

In connection with this proposal, Inficorp Holdings, Inc., Atlanta, Georgia has applied to become a bank holding company.

Board of Governors of the Federal Reserve System, July 31, 2003.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 03-19973 Filed 8-5-03; 8:45 am]

**BILLING CODE 6210-01-S**

## FEDERAL RESERVE SYSTEM

### Sunshine Act Meeting

**TIME AND DATE:** 12 p.m., Monday, August 11, 2003.

**PLACE:** Marriner S. Eccles Federal Reserve Board Building, 20th and C Streets, NW., Washington, DC 20551.

**STATUS:** Closed.

#### MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any items carried forward from a previously announced meeting.

**FOR FURTHER INFORMATION CONTACT:** Michelle A. Smith, Assistant to the Board; 202-452-2955.

**SUPPLEMENTARY INFORMATION:** You may call 202-452-3206 beginning at approximately 5 p.m. two business days before the meeting for a recorded announcement of bank and bank holding company applications scheduled for the meeting; or you may contact the Board's Web site at <http://www.federalreserve.gov> for an electronic announcement that not only lists applications, but also indicates procedural and other information about the meeting.

Dated: August 1, 2003.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 03-20135 Filed 8-4-03; 11:27 am]

**BILLING CODE 6210-01-P**

## 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 <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 August 29, 2003.

**A. Federal Reserve Bank of San Francisco** (Tracy Basinger, Director, Regional and Community Bank Group) 101 Market Street, San Francisco, California 94105-1579:

1. *First National Bank Holding Company*, Scottsdale, Arizona; to acquire 100 percent of the voting shares of Access Anytime BanCorp, Inc., Albuquerque, New Mexico, and thereby indirectly acquire FirstBank FSB, Clovis, New Mexico, and thereby operate a savings association, pursuant to section 225.28(b)(4)(ii) of Regulation Y.

Board of Governors of the Federal Reserve System, July 31, 2003.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc.03-19974 Filed 8-5-03; 8:45 am]

**BILLING CODE 6210-01-S**

## FEDERAL TRADE COMMISSION

### Agency Information Collection Activities: Proposed Collection; Comment Request; Extension

**AGENCY:** Federal Trade Commission (FTC).

**ACTION:** Notice.

**SUMMARY:** The information collection requirements described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act (PRA). The FTC is seeking public comments on its proposal to extend

through November 30, 2006 the current PRA clearance for information collection requirements contained in its Alternative Fuel Rule. That clearance expires on November 30, 2003.

**DATES:** Comments must be filed by October 6, 2003.

**ADDRESSES:** Send comments to Secretary, Federal Trade Commission, 600 Pennsylvania Ave., NW., Room H-159, Washington, DC 20580 or by e-mail to [afv@ftc.gov](mailto:afv@ftc.gov), as prescribed below. The submissions should include the submitter's name, address, telephone number and, if available, FAX number and e-mail address. All submissions should be captioned "Alternative Fuel Rule: Paperwork comment."

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be addressed to Neil Blickman, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 601 New Jersey Ave., NW., Room NJ-2122, Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** Under the PRA of 1995 (44 U.S.C. 3501-3520), Federal agencies must obtain approval from OMB for each collection of information they conduct or sponsor. "Collection of information" means agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. 44 U.S.C. 3502(3), 5 CFR 1320.3(c). As required by section 3506(c)(2)(A) of the PRA, the FTC is providing this opportunity for public comment before requesting that OMB extend the existing paperwork clearance for the Alternative Fuel Rule.

The FTC invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Comments from members of the public are invited, and may be filed with the Commission in either paper or electronic form. A public comment filed in paper form should be mailed or delivered to the following address:

Federal Trade Commission/Office of the Secretary, Room 159-H, 600 Pennsylvania Avenue, NW., Washington, DC 20580. If the comment contains any material for which confidential treatment is requested, it must be filed in paper (rather than electronic) form, and the first page of the document must be clearly labeled "Confidential."<sup>1</sup> A public comment that does not contain any material for which confidential treatment is requested may instead be filed in electronic form (in ASCII format, WordPerfect, or Microsoft Word), as part of or as an attachment to an email message sent to the following email box: *afv@ftc.gov*. Regardless of the form in which they are filed, all timely comments will be considered by the Commission, and will be available (with confidential material redacted) for public inspection and copying at the Commission's principal office and on the Commission web site at *www.ftc.gov*. As a matter of discretion, the Commission makes every effort to remove home contact information for individuals from the public comments it receives, before placing those comments on the FTC web site.

The Alternative Fuel Rule, 16 CFR part 309 (Control Number: 3084-0094), issued under the Energy Policy Act of 1992, Pub. L. 102-486, requires disclosure of specific information on labels posted on fuel dispensers for non-liquid alternative fuels and on labels on alternative fueled vehicles (AFVs). To ensure the accuracy of these disclosures, the Rule also requires that sellers maintain records substantiating product-specific disclosures they include on these labels.

#### Burden Statement

It is common practice for alternative fuel industry members to determine and monitor fuel ratings in the normal course of their business activities. This is because industry members must know and determine the fuel ratings of their products in order to monitor quality and to decide how to market them. "Burden" for PRA purposes is defined to exclude effort that would be expended regardless of any regulatory requirement. 5 CFR 1320.2(b)(2). Moreover, as originally anticipated when the Rule was promulgated in 1995, many of the information

collection requirements and the originally-estimated hours were associated with one-time start up tasks of implementing standard systems and processes.

Other factors also limit the burden associated with the Rule. Certification may be a one-time event or require only infrequent revision. Disclosures on electric vehicle fuel dispensing systems may be useable for several years. (Label specifications were designed to produce labels to withstand the elements for several years.) Nonetheless, there is still some burden associated with posting labels. There also will be some minimal burden associated with new or revised certification of fuel ratings and recordkeeping. The burden on vehicle manufacturers is limited because only newly-manufactured vehicles will require label posting and manufacturers produce very few new models each year. Finally, there will be some burden, also minor, associated with recordkeeping requirements.

Estimated total annual hours burden: 2,100 total burden hours, rounded.

#### Non-Liquid Alternative Fuels

**Recordkeeping:** Staff estimates that all 1,800 industry members will be subject to the Rule's recordkeeping requirements (associated with fuel rating certification) and that compliance will require approximately one-tenth hour each per year for a total of 180 hours.

**Certification:** Staff estimates that the rule's fuel rating certification requirements will affect approximately 550 industry members (compressed natural gas producers and distributors and manufacturers of electric vehicle fuel dispensing systems) and consume approximately one hour each per year for a total of 550 hours.

**Labeling:** Staff estimates that labeling requirements will affect approximately nine of every ten industry members (or roughly 1,600 members), but that the number of annually affected members is only 320 because labels may remain effective for several years (staff assumes that in any given year approximately 20% of 1,600 industry members will need to replace their labels). Staff estimates that industry members require approximately one hour each per year for labeling their fuel dispensers for a total of 320 hours.

Sub-total: 12,050 hours (180 + 550 + 320).

#### AFV Manufacturers

**Recordkeeping:** Staff estimates that all 58 manufacturers will require 30 minutes to comply with the Rule's

recordkeeping requirements for a total of 29 hours.

**Producing levels:** Staff estimates 2.5 hours as the average time required of manufacturers to produce labels for each of the five new AFV models introduced among them each year for a total of 12.5 hours.

**Posting labels:** Staff estimates 2 minutes as the average time to comply with the posting requirements for each of the approximately 30,000 new AFVs manufactured each year for a total of 1,000 hours.

Sub-total: approximately 1,041 hours (29 + 12.5 + 1,000).

Thus, total burden for these industries combined is approximately 2,100 hours (1,050 + 1,041).

Estimated labor costs: \$47,000, rounded.

Labor costs are derived by applying appropriate hourly cost figures to the burden hours described above. According to Bureau of Labor Statistics staff, the average compensation for producers and distributors in the fuel industry is \$18.98 per hour and \$8.56 per hour for service station employees; the average compensation for workers in the vehicle industry is \$27.80 per hour.

#### Non-Liquid Alternative Fuels

**Certification and labeling:** Generally, all of the estimated hours except for recordkeeping will be performed by producers and distributors of fuels. Thus, the associated labor costs would be \$16,512.60 (870 hours × \$18.98).

**Recordkeeping:** only 1/6 of the total 180 hours will be performed by the producers and distributors of fuels; the other 5/6 is attributable to service station employees (1/6 = 30 hours × \$18.98 = \$569.40 + (5/6 = 150 hours × \$8.56 = \$1,284.00) = \$1,853.40, for an estimated labor cost to the entire industry of \$18,366.00.

#### AFV Manufacturers

The maximum labor cost to the entire industry is approximately \$28,939.80 per year for recordkeeping and producing and posting labels (1,041 total hours × \$27.80/hour). Thus, estimated total labor cost for both industries for all paperwork requirements is \$47,000 (\$18,366.00 + \$28,939.80) per year, rounded to the nearest thousand.

Estimated annual non-labor cost burden: \$12,000, rounded.

#### Non-Liquid Alternative Fuels

Staff believes that there are no current start-up costs associated with the Rule, inasmuch as the Rule has been effective since 1995. Industry members, therefore, have in place the capital

<sup>1</sup> FTC Rule 4.2(d), 16 CFR 4.2(d). The comment must also be accompanied by an explicit request for confidential treatment, including the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. The request will be granted or denied by the Commission's General Counsel, consistent with applicable law and the public interest. See Commission Rule 4.9(c), 16 (CFR 4.9(c).

equipment and means necessary, especially to determine automotive fuel ratings and comply with the Rule. Industry members, however, incur the cost of procuring fuel dispenser and AFV labels to comply with the Rule. The estimated annual fuel labeling cost, based on estimates of 500 fuel dispensers (assumptions: an estimated 20% of 1,250 total retailers need to replace labels in any given year given an approximately five-year life for labels—*i.e.*, 250 retailers—multiplied by an average of two dispensers per retailer) at thirty-eight cents for each label (per industry sources), is \$190.00.

#### *AFV Manufacturers*

Here, too, staff believes that there are no current start-up costs associated with the Rule, for the same reasons as stated immediately above regarding the non-liquid alternative fuel industry. However, based on the labeling of an estimated 30,000 new and used AFVs each year at thirty-eight cents for each label (per industry sources), the annual AFV labeling costs is estimated to be \$11,400. Estimated total annual non-labor cost burden associated with the Rule, therefore, would be \$12,000 (\$190.00 + \$11,400.00), rounded to the nearest thousand.

**William E. Kovacic,**

*General Counsel.*

[FR Doc. 03-19998 Filed 8-5-03; 8:45 am]

**BILLING CODE 6750-01-M**

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## FEDERAL TRADE COMMISSION

### **Delegation of Authority to Disclose Certain Nonpublic Information to Consumer Reporting Agencies**

**AGENCY:** Federal Trade Commission (FTC).

**ACTION:** Delegation of authority.

**SUMMARY:** The Commission has delegated authority to the Director of the Bureau of Consumer Protection, subject to redelegation, to share certain non-public information with consumer reporting agencies.

**EFFECTIVE DATE:** July 28, 2003.

**FOR FURTHER INFORMATION CONTACT:**

Monique F. Einhorn, Attorney, Division of Planning and Information, 202-326-2575, [meinhorn@ftc.gov](mailto:meinhorn@ftc.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given, pursuant to Reorganization Plan No. 4 of 1961, 26 FR 6191, that the Commission has delegated to the Director of the Bureau of Consumer Protection, subject to redelegation, the authority to disclose consumer complaint information from

the Identify Theft Data Clearinghouse and Consumer Information System databases to consumer reporting agencies. The consumer complaint information will be disclosed to promote resolution of the complaints.

This delegation does not apply to competition-related investigations. When exercising its authority under this delegation, staff will require from the consumer reporting agency assurances of confidentiality. Disclosures shall be made only to the extent consistent with limitations on disclosure, including section 6(f) of the FTC Act, 15 U.S.C. 46(f), section 21 of the Act, 15 U.S.C. 57b-2, and Commission Rule 4.10(d), 16 C.F.R. 4.10(d), and with the Commission's enforcement policies and other important interests.<sup>1</sup>

The delegation will first be exercised on the date of the first disclosure and will continue for twelve (12) months thereafter.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 03-19997 Filed 8-5-03; 8:45 am]

**BILLING CODE 6750-01-M**

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## 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:

*Thonthi Karunakaran, Boston Medical Center:* Based on the report of an investigation conducted by Boston Medical Center (BMC Report) and additional analysis performed by ORI in its oversight review, the U.S. Public Health Service (PHS) found that Thonthi Karunakaran, Ph.D., former Research Scientist at BMC, engaged in scientific misconduct by plagiarizing, falsifying, and fabricating research that he reported to his supervisor for the project "Hemin Utilization by Porphyromonas gingivalis," funded by

<sup>1</sup> The Commission's authority to share is consistent with the Privacy Act of 1974, as amended, 5 U.S.C. 552a, and section 5 of the Identity Theft and Assumption Deterrence Act of 1998, Pub. L. 105-318, 112 Stat. 3007, 3010, 18 U.S.C. 1028 note. See 58 FR 45678, 45700 (1992); 64 FR 57887 (1999) (FTC Privacy Act system notices for consumer complaint system generally and identity theft complaint system specifically, specifying routine uses of system records).

National Institute of Dental and Craniofacial Research, (NIDCR), National Institutes of Health (NIH), grant R01 DE09161-11.

Specifically, PHS found that Dr. Karunakaran engaged in scientific misconduct by:

(1) Plagiarizing a *P. gingivalis* strain W83 DNA sequence from an Internet database and misrepresenting to his supervisor that the Internet database printout represented his own cloning and sequencing of strain A7436 fur gene X;

(2) Fabricating the claim to have obtained sequence data for a strain A7436 cloned fur gene X from a sequencing facility at Massachusetts Institute of Technology (MIT); and

(3) Falsifying unrelated sequencing data from a graduate student's notebook in the laboratory by trimming off the identifying header and misrepresenting it to his supervisor as primary data from his sequencing of the A7436 fur gene X.

There were no published papers that required correction or retraction.

The following administrative actions have been implemented for a period of three (3) years, beginning on July 17, 2003:

(1) Dr. Karunakaran is debarred from eligibility for or involvement in Federal covered transactions (*i.e.*, any Federal transaction other than a procurement transaction) and from contracting or subcontracting with any Federal government agency; this action is being taken pursuant to the debarment regulation pertaining to grants and other forms of assistance (45 CFR part 76); and

(2) Dr. Karunakaran is prohibited 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 FURTHER INFORMATION CONTACT:**

Director, Division of Investigative Oversight, Office of Research Integrity, 1101 Wootton Parkway, Suite 750, Rockville, MD 20852, (301) 443-5330.

**Lawrence J. Rhoades,**

*Acting Director, Office of Research Integrity.*

[FR Doc. 03-19947 Filed 8-5-03; 8:45 am]

**BILLING CODE 4150-31-P**