

Dated: December 9, 2005.

**Matt Hale,**

*Director, Office of Solid Waste.*

• Accordingly, the notice of funding availability published in the **Federal Register** on November 23, 2005 (70FR 70828) is withdrawn.

[FR Doc. 05-24425 Filed 12-30-05; 8:45 am]

**BILLING CODE 6560-50-P**

## 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 January 27, 2006.

**A. Federal Reserve Bank of Boston** (Richard Walker, Community Affairs Officer) P.O. Box 55882, Boston, Massachusetts 02106-2204:

1. *First Connecticut Bancorp, Inc.*, Farmington, Connecticut; to become a bank holding company by acquiring 100 percent of the voting shares of Farmington Savings Bank, Farmington, Connecticut.

**B. Federal Reserve Bank of New York** (Jay Bernstein, Bank Supervision Officer) 33 Liberty Street, New York, New York 10045-0001:

1. *New York Community Bancorp, Inc.*, and *New York Community Newco, Inc.*, both of Westbury, New York; to acquire 100 percent of the voting shares of Atlantic Bank of New York, New York, New York.

**C. Federal Reserve Bank of Dallas** (W. Arthur Tribble, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *Cullen/Frost Bankers, Inc.*, San Antonio, Texas, and *The New Galveston Company*, Wilmington, Delaware; to acquire 100 percent of the voting shares of Alamo Corporation of Texas, Alamo, Texas, and thereby indirectly acquire Alamo Corporation of Delaware, Wilmington, Delaware, and Alamo Bank of Texas, Alamo, Texas.

2. *Mesquite Financial Services, Inc.*, Alice, Texas; to acquire 100 percent of the voting shares of Nichols Bancshares, Inc., Kenedy, Texas, and thereby indirectly acquire J M Nichols, Inc., Wilmington, Delaware, and First-Nichols National Bank, Kenedy, Texas.

Board of Governors of the Federal Reserve System, December 28, 2005.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. E5-8194 Filed 12-30-05; 8:45 am]

**BILLING CODE 6210-01-S**

## FEDERAL RESERVE SYSTEM

### Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may

express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act. 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 the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than January 17, 2006.

**A. Federal Reserve Bank of New York** (Jay Bernstein, Bank Supervision Officer) 33 Liberty Street, New York, New York 10045-0001:

1. *HSH Nordbank AG*, Hamburg, Germany; to engage *de novo* through its subsidiary, HSH N Financial Securities LLC, New York, New York, in providing agency transactional services for customer investments, including securities brokerage, riskless principal transactions, private placement, and other transactional services, pursuant to sections 225.28(b)(7)(i),(ii),(iii), and (v) of Regulation Y.

Board of Governors of the Federal Reserve System, December 28, 2005.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. E5-8193 Filed 12-30-05; 8:45 am]

**BILLING CODE 6210-01-S**

## 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 Acting Assistant Secretary for Health have taken final action in the following case: *Hans E. Geisler, M.D., Saint Vincent Hospital and Health Care Center*: Based on the report of an inquiry and investigation conducted by Saint Vincent Hospital (SVH) in Indianapolis, Indiana, and additional analysis conducted by ORI in its oversight review, the U.S. Public Health Service (PHS) found that Hans E. Geisler, M.D., former Staff Physician and Principal Investigator for SVH's studies under the Gynecologic Oncology Group (GOG), engaged in scientific misconduct by soliciting a pathologist to falsify the originally correct tissue-type on the pathology report (omentum) as being another type (ovary) and submitting the falsified report to the

GOG group member at the University of Iowa, in order to justify enrollment of a patient in GOG clinical protocol 182.

The questioned research was supported by National Institutes of Health (NIH) funds to the University of Iowa through the American Society for Obstetrics and Gynecology under National Cancer Institute (NCI), National Institutes of Health (NIH), cooperative agreement U10 CA27469.

Dr. Geisler has entered into a Voluntary Exclusion Agreement (Agreement) in which he has voluntarily agreed, for a period of three (3) years, beginning on December 2, 2005:

(1) To exclude himself 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 consultant; and

(2) That any institution which uses the Respondent in any capacity on PHS-supported research, or that submits an application for PHS support for a research project on which the Respondent's participation is proposed or submits a report of PHS-funded research in which the Respondent's participation is continuing, must concurrently submit a plan for supervision of the Respondent's duties to the funding agency for approval. The supervisory plan must be designed to ensure the scientific integrity of the Respondent's research contribution. A copy of the supervisory plan must also be submitted to ORI by the institution. Respondent agrees that he will not participate in any PHS-supported research until such a supervision plan is submitted to ORI.

Respondent disagrees with the ORI finding set forth herein but executes this Agreement to avoid further proceedings and bring this matter to a close. The execution of this Agreement shall not be deemed an admission to the charge of scientific misconduct by the Respondent.

**FOR FURTHER INFORMATION CONTACT:** Director, Division of Investigative Oversight, Office of Research Integrity, 1101 Wootton Parkway, Suite 750, Rockville, MD 20852, (240) 453-8800.

**Chris B. Pascal,**

*Director, Office of Research Integrity.*

[FR Doc. E5-8202 Filed 12-30-05; 8:45 am]

**BILLING CODE 4150-31-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 Acting Assistant Secretary for Health have taken final action in the following case:

*Ralph A. Highshaw, M.D., M.D. Anderson Cancer Center:* Based on the report of an investigation conducted by the M.D. Anderson Cancer Center (MDACC) and additional analysis conducted by ORI in its oversight review, the U.S. Public Health Service (PHS) found that Ralph A. Highshaw, M.D., Fellow, Department of Urologic Surgery, MDACC, engaged in scientific misconduct while supported by National Cancer Institute (NCI), National Institutes of Health (NIH), postdoctoral training grant T32 CA079449-01A1.

Specifically, PHS found that Dr. Highshaw engaged in scientific misconduct by plagiarizing nine pages of a twenty-one page expert review article entitled "Chemoprevention of Urologic Cancer."

Dr. Highshaw has entered into a Voluntary Exclusion Agreement (Agreement) in which he has voluntarily agreed, for a period of three (3) years, beginning on December 12, 2005:

(1) That he is required to certify in every PHS research application or report, and any other text, article, or manuscript, that all contributors are properly cited or otherwise acknowledged; the certification by the Respondent must be endorsed by an institutional official, and a copy of the certification is to be sent to ORI by the institution;

(2) To ensure that any institution employing him submits, in conjunction with each application for PHS funds, annual reports, manuscripts, or abstracts of PHS funded research in which the Respondent is involved, a certification that the data provided by the Respondent are based on actual experiments or are otherwise legitimately derived, and that the data, procedures, and methodology are accurately reported in the application or report; the Respondent must ensure that the institution also sends a copy of the certification to ORI; and

(3) To exclude himself 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 consultant.

**FOR FURTHER INFORMATION CONTACT:** Director, Division of Investigative Oversight, Office of Research Integrity, 1101 Wootton Parkway, Suite 750, Rockville, MD 20852, (240) 453-8800.

**Chris B. Pascal,**

*Director, Office of Research Integrity.*

[FR Doc. E5-8201 Filed 12-30-05; 8:45 am]

**BILLING CODE 4150-31-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### National Institute for Occupational Safety and Health Advisory Board on Radiation and Worker Health

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), the Centers for Disease Control and Prevention (CDC) announces the following committee meeting:

**Name:** Advisory Board on Radiation and Worker Health (ABRWH), National Institute for Occupational Safety and Health (NIOSH) and Subcommittee for Dose Reconstruction and Site Profile Reviews.

**Subcommittee Meeting Time and Date:** 9 a.m.–5 p.m., January 24, 2006.

**Committee Meeting Times and Dates:** 8:30 a.m.–5 p.m., January 25, 2006. 8:30 a.m.–4:30 p.m., January 26, 2006.

**Place:** Doubletree Oak Ridge Hotel, 215 South Illinois Avenue, Oak Ridge, Tennessee, 37830, telephone (865) 481-2468, fax (865) 481-2474.

**Status:** Open to the public, limited only by the space available. The meeting space accommodates approximately 75 people.

**Background:** The ABRWH was established under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) of 2000 to advise the President, delegated to the Secretary of Health and Human Services (HHS), on a variety of policy and technical functions required to implement and effectively manage the new compensation program. Key functions of the Board include providing advice on the development of probability of causation guidelines which have been promulgated by HHS as a final rule, advice on methods of dose reconstruction which have also been promulgated by HHS as a final rule, advice on the scientific validity and quality of dose estimation and reconstruction efforts being performed