Board of Governors of the Federal Reserve System, March 27, 1997.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 97–8331 Filed 4-1-97; 8:45 am]

BILLING CODE 6210-01-F

Consumer Advisory Council; Notice of Meeting of Consumer Advisory Council

The Consumer Advisory Council will meet on Thursday, April 17, 1997. The meeting, which will be open to public observation, will take place at the Federal Reserve Board's offices in Washington, D.C., in Terrace Room E of the Martin Building. The meeting will begin at 9:00 a.m. and is expected to continue until 4:00 p.m., with a lunch break from 1:00 p.m. until 2:00 p.m. The Martin Building is located on C Street, Northwest, between 20th and 21st Streets in Washington, D.C.

The Council's function is to advise the Board on the exercise of the Board's responsibilities under the Consumer Credit Protection Act and on other matters on which the Board seeks its advice. Time permitting, the Council will discuss the following topics:

Bank Regulatory Issues

The Bank Regulation Committee will discuss the potential effects of bank mergers and acquisitions on local communities; and will also discuss proposed interagency regulations to implement section 109 of the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994, which among other things provide guidance for determining whether a bank is reasonably helping to meet community credit needs served by interstate branches.

Electronic Banking and Electronic Disclosures

The Depository and Delivery Systems, Community Affairs and Housing, and Consumer Credit Committees will discuss recommendations for revisions to consumer regulations such as Regulations DD (Truth in Savings), E (Electronic Fund Transfers), B (Equal Credit Opportunity), and Z (Truth in Lending) to allow required disclosures and documentation to be provided to consumers electronically. The Depository and Delivery Systems Committee will also discuss industry and consumer issues involving electronic and home banking, and a Board report on the application of the Electronic Fund Transfer Act to electronic stored-value products.

Consumer Identifying Information

The Depository and Delivery Systems Committee will discuss findings in a Board report on the availability of consumer identifying information and financial fraud.

Recommendations To Simplify Mortgage Lending Disclosures

The Consumer Credit Committee will discuss possible recommendations for statutory amendments that may be required to simplify, consolidate, and streamline the provisions of Regulations Z (Truth in Lending Act) and X (RESPA) affecting home mortgage lending.

Governor's Report

Report by Federal Reserve Board Member Laurence H. Meyer on economic conditions, recent Board initiatives, and issues of concern, with an opportunity for questions from Council members.

Members Forum

Presentation by individual Council members on the economic conditions present within their industries or local economies.

Committee Reports

Committees will report on plans for 1997; in addition, the Consumer Credit Committee will discuss some issues to be addressed in Federal Reserve Board hearings on home equity lending (which will be held pursuant to the Home Ownership Equity Protection Act of 1994).

Other matters previously considered by the Council or initiated by Council members also may be discussed.

Persons wishing to submit to the Council their views regarding any of the above topics may do so by sending written statements to Deanna Aday-Keller, Secretary, Consumer Advisory Council, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. Information about this meeting may be obtained from Ms. Aday-Keller, 202–452–6470. Telecommunications Device for the Deaf (TDD) users may contact Diane Jenkins, 202–452–3544.

Board of Governors of the Federal Reserve System, March 28, 1997.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 97–8356 Filed 4–1–97; 8:45 am]

BILLING CODE 6210–01–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) has made a final finding of scientific misconduct in the following case:

Enrico Portuese, University of Pittsburgh

Based upon an investigation conducted by the University of Pittsburgh, information obtained by the Office of Research Integrity (ORI) during its oversight review, and Mr. Portuese's own admission, ORI found that Mr. Portuese, a former graduate student in the Department of Epidemiology, Graduate School of Public Health, University of Pittsburgh, engaged in scientific misconduct by fabricating research data in biomedical research supported by two grants from the National Institute of Diabetes and Digestive and Kidney Disease (NIDDK), National Institutes of Health (NIH).

Specifically, Mr. Portuese fabricated data in a study of angiotensin-converting enzyme polymorphism and complications from insulin-dependent diabetes mellitus. These fabricated data were included in an abstract that was submitted to the American Diabetes Association in January 1996; however, the abstract was not accepted, presented in public, or published.

In addition, Mr. Portuese fabricated genetic data on lipoprotein lipase polymorphisms as related to diabetes complications and risk factors. These fabricated data were included in tables prepared by Mr. Portuese and presented by him to his doctoral committee in October 1996. None of the fabricated data in question has been published, presented at a scientific meeting, or used in any grant applications.

Mr. Portuese has accepted the ORI finding and has entered into a Voluntary Exclusion Agreement with ORI in which he has voluntarily agreed, for the three (3) year period beginning March 25, 1997:

(1) To exclude himself from serving in any advisory capacity to the Public Health Service (PHS), including but not limited to service on any PHS advisory committee, board, and/or peer review committee, or as a consultant; and

(2) That any institution that submits an application for PHS support for a research project on which Mr. Portuese's participation is proposed or

which uses him in any capacity on PHS supported research must concurrently submit a plan for supervision of his duties. The supervisory plan must be designed to ensure the scientific integrity of Mr. Portuese's research contribution. The institution must submit a copy of the supervisory plan to ORI.

No scientific publications were required to be corrected as part of this Agreement.

FOR FURTHER INFORMATION CONTACT: Acting Director, Division of Research Investigations, Office of Research Integrity, 5515 Security Lane, Suite 700, Rockville, MD 20852, (301) 443–5330.

Chris B. Pascal,

Acting Director, Office of Research Integrity.

[FR Doc. 97–8347 Filed 4–1–97; 8:45 am]

BILLING CODE 4160–17–P

Food and Drug Administration

[Docket No. 94N–0011]

Barry D. Garfinkel; Denial of Hearing; Final Debarment Order

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) denies Dr. Barry D. Garfinkel's request for a hearing and issues a final order under the Federal Food, Drug, and Cosmetic Act (the act) permanently debarring Barry D. Garfinkel, 2854 Glenhurst Ave., St. Louis Park, MN 55416, from providing services in any capacity to a person that has an approved or pending drug product application. FDA bases this order on its finding that Dr. Garfinkel was convicted of a felony under Federal law for conduct relating to the development or approval of a drug product and for conduct relating to the regulation of a drug product under the act.

EFFECTIVE DATE: April 2, 1997.

ADDRESSES: Application for termination of debarment to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Mary E. Catchings, Center for Drug Evaluation and Research (HFD–7), Food and Drug Administration, 1451 Rockville Pike, Rockville, MD 20857, 301–594–2041.

SUPPLEMENTARY INFORMATION:

I. Background

On November 19, 1993, the United States District Court for the District of Minnesota entered judgment against Barry D. Garfinkel for, among other counts, 3 counts of making a false statement in a matter within the jurisdiction of FDA, a Federal felony offense under 18 U.S.C. 1001. The basis for this conviction was Dr. Garfinkel's falsification of reports to conceal his failure to comply with the protocols of a clinical study of the drug Anafranil. Dr. Garfinkel's conviction was affirmed by the Eighth Circuit Court of Appeals on July 13, 1994.

As a result of this conviction, FDA served Dr. Garfinkel by certified mail on February 7, 1995, a letter proposing to issue an order under section 306(a) of the act (21 U.S.C. 335a(a)) permanently debarring him from providing services in any capacity to a person that has an approved or pending drug product application and offering him an opportunity for a hearing on the proposal. The proposal was based on a finding, under section 306(a)(2)(A) and (a)(2)(B) of the act, that Dr. Garfinkel was convicted of a felony under Federal law for conduct relating to the development, approval, and regulation of a drug product. Dr. Garfinkel requested a hearing in a letter dated February 16, 1995. However, Dr. Garfinkel has not submitted any information or analyses to justify a hearing. Dr. Garfinkel's failure to raise any issues of fact constitutes a waiver of his opportunity for a hearing and a waiver of any contentions concerning his debarment (21 CFR 12.22).

II. Findings and Order

Therefore, the Deputy Commissioner for Operations, under section 306(a) of the act and under authority delegated to him (21 CFR 5.20), finds that Barry D. Garfinkel has been convicted of a felony under Federal law for conduct relating to the development or approval of a drug product and for conduct relating to regulation of a drug product (21 U.S.C. 335a(a)(2)(B)).

As a result of the foregoing finding, Barry D. Garfinkel is permanently debarred from providing services in any capacity to a person with an approved or pending drug product application under sections 505, 507, 512, or 802 of the act (21 U.S.C. 355, 357, 360b, or 382), or under section 351 of the Public Health Service Act (42 U.S.C. 262), effective April 2, 1997 sections 306(c)(1)(B) and (c)(2)(A)(ii) and 201(dd) of the act (21 U.S.C. 321(dd)). Any person with an approved or pending drug product application who knowingly uses the services of Dr. Garfinkel, in any capacity, during his period of debarment, will be subject to a civil money penalty (section 307(a)(6) of the act (21 U.S.C. 335b(a)(6))). If Dr. Garfinkel, during his period of debarment, provides services in any capacity to a person with an approved or pending drug product application, he will be subject to a civil money penalty (section 307(a)(7) of the act). In addition, FDA will not accept or review any abbreviated new drug applications or abbreviated antibiotic drug applications submitted by or with the assistance of Dr. Garfinkel during his period of debarment.

Dr. Garfinkel may file an application to attempt to terminate his debarment under section 306(d)(4)(A) of the act. Any such application would be reviewed under the criteria and processes set forth in section 306(d)(4)(C) and (d)(4)(D) of the act. Such an application should be identified with Docket No. 94N–0011 and sent to the Dockets Management Branch (address above). All such submissions are to be filed in four copies. The public availability of information in these submissions is governed by 21 CFR 10.20(j). Publicly available submissions may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: March 24, 1997.

Michael A. Friedman,

Deputy Commissioner for Operations.

[FR Doc. 97–8272 Filed 4–1–97; 8:45 am]

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[Docket No. 97M–0123]

Richard Wolf Medical Instruments Corp.; Premarket Approval of the Hulka Clip® Tubal Occlusion Device and Applicator System

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing its approval of the application by Richard Wolf Medical Instruments Corp., Vernon Hills, IL, for premarket approval, under the Federal Food, Drug, and Cosmetic Act (the act), of the Hulka Clip® Tubal Occlusion Device and Applicator System. After reviewing the recommendation of the Obstetrics and Gynecology Devices Panel, FDA's Center for Devices and Radiological Health (CDRH) notified the applicant, by letter of September 5, 1996, of the approval of the application.