

the Buy American requirement is justified.

The March 31, 2009 Delegation of Authority Memorandum provided Regional Administrators with the authority to issue exceptions to Section 1605 of ARRA within the geographic boundaries of their respective regions and with respect to requests by individual grant recipients. Having established both a proper basis to specify the particular good required for this project, and that this manufactured good was not available from a producer in the United States, Sussex County is hereby granted a waiver from the Buy American requirements of Section 1605(a) of Public Law 111-5 for the purchase of a ductless split HVAC system using ARRA funds as specified in Sussex County's request of September 22, 2011. This supplementary information constitutes the detailed written justification required by Section 1605(c) for waivers "based on a finding under subsection (b)."

**Authority:** Public Law 111-5, section 1605.

Issued on: December 13, 2011.

**James W. Newsom,**

Acting Regional Administrator, U.S. Environmental Protection Agency, Region III.

[FR Doc. 2011-33015 Filed 12-22-11; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

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 shares of 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 offices 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 January 6, 2012.

A. Federal Reserve Bank of Richmond (Adam M. Drimer, Assistant Vice President) 701 East Byrd Street, Richmond, Virginia 23261-4528:

1. Mark W. Jaendl, Allentown, Pennsylvania; to acquire voting shares

of South Street Financial Corp., and thereby indirectly acquire Home Savings Bank of Albermarle, INC., SSB, both in Albermarle, North Carolina.

B. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198-0001:

1. Meredith Williams, Omaha, Nebraska; Luke and Julie Rickertsen, Gothenburg, Nebraska; Matthew H. Williams Family Irrevocable Trust #1; and Matthew H. Williams Family Irrevocable Trust #2; to become part of the family group acting in concert; and Robert M. Williams, Omaha, Nebraska, individually and as Trustee of the Matthew H. Williams Family Irrevocable Trust #1; and Matthew H. Williams Family Irrevocable Trust #2; to acquire control of Williams Financial Corp., and thereby indirectly acquire The Gothenburg State Bank and Trust Company, both in Gothenburg, Nebraska.

December 19, 2011.

Board of Governors of the Federal Reserve System.

**Robert deV. Frierson,**

Deputy Secretary of the Board.

[FR Doc. 2011-32872 Filed 12-22-11; 8:45 am]

**BILLING CODE 6210-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### Findings of Research Misconduct

**AGENCY:** Office of the Secretary, HHS.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Office of Research Integrity (ORI) has taken final action in the following case:

*Gerald Lushington, Ph.D., Kansas University:* Based on an inquiry conducted and written admission obtained by Kansas University (KU) and additional analysis conducted by ORI in its oversight review, ORI found that Dr. Gerald Lushington, Director of the K-INBRE<sup>1</sup> Bioinformatics Core Facility, KU, and Director of the Molecular Graphics and Modeling Lab, KU, engaged in research misconduct in research supported by National Center for Research Resources (NCRR), National Institutes of Health (NIH), grant P20 RR016475.

Specifically, ORI found that Respondent engaged in research

<sup>1</sup> K-INBRE: The KansasIDeA Network of Biomedical Research Excellence, which is a consortium of a number of schools and centers in Kansas.

misconduct by approving publication of three articles and one abstract he knew contained significant amounts of plagiarized text without attribution or citation from other writers' published papers. The specific published documents as well as the relevant source documents are:

- Visvanathan, M., Adagarla, B., Lushington, G., Sittampalam, S., *Proceedings of the 2009 International Joint Conference on Bioinformatics, Systems, Biology and Intelligent Computing*, 2009, 494-497. Greater than half (50%) of the total text was obtained from (1) Yang, C.-S., Chuang, L.-Y., Ke, C.-H., Yang, C.-H., *International Journal of Computer Science, International Association of Engineers*, August 2008 35(3),

- (2) Goffard, N. and Weiller, G., *Nucleic Acids Research*, 2007, 35L:W176-W181, and (3) Chuang, L.-Y., Yang, C.-H., Tu, C.-J., Yang, C.-H., *Proceedings of the Joint Conference on Information Sciences*, Atlantis Press, October 2006.

*Retracted:* Retracted administratively by IEEE on Jan 5, 2011 [http://ieeexplore.ieee.org/xpl/freeabs\\_all.jsp?arnumber=5260432](http://ieeexplore.ieee.org/xpl/freeabs_all.jsp?arnumber=5260432)

- Vijayan, A.; Skariah, B. E., Nair, B.; Lushington, G., Subramanian, S., Visvanathan, M., *Proceedings of the IEEE International Conference on Bioinformatics and Biomedicine Workshop*, 2009, BIBMW2009, 267-271. Approximately 15% of the text was plagiarized from Goffard, N. and Weiller, G., *Nucleic Acids Research*, 2007, 35L:W176-W181.

*Retracted:* Retracted administratively by IEEE on Jan 5, 2011 <http://www.computer.org/portal/web/csdl/doi/10.1109/BIBMW.2009.5332106>

- Visvanathan, M., Netzer, M., Seger, M., Adagarla, B. S., Baumgartner, C., Sittampalam, S., Lushington, G., *International Journal of Computational Biology and Drug Design*, 2009, 2,236-251. A complete paragraph of the text was plagiarized from Goffard, N. and Weiller, G., *Nucleic Acids Research*, 2007, 35L:W176-W181.

- Adagarla, B., Lushington, G., Visvanathan, M., ISMB International Conference, January 2009; the entire abstract for this poster was obtained by plagiarizing text from Pihur, V., Datta, S., Datta S., *Genomics*, 2003, 92:400-403.

Dr. Lushington has entered into a Voluntary Settlement Agreement (Agreement) and has voluntarily agreed for a period of two (2) years, beginning on December 6, 2011:

(1) To have any U.S. Public Health Service (PHS)-supported research supervised; ORI acknowledges that