find entry of the proposed Modified Final Judgment to be in the public interest, after the United States has completed the procedures mandated by the Tunney Act and moved for entry of judgment.

Dated: December 5, 1996.

Respectfully submitted,

Andrew S. Cowan,

Attorney, Telecommunications Task Force, U.S. Department of Justice, Antitrust Division, 555 4th Street, N.W., Room 8104, Washington, D.C. 20001, (202) 514–5621.

Edmund A. Sargus, Jr.,

United States Attorney.

Jan M. Holtzman,

Ohio Bar #0017949, Assistant United States Attorney, Rm. 220, Potter Stewart Federal Courthouse, 5th & Walnut Streets, Cincinnati, Ohio 45202, (513) 684–3711.

Certificate of Service

I hereby certify that on this date I have caused to be served by first class mail, postage prepaid, or by hand, if so indicated, a copy of the foregoing Response to Public Comment upon the following person, counsel for defendants in the matter of *United States of America* v. *Jacor Communications, Inc., and Citicasters, Inc.*

Phillip A. Proger, Esquire, Jones, Day, Reavis & Pogue, 1450 G Street, NW, Washington, D.C. 20005–2088, Counsel for Defendant, Jacor Communications, Inc.—BY HAND

Dated: December 5, 1996.

Respectfully submitted,

Andrew S. Cowan,

Attorney, Telecommunications Task Force, U.S. Department of Justice, Antitrust Division, 555 4th Street, N.W., Room 8104, Washington, D.C. 20001, (202) 514–5621.

Sabre Communications Inc.

August 15, 1996.

Mr. Donald J. Russell,

Chief, Telecommunications Task Force, Antitrust Division, U.S Department of Justice, Room 8104, 555 Fourth Street, NW, Washington, DC 20001.

Dear Mr. Russell: After reading various accounts of the Justice Department's investigation re: the Jacor Broadcasting/ Citicasters acquisition as it applies to the Cincinnati market, I have concluded that the Department has made a dreadful decision probably because it failed to grasp the essence of the advertising business and arrived at faulty conclusions after comparing apples to oranges.

Obviously the Department is concerned about a monopoly, but in this case, monopoly is impossible. Please note that, while it is true that the purchase of radio advertising is often decided by determining specific demographic groups reached by individual stations, it is also fact that radio captures only 7% of all advertising dollars (in a typical US market, the local newspaper annually generates more revenue from classified ads than that revenue generated by all of the radio stations combined). This means that 93% of all advertising dollars are spent elsewhere. Advertisers have a multitude of choices other than a couple of radio stations, among them, newspaper, newspaper inserts, magazines, penny savers, specialty publications, TV [also *very* demographically specific], cable [much different from broadcast TV], billboards, direct mail [again, very demographically specific], matchbook covers and other specialty items, other radio stations, etc. And advertisers use *those* media (not radio), and spend 93% of their dollars doing it. By the way, don't tell any of the ''other'' media that they ''. . . lack . . . ability to provide efficient targeting.'' Each believes that they provide efficiency better than radio or any of the others, and they passionately present that case to advertisers every day. All in the spirit of true competition!

Radio a monopoly? Under no circumstances! Even though there are over 10,000 commercial radio stations in the United States, the pure fact is that if one person owned every one of them, that person still could never achieve a monopoly over either the spending of advertising dollars or the opportunity for the advertiser to reach consumers in any of the various demographic groups. That is unless 7% of something has suddenly become a monopoly. Anyway, the topic is moot because owning all radio stations in any given market is not only impractical, it is against the law.

I would suggest that if the Department is truly interested in investigating advertising monopolies it should investigate the newspaper business. Almost every market in our country has only one newspaper thereby giving every potential newspaper advertiser no choice. Where I went to school, we were taught that one was the ultimate monopoly and monopoly meant no choice.

My recommendation is that the Justice Department spend some time learning about the advertising business and the fierce competition that exists between the media. The result of that effort will be a clear understanding that, given radio's tiny piece of the advertising pie and the multitude of choices offered to the advertiser, monopoly is impossible and that, in this instance, the Congress of the United States and the Federal Communications Commission have got it right.

Respectfully,

Paul H. Rothfuss,

President, Sabre Communications, Inc.

Mr. Donald J. Russell,

Chief, Telecommunications Task Force, Antitrust Div., Department of Justice, Room 8104, 555 Fourth St N.W., Washington, D.C. 20001.

Dear Sir:

Re. civil suit no. C–1–97–757.

We think that you should be made aware that the citizens in Cincinnati, Hamilton County, and the Tristate area in southwest Ohio are finding it more and more difficult to get unbiased news and programming on radio, TV, and newspapers. Of the two daily Cincinnati newspapers, one is owned by the other. Jacor Communications already owns and puts Mr. Michael's ''flavor'' on several local radio stations. Three major TV stations are affiliated with networks which are owned by other corporate giants. WLW–TV, ch. 5 is the local NBC affiliate. NBC is owned by G.E. Co. and we seldom hear anything negative about G.E products, especially Jet Aircraft engines, even if there is news.

Advertising in the electronic media is becoming unbearable. In the past, programs were separated by a respectable number of informative commercials. Today, loud, hectic, demanding commercials are separated by brief segments of programs lasting only 3 to 5 minutes.

Indepth news lasting more than 90 seconds is available only on PBS, and our very own government is trying to abolish PBS!! Please don't compound the abusive assault on our radio listening senses by allowing Jacor to swallow up Citicasters Inc., thus giving Jacor a near monolistic control over program content and advertising in our Tristate area, with a population of about 2 million people.

To illustrate how controlled the local news already is, about 6 months ago we were active in a local tax issue and our group, which had the backing of a large number of petitioners could not get equal news coverage on any of the news media unless we paid for it. The opposing side, favored by the news media, got free ''news bits'' every day, giving the voters one side of the issues of a very controversial tax.

Please deny this monopolistic acquisition an keep healthy competition alive.

Respectfully yours,

John J. Oezer,

PE, 5050 Miami Road, Indian Hill, Cincinnati, Ohio 45243.

[FR Doc. 96–32339 Filed 12–19–96; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Biotechnology Research and Development Corporation (''BRDC'')

Notice is hereby given that, on December 6, 1996, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* (''the Act''), Biotechnology Research and Development Corporation (''BRDC'') filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing certain supplemental and additional information regarding (1) the identities of the parties to BRDC and (2) the nature and objectives of BRDC. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Hewlett

Packard Company, Palo Alto, CA, plans to withdraw effective May 14, 1997.

On November 1, 1996, BRDC issued to McDonald's Corporation and McDonald's purchased from BRDC, 653⅓ shares of common stock, without par value, of BRDC. Simultaneously, with the issuance and purchase of the shares of the common stock, BRDC and McDonald's entered into an Agreement to be Bound by BRDC Master Agreement whereby McDonald's agreed to be bound by the terms and conditions of the BRDC Master Agreement effective as of June 10, 1988, by and among BRDC and its common stockholders. McDonald's has the rights set forth in the BRDC Master Agreement in all project technology made, discovered, conceived, developed, learned, or acquired by or on behalf of BRDC in connection with, or arising out of or as the result of, a research project in existence while McDonald's is a common stockholder of BRDC.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and BRDC intends to file additional written notification disclosing all changes in membership.

On April 12, 1988, BRDC filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the Federal Register pursuant to Section 6(b) of the Act on May 12, 1988, 53 FR 16919. The last notification was filed August 6, 1996. A notice was published in the Federal Register on August 28, 1996, 61 FR 44347.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96–32341 Filed 12–19–96; 8:45 am]

BILLING CODE 4410–11–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Seagate Technology, Inc., Advanced Research Corporation, Imation Corp., and Storage Technology Corporation

Notice is hereby given that, on November 20, 1996, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301 *et seq.* (''the Act''), Seagate Technology, Inc., Advanced Research Corporation, Imation Corp., and Storage Technology Corporation has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are: Seagate Technology, Inc., Santa Maria, CA; Advanced Research Corporation, Minneapolis, MN; Imation Corp., Oakdale, MN; and Storage Technology Corporation, Louisville, CO. The general area of planned activity is to develop technologies for a small, reliable, low cost, high bandwidth, high capacity, fast access tape recorder and cartridge media.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96–32340 Filed 12–19–96; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF LABOR

Bureau of International Labor Affairs; U.S. National Administrative Office; National Advisory Committee for the North American Agreement on Labor Cooperation; Notice of Open Meeting

AGENCY: Office of the Secretary, Labor.

ACTION: Notice.

SUMMARY: Pursuant to the Federal Advisory Committee Act (Pub. L. 94–463), the U.S. National Administrative Office (NAO) gives notice of a meeting of the National Advisory Committee for the North American Agreement on Labor Cooperation (NAALC), which was established by the Secretary of Labor.

The Committee was established to provide advice to the U.S. Department of Labor on matters pertaining to the implementation and further elaboration of the labor side accord to the North American Free Trade Agreement (NAFTA). The Committee is authorized under Article 17 of the NAALC.

The Committee consists of 12 independent representatives drawn from among labor organizations, business and industry, and educational institutions.

DATES: The Committee will meet on January 13, 1997 from 9:30 a.m. to 5:00 p.m.

ADDRESSES: U.S. Department of Labor, 200 Constitution Avenue, NW., Room S–2217, Washington, DC 20210. The meeting is open to the public on a first-come, first served basis.

FOR FURTHER INFORMATION CONTACT: Irasema Garza, Designated Federal Officer, U.S. NAO, U.S. Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Room C–4327, Washington, DC 20210. Telephone 202–501–6653 (this is not a toll free number).

SUPPLEMENTARY INFORMATION: Please refer to the notice published in the Federal Register on December 15, 1994 (59 FR 64713) for supplementary information.

Signed at Washington, DC on December 16, 1996.

Irasema T. Garza,

Secretary, U.S. National Administrative Office.

[FR Doc. 96–32366 Filed 12–19–96; 8:45 am]

BILLING CODE 4510–28–M

Employment Standards Administration

Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that