

ACTION: Notice; correction.

SUMMARY: The Office of Population Affairs, OPHS, HHS published a notice in the **Federal Register** of Thursday, June 19, 2003, announcing the anticipated availability of funds for family planning services grants. This notice contained an error. One of the

Populations/areas listed as available for competition was not available for competition in 2004. A correction notice was published in the **Federal Register** of Thursday, July 10, 2003. Since that time, the Population/area in question has become available for competition. This document reinstates the Population/area as competitive in 2004

and corrects the application due date and approximate grant funding date.

FOR FURTHER INFORMATION CONTACT: Susan B. Moskosky, 301-594-4008.

Correction

In the **Federal Register** of June 19, 2003, FR Doc. 03-15514, on page 36805, correct Table I to read:

TABLE I

States/Populations/areas to be served	Approximate		Approx. grant funding date
	Funding available	Application due date	
Region I			
Massachusetts—Central/Southeast	\$1,468,500	09-01-03	01-01-04
Connecticut	1,793,300	09-01-03	01-01-04
Vermont	655,100	09-01-03	01-01-04
Maine	1,368,300	09-01-03	01-01-04
Region II			
Virgin Islands	719,300	05-30-04	09-30-04
Region III			
No competitive grants in 2004.			
Region IV			
Florida, Miami, Dade County and Florida Keys	525,300	05-30-04	09-30-04
Florida, Greater Orlando area (including Orange, Seminole, Osceola and Lake Counties)	525,300	05-30-04	09-30-04
Region V			
Illinois	7,599,00	09-01-03	01-01-04
Wisconsin	3,233,900	11-01-03	03-01-04
Michigan	6,916,100	12-01-03	04-01-04
Ohio	2,056,500	12-01-03	04-01-04
Illinois—Chicago Area	200,250	05-30-04	09-30-04
Region VI			
Texas	11,074,00	12-01-03	04-01-04
Region VII			
No competitive grants in 2004.			
Region VIII			
Colorado	2,887,200	09-01-03	01-01-04
North Dakota	807,000	03-01-04	07-01-04
Utah	1,084,000	03-01-04	07-01-04
Region IX			
Northern Mariana Islands	115,400	09-01-03	01-01-04
Arizona, Navajo Nation	638,300	03-01-04	07-01-04
Samoa	145,600	03-01-04	07-01-04
Nevada (excluding Washoe and Clark Counties)	600,350	03-01-04	07-01-04
Republic of the Marshall Islands	146,400	03-01-04	07-01-04
Region X			
Washington	3,616,000	09-01-03	01-01-04
Alaska, Municipality of Anchorage, Sitka Borough, Kenai Peninsula	665,500	03-01-04	07-01-04
Washington, Seattle Area	158,450	5-30-04	09-30-04

Dated: October 31, 2003.

Alma L. Golden,

Deputy Assistant Secretary for Population Affairs.

[FR Doc. 03-28198 Filed 11-7-03; 8:45 am]

BILLING CODE 4150-34-P

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:

Craig H. Gelband, Ph.D., University of Florida: Based on the reports of two investigations conducted by the University of Florida (UF) (UF Reports) and additional analysis conducted by ORI in its oversight review, the U.S. Public Health Service (PHS) found that Craig H. Gelband, Ph.D., Associate Professor, Department of Physiology,

College of Medicine at UF, engaged in scientific misconduct in research. Publications and manuscripts containing the falsified data cited support from National Institutes of Health (NIH) grants, or falsified data was included in NIH grant applications, as follows:

- R29 HL52189-01A2, then R01 HL52189-05, "Regulation of renal vascular cells in hypertension".
- R01 HL56921, "AT1 receptor control in chronic hypertension".
- F32 HD08496, "Role of MNA V2.3 in uterine contraction".
- R01/R37 HL49254, "Tonic & pharmacological regulation of vascular cells".
- F32 HL08531, "Hormonal regulation of renal artery ion currents".
- P01 DK41315, "Regulatory mechanism in colonic motility-program project".
- R01 HL69034-01, "Mechanisms of cerebral resistance artery constriction."

Specifically, PHS found that:

I. Dr. Craig H. Gelband falsified data based on contractile tension recording in antisense experiments on the angiotensin enzyme (ACE), purportedly using renal arteriolar smooth muscle tension preparation:

A. by falsely labeling the tension recordings in Figures 5, 6, and 7 in a publication by Wang, H., Reaves, P.Y., Gardon, M.L., Keene, K., Goldberg, D.S., Gelband, C.H., Katovich, M.J. & Raizada, M.K. "Angiotensin I—converting enzyme antisense gene therapy causes permanent antihypertensive effects in the SHR." *Hypertension* 35[part 2]: 2002–208, 2000 (subsequently referred to as the "Hypertension 2000 paper #1"), when he had earlier reported the same contractile records as being from experiments on the angiotensin receptor (not the enzyme), in Figures 6, 7, and 8 of an earlier mini-review by Martens, J.R. & Gelband, C.H. "Ion channels in vascular smooth muscle: Alterations in essential hypertension." *PSEBM* 218:192–200, 1998 (subsequently referred to as the *PSEBM* paper);

B. by falsifying three of the four sets of the mean data that were in fact the same for both the F0 and F1 mean data in Figures 5 and 6 of the *Hypertension* 2000 paper #1. Dr. Gelband also dishonestly provided the institution with the falsified/fabricated tables of the mean data and the associated false standard error values as evidence that he had conducted the experiments for Figures 5 and 6; and

C. by falsifying EC₅₀ values in Table 1 in NIH grant application HL52189-05; the EC₅₀ values had been interpolated from the falsified mean and SEM data

shown in Figures 5 and 6 in the *Hypertension* 2000 paper #1.

II. Dr. Gelband falsified data in the reporting of research, misrepresenting current/voltage (I/V) data to be results from totally different experimental models or preparations in six publications (including one manuscript "In-Press") and in NIH grant application HL52189-05, specifically:

A. as Figure 1A, in Gelband, C.H., Wang, H., Gardon, M.L., Keene, K., Goldberg, D.S., Reaves, P., Katovich, M.J., Raizada, M.K. "Angiotensin 1-converting enzyme antisense prevents altered renal vascular reactivity, but not high blood pressure, in spontaneously hypertensive rats." *Hypertension* 35 [part 2]:209–213, 2000 (subsequently referred to as the "Hypertension 2000 paper #2").

B. as Figure 2, in Martens, J.R., Fergus, D.J., Tamkun, M.M., England, S.K., Gelband, C.H. "Identification of voltage-gated K⁺ channel genes contributing to the decreased renal arteriolar K⁺ current in hypertension." *J. Biol. Chem* (MS M01389200), online, in press (subsequently referred to as the "JBC paper"). *J. Biol. Chem. Online* (submitted and withdrawn).

C. as Figure 4A, in Gelband, C.H. "Protein kinase C regulation of renal vascular Kv and Ca⁺⁺ channels in hypertension." *Hypertension Online* paper, withdrawn (subsequently referred to as the "Hypertension Online paper").

D. as Figure 3, in Gelband, C.H., Reaves, P.Y., Evans, J., Wang, H., Katovich, M.J., & Raizada, M.K. "Angiotensin II Type 1 receptor antisense gene therapy prevents altered renal vascular calcium homeostasis in hypertension." *Hypertension* 33[part II]:360–365, 1999 (subsequently referred to as the "Hypertension 1999 paper").

E. as Figures 4A and 4B in Martens, J.R., Reaves, P.Y., Lu, D., Katovich, M.J., Berecek, K.H., Bishop, A.P., Raizada, M.K., & Gelband, C.H. "Preventions of renovascular and cardiac pathophysiological changes in hypertension by angiotensin II type 1 receptor antisense gene therapy." *Proc. Natl. Acad. Sci.* 95:2664–2669, 1998 (subsequently referred to as the "PNAS paper").

F. as Figure 5A, in Reaves, P.Y., Gelband, C.H., Wang, H., Yang, H., Lu, D., Berecek, K.H., Katovich, M.J., Raizada, M.K. "Permanent cardiovascular protection from hypertension by the AT1 receptor antisense gene therapy in hypertensive rat offspring." *Circ. Res.* 85:344–350, 1999 (subsequently referred to as the "Circ. Res. 1999 paper").

1. Dr. Gelband also falsified data in the proposing of research by submitting the above data as Figures 3, 14A, 14B, and 15 in NIH grant application HL52189-05.

III. Dr. Gelband falsified traces of potassium currents in Figure 4 of the *J. Biol. Chem* paper (see PHS Finding II) where they were claimed to have been recorded from smooth muscle cells from rats treated with antisense to potassium channels, and/or in Figure 3 of the *Hypertension Online* paper (see PHS Finding II) where they were claimed to have been recorded from rat renal cells treated with phorbol esters and PKC inhibitors. Furthermore, the potassium currents were recorded from neurons, not from smooth muscles as falsely reported in these publications.

Dr. Gelband falsified data in the proposing of research by submitting the falsified traces of potassium currents as Figure 9 in NIH grant application HL52189-05.

IV. Dr. Gelband falsified data by claiming in Figure 8 of NIH grant application HL52189-05 and in Figure 2 of the *Hypertension Online* paper (see PHS Finding II) to have generated in his laboratory Western blot data on protein kinase C isoenzymes in renal vascular smooth muscle cells, while in fact the data were actually from cultured neurons collected in another laboratory and published in Pan, S.J., Zhu, M., Raizada, M.K., Sumners, C., & Gelband, C.H. "Angiotensin II-mediated inhibition of neuronal delayed rectifier K⁺ current: Role of protein kinase C-α." *American Journal of Physiology* 281:C17–C23, 2001 (subsequently referred to as the *AJP* paper).

V. Dr. Gelband falsified data by misrepresenting experimental traces he provided as the unnumbered topmost figure on Page 26 of NIH grant application HL69034-01, as being recordings showing effect of indolactam inhibition in posterior cerebral arteriolar smooth muscle cells, while the identical tracings had been published by Dr. Gelband as Figures 2C and 7D of the *AJP* paper (see PHS Issue 4), where they had been reported as being tracings from neuronal cells.

VI. Dr. Gelband falsified data in the unnumbered rightmost figure on Page 25 of NIH grant application HL69034-01, by misrepresenting the data as showing potential changes induced in cerebral arterial myocytes by IP3 and heparin, while the same data were published by Dr. Gelband as Figure 5C in a 1997 publication: Gelband, C.H. & Gelband, H. "CA²⁺ release from intracellular stores is an initial step in hypoxic pulmonary vasoconstriction of rat pulmonary artery resistance vessels."

Circulation 96:3647–3654, 1997 (subsequently referred to as the “*Circulation* paper”) as representing changes in intracellular calcium concentration of pulmonary artery cells induced by ryanodine and hypoxia.

VII. Dr. Gelband falsified electrophysiological records by reusing the same current-voltage trace as the response of renal vascular cells exposed for 2 seconds to Angiotensin II (Figure 4C) and to Caffeine (Figure 4B) on p. 124 of the publication Gelband, C.H. & Hume J.R. “[Ca²⁺]_i Inhibition of K⁺ Channels in Canine Renal Artery. A Novel Mechanism for Agonist-Induced Membrane Depolarization.” *Circulation Research* 77(1):121–130, 1995 (subsequently referred to as the “*Circ. Res.* 1995 paper”).

Dr. Gelband also submitted the falsified data above in Figure 4 in NIH grant application R29 JL52189–01A2.

VIII. Dr. Gelband fabricated laboratory research records for four Western blot experiments during the investigation, withholding from the institution his associate’s notebook from which he had removed four labeled autoradiographic films from separate and different experiments, and using the removed films to fabricate a laboratory notebook containing falsified Western blots, which he provided to UF as evidence that he had conducted the experiments under investigation.

The terms of this Agreement are as follows:

(1) Respondent agreed to exclude himself voluntarily 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” as defined in the debarment regulations at 45 CFR part 76, for a period of ten (10) years, beginning on October 3, 2003.

(2) Respondent agreed 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 ten (10) years, beginning on October 3, 2003.

(3) Within 30 days of the effective date of this Agreement, Respondent agreed to submit letters of retraction to the following journals concerning the specified data in the listed articles:

A. *Hypertension* 2000 paper #1: Figures 5, 6, and 7 merited retraction. A retraction has been submitted relevant to this paper.

B. *Hypertension* 2000 paper #1: Figure 1A merited retraction. A retraction has been submitted relevant to this paper.

C. *JBC* paper: Figure 2 and Figure 4 merited retraction. It has already been withdrawn.

D. *Hypertension Online* paper: Figure 4A and Figure 3 merited retraction. It has already been withdrawn.

E. *Hypertension* 1999 paper: Figure 3 must be retracted.

F. *PNAS* paper: Figure 4A and 4B must be retracted.

G. *Circ. Res.* 1999 paper: Figure 5A must be retracted.

H. *Circ. Res.* 1995 paper: Figure 4C or 4B must be retracted.

FOR FURTHER INFORMATION CONTACT:
Director, Division of Investigative Oversight, Office of Research Integrity, 1101 Wootton Parkway, Suite 750, Rockville, MD 20852, (301) 443–5330.

Chris B. Pascal,

Director, Office of Research Integrity.

[FR Doc. 03–28197 Filed 11–7–03; 8:45 am]

BILLING CODE 4150–31–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

The Board of Scientific Counselors (BSC), Agency for Toxic Substances and Disease Registry

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Agency for Toxic Substances and Disease Registry (ATSDR) announces the following subcommittee and committee meetings.

Name: Board of Scientific Counselors, ATSDR.

Times and Dates: 1 p.m.–5:30 p.m., December 1, 2003; 8:30 a.m.–4:30 p.m., December 2, 2003.

Place: Hilton Atlanta Hotel, 255 Courtland Street, NE., Atlanta, Georgia 30303.

Status: Open to the public, limited by the available space. The meeting room accommodates approximately 100 people.

Purpose: The Board of Scientific Counselors, ATSDR, advises the Secretary, and the Administrator, ATSDR, on ATSDR programs to ensure scientific quality, timeliness, utility, and dissemination of results. Specifically, the Board advises on the adequacy of science in ATSDR-supported research, emerging problems that require scientific investigations, accuracy and currency of the science in ATSDR reports, and program areas to emphasize or de-emphasize. In addition, the Board recommends research programs and conference support for which the Agency awards grants to universities, colleges, research institutions, hospitals, and other public and private organizations.

Matters To Be Discussed: The agenda items for the meeting will include, but are not limited to, an update and discussion on the

consolidation of the National Center for Environmental Health (NCEH) and the Agency for Toxic Substances and Disease Registry (ATSDR); review of previous discussions for consolidating the Board of Scientific Counselors (BSC) for ATSDR and the Advisory Committee to the Director (ACD) for NCEH; a discussion on peer review background and process; introduction of the next two sessions on peer review; an overview of the National Exposure Registry; discussion of future role of BSC/ACD intramural program reviews, eligible programs for review, and program reviews in 2004; an overview of existing BSC and ACD subcommittees and working groups; review of the Community and Tribal Subcommittee Evaluation Report, Recommendations, and committee membership; discussion of the Social-Behavioral Science Workgroup’s new strategic initiative; and a review of the Health Department Subcommittee on workforce development.

Agenda items are tentative and subject to change.

Contact Person for More Information:
Robert Spengler, Sc.D., Executive Secretary, BSC, ATSDR, M/S E–28, 1600 Clifton Road, NE., Atlanta, Georgia 30333, telephone 404/498–0003.

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 CDC and ATSDR.

Dated: November 4, 2003.

Alvin Hall,

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

[FR Doc. 03–28160 Filed 11–7–03; 8:45 am]

BILLING CODE 4163–70–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2003N–0507]

Agency Emergency Processing Request Under OMB Review; Experimental Study of *Trans* Fat Claims on Foods

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for emergency processing under the Paperwork Reduction Act of 1995 (the PRA). The proposed collection of information is an experimental study of *trans* fat claims on foods to evaluate the effects of various possible disclosure requirements to help consumers