCY:** Federal Election Commission.

**DATE & TIME:** Tuesday, May 8, 2001 at 10 a.m.

**PLACE:** 999 E Street, NW., Washington, DC.

**STATUS:** This meeting will be closed to the public.

#### ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. § 437g.

Audits conducted pursuant to 2 U.S.C. § 437g, § 438(b), and Title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

#### PREVIOUSLY ANNOUNCED DATE & TIME:

Thursday, May 10, 2001, Meeting Open to the Public.

This meeting has been cancelled.

#### PERSON TO CONTACT FOR INFORMATION:

Mr. Ron Harris, Press Officer,  
Telephone: (202) 694-1200.

**Mary W. Dove,**

*Secretary of the Commission.*

[FR Doc. 01-11326 Filed 5-1-01; 3:08 pm]

**BILLING CODE 6715-01-M**

#### FEDERAL RESERVE SYSTEM

##### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than May 29, 2001.

**A. Federal Reserve Bank of Atlanta** (Cynthia C. Goodwin, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303-2713:

1. *Financial Investors of the South*, Birmingham, Alabama; to acquire 100 percent of the voting shares of Capital Bank (in organization), Montgomery, Alabama.

2. *Wewahitchka State Bank Employee Stock Ownership Plan*, Wewahitchka, Florida; to acquire 50 percent of the voting shares of Gulf Coast Community Bancshares, Inc., Wewahitchka, Florida, and thereby indirectly acquire Wewahitchka State Bank, Wewahitchka, Florida.

**B. Federal Reserve Bank of Chicago** (Phillip Jackson, Applications Officer) 230 South LaSalle Street, Chicago, Illinois 60690-1414:

1. *Advantage Bancorp*, Woodbury, Minnesota; to become a bank holding company by acquiring 100 percent of the voting shares of First Choice Bank (in organization), Geneva, Illinois.

2. *CIB Marine Bancshares, Inc.*, Pewaukee, Wisconsin; to merge with Citrus Financial Services, Inc., Vero Beach, Florida, and thereby indirectly acquire Citrus Bank, NA, Vero Beach, Florida.

3. *Hustisford Community Bancorp, Inc.*, Hustisford, Wisconsin; to become a bank holding company by acquiring 100 percent of the voting shares of Hustisford State Bank, Hustisford, Wisconsin.

**C. Federal Reserve Bank of Minneapolis** (JoAnne F. Lewellen, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480-0291:

1. *American Summit Financial Holdings, LLC*, Eden Prairie, Minnesota; to become a bank holding company by acquiring up to 60 percent of the voting shares of Superior Financial Holding Company, Two Harbors, Minnesota, and thereby indirectly acquire Lake Bank, N.A., Two Harbors, Minnesota.

Board of Governors of the Federal Reserve System, April 27, 2001.

**Robert deV. Frierson**

*Associate Secretary of the Board.*

[FR Doc. 01-11038 Filed 5-2-01; 8:45 am]

BILLING CODE 6210-01-S

## GENERAL SERVICES ADMINISTRATION

### Notice of Intent To Prepare an Environmental Impact Statement (EIS) for the Future Master Plan Development for the Centers for Disease Control (CDC) in Chamblee, GA

Pursuant to the requirements of the National Environmental Policy Act (NEPA) of 1969, and the President's Council on Environmental Quality Regulations (40 CFR parts 1500-1508), as implemented by General Services Administration (GSA) Order PBS P 1095.4D, GSA announces its Notice of Intent (NOI) to prepare an EIS for the proposed development and future build out for the CDC in Chamblee, Georgia. The proposed action includes the expansion of facilities and will include additional buildings, parking structures, and infrastructure on Government-owned property located in Chamblee located south of Tucker Road between Peachtree Dekalb Airport and Buford Highway. The EIS will examine the impacts of this proposed development on the natural and human environment to include impacts to wetlands, floodplains, traffic, and other potential impacts identified by the community through the scoping process.

The EIS will address the potential impacts of two alternatives: the Proposed Action (Development Alternative), and No-Action Alternative (meet facility requirements without full development on site). GSA will solicit community input throughout this process, and will incorporate community comments into the decision process. As part of the Public Scoping process, GSA solicits comments in writing at the following address: Mr. Phil Youngberg, Environmental Manager (4PT), General Services Administration (GSA), 77 Forsyth Street, Suite 450, Atlanta, GA 30303 or Fax: Mr. Phil Youngberg at 404-562-0790. Comments should be submitted in writing no later than June 1st, 2001.

Dated: April 18, 2001.

**Phil Youngberg,**

*Environmental Manager (4PT), General Services Administration.*

[FR Doc. 01-11147 Filed 5-2-01; 8:45 am]

BILLING CODE 6820-23-M

## GENERAL SERVICES ADMINISTRATION

### Public Buildings Service, Portfolio Management Division (9PT); Notice of Public Meeting

The General Services Administration (GSA) is in the process of investigating a potential site for the U.S. Border Patrol in the vicinity of Madison Avenue and Guava Street in Murrieta, CA, and is developing an Environmental Assessment for the project. A public meeting will be held at the Murrieta City Council Chambers, 26442 Beckman Court, Murrieta, CA 92562, on May 9, 2001, at 6 p.m. For additional information regarding this project, call Kevin Waldron, Project Manager, at (415) 522-3275, General Services Administration, Public Buildings Service, Portfolio Management Division, 450 Golden Gate Avenue (9PTC), San Francisco, CA 94102.

Dated: April 17, 2001.

**Abdee Gharavi,**

*Director (9PT), Portfolio Management Division, PBS, General Services Administration.*

[FR Doc. 01-11148 Filed 5-2-01; 8:45 am]

BILLING CODE 6820-61-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### Findings of Scientific 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:

*Malabika Sarker, M.B.B.S., M.P.H., University of Alabama at Birmingham:* Based on the report of an investigation conducted by the University of Alabama at Birmingham and additional analysis conducted by ORI in its oversight review, the U.S. Public Health Service (PHS) finds that Dr. Sarker, former doctoral fellow, Department of Epidemiology, School of Public Health, University of Alabama at Birmingham, engaged in scientific misconduct by falsifying questionnaire data for risk factors for sexually transmitted diseases (STDs) in Bangladesh for her dissertation. The research was supported by the Fogerty International Center, National Institutes of Health (NIH), grant D43 TW01035, "UAB AIDS/HIV International Training & Research."