

- Examination Bulletin: Temporary Relief for Agricultural Producers Under Stress

#### C. New Business

- Regulation
  - Loan Purchases and Sales 12 CFR Parts 614 and 619 (Final Rule)
- Other
  - Northwest Louisiana PCA Conversion

#### Closed Session<sup>1</sup>

#### D. Report

- OSMO Report

Dated: December 10, 2001.

**Jeanette C. Brinkley,**

*Acting Secretary, Farm Credit Administration Board.*

[FR Doc. 01-30817 Filed 12-10-01; 2:04 pm]

**BILLING CODE 6705-01-P**

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than December 26, 2001.

**A. Federal Reserve Bank of St. Louis** (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166-2034:

1. *William Clayton Vandivort*, Sikeston, Missouri; to retain voting shares of Security State Bancshares, Inc., Charleston, Missouri, and thereby indirectly retain voting shares of Bank of Paragould, Paragould, Arkansas, First Security State Bank of Charleston, Charleston, Missouri, and First Security State Bank of Southeast Missouri, Caruthersville, Missouri.

<sup>1</sup> Session Closed—Exempt pursuant to 5 U.S.C. 552b(c)(8) and (9).

Board of Governors of the Federal Reserve System, December 6, 2001.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 01-30668 Filed 12-11-01; 8:45 am]

**BILLING CODE 6210-01-S**

## BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

### Sunshine Act Meeting

**AGENCY HOLDING THE MEETING:** Board of Governors of the Federal Reserve System.

**TIME AND DATE:** 10:00 a.m., Wednesday, December 12, 2001.

The business of the Board requires that this meeting be held with less than one week's advance notice to the public and no earlier announcement of the meeting was practicable.

**PLACE:** Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, NW., Washington, DC 20551.

**STATUS:** Open.

#### MATTERS TO BE CONSIDERED:

1. Proposed amendments to Regulation Z (Truth in Lending) addressing concerns related to potentially abusive practices in home mortgage lending. (Proposed earlier for public comment, Docket No. R-1090)

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

**Note:** This meeting will be recorded for the benefit of those unable to attend. Cassettes will be available for listening in the Board's Freedom of Information Office, and copies may be ordered for \$6 per cassette by calling (202) 452-3684 or by writing to: Freedom of Information Office, Board of Governors of the Federal Reserve System, Washington, DC 20551.

**CONTACT PERSON FOR MORE INFORMATION:** Michelle A. Smith, Assistant to the Board; 202-452-3204.

**SUPPLEMENTARY INFORMATION:** You may call 202-452-3206 for a recorded announcement of this meeting; or you may contact the Board's Web site at <http://www.federalreserve.gov> for an electronic announcement. (The Web site also includes procedural and other information about the open meeting.)

Dated: December 7, 2001.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 01-30778 Filed 12-7-01; 4:38 pm]

**BILLING CODE 6210-01-P**

## BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

### Sunshine Act Meeting

**AGENCY HOLDING THE MEETING:** Board of Governors of the Federal Reserve System

**TIME AND DATE:** 11 a.m., Monday, December 17, 2001.

**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.

**CONTACT PERSON FOR MORE INFORMATION:** Michelle A. Smith, Assistant to the Board; 202-452-3204.

**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: December 10, 2001.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 01-30810 Filed 12-10-01; 11:50 am]

**BILLING CODE 6210-01-P**

## FEDERAL TRADE COMMISSION

### Public Roundtable on Consumer Aspects of Hague Convention on Jurisdiction and Foreign Judgments

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice Announcing Public Roundtable.

**SUMMARY:** The Federal Trade Commission (the "FTC"), in consultation with other government agencies, will hold a roundtable discussion on the consumer aspects of the Proposed Hague Convention on Jurisdiction and Foreign Judgments being negotiated by the Hague Conference on Private International Law. The latest draft of the Convention can be found at <http://www.hcch.net/e/workprog/jdgm.html>.

**DATES:** The roundtable will be held on Wednesday, December 19, 2001, and will begin at 9:15 a.m.

**ADDRESSES:** The roundtable will be held at the Federal Trade Commission, Room 432, 600 Pennsylvania Avenue, NW., Washington, DC. Please contact Maneesha Mithal, Bureau of Consumer Protection, Federal Trade Commission, phone: (202)326-2771, facsimile: (202)326-3392, E-mail: [mmithal@ftc.gov](mailto:mmithal@ftc.gov) (preferably by E-mail) if you plan to attend.

**FOR FURTHER INFORMATION CONTACT:** Maneesha Mithal, Bureau of Consumer Protection, Federal Trade Commission, phone: (202)326-2771, facsimile: (202)326-3392, E-mail: [mmithal@ftc.gov](mailto:mmithal@ftc.gov).

**SUPPLEMENTARY INFORMATION:** Since 1992, the U.S. government has been negotiating an International Jurisdiction and Foreign Judgments Convention through the Hague Conference on Private International Law (the Convention). The State Department is leading the negotiations, assisted by staff of the Department of Justice, the Department of Commerce, the FTC and other agencies.

The Convention would establish international rules on jurisdiction and recognition and enforcement of foreign judgments. In June 2001, the Hague Conference on Private International Law convened what was to be the first session of a two-part conference to finalize the Convention. But because many difficult issues remained unresolved, at the conclusion of the June conference, Hague Conference delegations were unable to decide how to take the negotiations forward. A follow-up meeting has been tentatively scheduled for early 2002 to decide whether to continue the full project, scale it back in some way, or suspend it.

The draft Convention text resulting from the June 2001 negotiations raises many difficult issues, particularly in the area of e-commerce for business-to-consumer (B2C) and business-to-business (B2B) transactions, where stakeholders disagree on appropriate jurisdiction rules.<sup>1</sup> Several suggestions have been made for scaling back the current text in order to achieve consensus on the Convention, including limiting the Convention to enforcement of judgments arising from physical torts and B2B contracts containing choice-of-forum clauses. The U.S. delegation would like to explore with interested stakeholders the possibility of

narrowing the Convention to areas where there seems to be consensus.

The FTC is hosting this roundtable as a forum for all interested stakeholders to provide input to U.S. government officials on three specific issues raised by the draft Convention that are particularly relevant to consumer interests: business-to-consumer contracts, informational torts, and physical torts.

Officials from the Department of State, Department of Commerce, and Library of Congress will also be participating in the meeting. Each session of the roundtable will be moderated by government representatives. All attendees are free to participate in the discussion; no particular panelists will be chosen beforehand. An agenda for the roundtable and questions for discussion of these topics are listed below.

#### **9:15: Introductory Remarks**

##### **9:30–11:30: Topic 1: Contracts**

With respect to contracts, should the Convention be limited to B2B contracts containing choice-of-forum clauses? Why or why not?

If so, how should the term business be defined? What are the concerns of including, for example, non-profit associations and libraries within the definition of business?

If the Convention is limited to B2B contracts containing choice-of-forum clauses, should all such clauses be upheld or should there be exceptions for clauses that are procured as a result of fraud, duress, or unconscionability? Should there be exceptions based on reasonableness or public policy? Why or why not?

A concern has been raised that, even if limited to business-to-business contracts, the Convention could be revised and/or reinterpreted in the future to include consumer contracts also. How can this concern be addressed?

If the Convention were limited to B2B choice-of-forum clauses, U.S. consumers would not be able to get their judgments enforced abroad under the Convention. Are there other international venues where a Convention or other vehicle for enforcement of consumer judgments could be considered? What else can the U.S. do to address this problem?

Should the Convention address all B2B contracts, including those that do not contain choice-of-forum clauses? Why or why not?

Some have suggested that consensus is possible on the issue of jurisdiction for consumer contracts that do not contain choice-of-forum clauses. Should

the Convention address consumer contracts without choice-of-forum clauses? What are the advantages and disadvantages of this approach?

##### **11:45–12:30 pm: Topic 2: Physical Torts**

Should physical torts (i.e., product liability) be included within the scope of the Convention? If so, how can physical torts be defined?

What are the advantages of inclusion? Disadvantages?

The June 2001 draft of the Convention contains some provisions on damages. If physical torts are included in the Convention, are stakeholders comfortable with the approach to damages outlined in the June 2001 draft of the Convention? Why or why not?

If physical torts are included in the Convention, should the U.S. be willing to give up general doing business jurisdiction in international cases involving physical torts? What impact would this have on U.S. litigation?

##### **12:30–1:30 pm: Lunch**

##### **1:30–3:30 pm: Topic 3: Informational Torts (Intellectual Property, Speech Torts)**

Should informational torts (e.g., defamation, copyright, trademark, patent infringement) be included within the scope of the Convention? Why or why not?

How can we define informational torts, as opposed to physical torts, for purposes of an international Convention?

Should the Convention distinguish between informational torts involving consumers and businesses? If so, how could such a distinction be made?

Should the Convention distinguish between torts that raise First Amendment issues and other informational torts? If so, how could such a distinction be made?

##### **3:30–5:00 pm: Other Issues/Open Discussion**

Should the Convention address lawsuits where the defendant is sued in his or her home forum? Why or why not?

A proposal has been made to negotiate a multi-track Convention, under which a comprehensive Convention would be negotiated, as well as a narrower Convention, and countries could decide which Convention to sign on to. What are your views with respect to this approach?

Do attendees have questions for members of the U.S. delegation?

<sup>1</sup> The latest draft of the Convention can be found at <http://www.hcch.net/e/workprog/jdgm.html>.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 01-30730 Filed 12-11-01; 8:45 am]

BILLING CODE 6750-01-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:

*Karen M. Ruggiero, Ph.D., Harvard University:* On November 26, 2001, the U.S. Public Health Service (PHS) entered into a Voluntary Exclusion Agreement with Harvard University and Karen M. Ruggiero, Ph.D., former Assistant Professor, Department of Psychology at Harvard University. Based on the report of an inquiry conducted by Harvard University (Harvard Report), and related actions and findings by Harvard based on the Harvard Report, as well as additional analysis conducted by ORI in its oversight review, PHS found that Dr. Ruggiero engaged in scientific misconduct by fabricating data in research supported by the National Institutes of Health (NIH).

*Specifically, PHS and Harvard University found that:*

(1) Dr. Ruggiero fabricated three experiments, including data reported as having been obtained from a total of 240 participants, published in the following paper: Ruggiero, K.M. & Marx, D.M. "Less pain and more to gain: Why high-status group members blame their failure on discrimination." *Journal of Personality and Social Psychology*, 77(4):774-784, 1999 (the "JPSP paper"). These experiments were also proposed in the "Research Plan" of an application submitted to the National Institute of Mental Health (NIMH), NIH, by Dr. Ruggiero in September 1997 for grant 1 R03 MH58586-01, which was acknowledged as a source of support in the JPSP paper. Dr. Ruggiero admits that she fabricated the data on the 240 participants in the JPSP paper. At her request, a notice of retraction of this paper appeared in the *Journal of Personality and Social Psychology* 81(2):178, 2001.

(2) Dr. Ruggiero fabricated two experiments, including data reported as

having been obtained from a total of 360 participants, published in the following paper: Ruggiero, K.M., Steele, J., Hwang, A., & Marx, D.M. "Why did I get a 'D'?" The effects of social comparisons on women's attributions to discrimination." *Personality and Social Psychology Bulletin* 26(10):1271-1283, 2000 (the "PSPB paper"). These experiments were also proposed in the "Research Plan" of the application submitted by Dr. Ruggiero in September 1997 for grant 1 R03 MH58586-01, which was acknowledged as a source of support in the PSPB paper. Dr. Ruggiero admits that she fabricated the data on the 360 participants in the PSPB paper. At her request, a notice of retraction of this paper appeared in the *Personality and Social Psychology Bulletin* 27(9):1237, 2001.

(3) Dr. Ruggiero's admittedly fabricated research from the JPSP and PSPB papers was cited in and served as the basis for an NIH Individual National Service Award application, F32 MH12868-01 and -01A1, formerly F32 HD41874, "Status effects in perceptions of preferential treatment," submitted in August 2000 by one of Dr. Ruggiero's post-doctoral fellows, with Dr. Ruggiero listed as the sponsor.

(4) In connection with a Harvard School of Public Health grant application to NIH, 1 R01 HL065220-01, "Measuring racial discrimination for health research," Dr. Ruggiero submitted a subcontract in September 2000 citing the admittedly fabricated research from the JPSP and PSPB papers in support of her qualifications to serve as a subcontractor.

(5) In July 1999 and July 2000, Dr. Ruggiero cited and included as "Preliminary Studies" her admittedly fabricated, PHS-supported research from the JPSP and PSPB papers in applications, "The ironic status effect," that she submitted to the National Science Foundation.

*The Voluntary Exclusion Agreement (Agreement) states that:*

(1) Dr. Ruggiero agreed to exclude herself from any contracting or subcontracting with any agency of the United States Government and from eligibility for, or involvement in, nonprocurement transactions (e.g., grants and cooperative agreements) of the United States Government as defined in 45 CFR part 76 (Debarment Regulations) for a period of five (5) years, beginning on November 26, 2001.

(2) Dr. Ruggiero agreed to exclude herself 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 five (5) years, beginning on November 26, 2001.

(3) Dr. Ruggiero agreed to submit a letter, with a copy to ORI and Harvard, to the Personality and Social Psychology Bulletin requesting retraction of the following paper: Ruggiero, K.M. & Major, B.N. "Group status and attributions to discrimination: Are low- or high-status group members more likely to blame their failure on discrimination?" *Personality and Social Psychology Bulletin* 24:821-838, 1998. Dr. Ruggiero further agreed that the letter submitted pursuant to this paragraph will state that the retraction is warranted "because serious questions exist concerning the validity of the data which relate solely to my own work and which do not implicate my coauthor in any way." ORI received a copy of her letter to the editor, dated November 5, 2001.

(4) Dr. Ruggiero agreed to submit a letter, with a copy to ORI and Harvard, to Psychological Science requesting a retraction of the following paper: Ruggiero, K.M., Mitchell, J.P., Krieger, N., Marx, D.M., & Lorenzo, M.L. "Now you see it, now you don't: Explicit versus implicit measures of the personal/group discrimination discrepancy." *Psychological Science* 22:57-67, 2000. Dr. Ruggiero further agreed that the letter submitted pursuant to this paragraph will state that the retraction is warranted "because I improperly excluded some participants who should have been included in the analyses and that this exclusion affected the reported results. Moreover, the improper exclusion of data was solely my doing and was not contributed to or known by my coauthors." ORI received a copy of her letter to the editor, dated October 18, 2001.

#### FOR FURTHER INFORMATION CONTACT:

Director, Division of Investigative Oversight, Office of Research Integrity, 5515 Security Lane, Suite 700, Rockville, MD 20852, (301) 443-5330.

**Chris B. Pascal,**

*Director, Office of Research Integrity.*

[FR Doc. 01-30627 Filed 12-11-01; 8:45 am]

BILLING CODE 4150-31-P