a contract between the parties to settle their disputes and differences, *United States* v. *ITT Continental Baking Co.,* 420 U.S. 223, 235–38 (1975); *United States* v. *ITT Continental Baking Co.,* 420 U.S. 223, 235–38 (1975); *United States* v. *Armour & Co.,* 402 U.S. 673, 681–82 (1971), ''and normally embodies a compromise; in exchange for the saving of cost and elimination of risk, the parties each give up something they might have won had they proceeded with the litigation.'' Armour, 402 U.S. at 681. This Judgment has the virtue of bringing the public certain benefits and protection without the uncertainty and expense of protracted litigation. *Id; Microsoft,* 56 F.3d at 1459.

Finally, the entry of a governmental antitrust decree forecloses no private party from seeking and obtaining approriate antitrust remedies. Thus, defendants will remain liable for any illegal acts, and any private party may challenge such conduct if and when appropriate. If the commenting party has a basis for suing the defendants, it may do so. The legal precedent discussed above holds that the scope of a Tunney Act proceeding is limited to whether entry of this particular proposed Final Judgment, agree to by the parties as settlement of this case, is in the public interest.

IV

Conclusion

After careful consideration of the comment, the plaintiff concludes that entry of the proposed Final Judgment will provide an effective and appropriate remedy for the antitrust violation alleged in the Complaint and is in the public interest. The Plaintiff has moved the Court to enter the proposed Final Judgment after the public comment and this Response has been published in the **Federal Register**, as 15 U.S.C. 16(d) requires.

Dated this 22nd day of September, 1998.

Respectfully submitted,

Nina B. Hale,

Andrew K. Rosa,

U.S. Department of Agriculture, Antitrust Division, 325 7th Street, NW, suite 500, Washington, DC 20530, (202) 307–6351.

Certificate of Service

I, Mary Ethel Kabisch, hereby certify that, on September 22, 1998, I caused the foregoing document to be served on defendants Alumax Inc. and Aluminum Company of America by having a copy mailed, first-class, postage prepaid, to:

David Gelfand,

Cleary, Gottlieb, Steen & Hamilton, 2000 Pennsylvania Avenue, NW., Suite 9000, Washington, DC 20006–1801

D. Stuart Meiklejohn,

Sullivan & Cromwell, 125 Broad Street, 28th floor, New York, New York 10004–2498

Mary Ethel Kabisch

Statement of General Motors Corporation

General Motors Corporation (''GM''), speaking as a major worldwide consumer of aluminum products in many and varied alloys, shapes and forms would like to express its disappointment in the decision by the Antitrust Division of the U.S. Department of Justice to allow the Alcoa/Alumax transaction to proceed with only minimal divestitures as outlined in the **Federal Register** notice published on July 1, 1998 at 63 FR 35946. The investigation and conclusions reached seemed to have focused on the pieces while ignoring the whole. It seems misguided and harmful to the aluminum consumer to simply evaluate the micro picture of certain aluminum industry products without considering the macro picture of aluminum production and how one producer, through asset control, can have undue influence on this overall market.

Integrated aluminum production is an extremely capital intensive process. This process includes mining, refining, smelting, hot rolling, cold rolling, extruding, forging and other processes. Alcoa today clearly dominates the mining of bauxite and refining of aluminum. With the purchase of Alumax, Alcoa adds significant smelting, hot line, cold mill, and extrusion assets to their already very impressive asset portfolio. Conversely, with the downsizing of two major global competitors such as Reynolds most recently and Kaiser several years ago, the Big Four in aluminum is quickly becoming the Big One (Alcoa) and the Smaller One (Alcan). Further, Alcoa's purchase of Alumax on the heels of their acquisition of government controlled facilities in Spain, Italy and Hungary accentuates their position of global dominance in every major aluminum producing area of the world.

Our concern is the same concern that every aluminum consumer should consider: Too many critical assets controlled by one producer, the same producer instrumental in the April, 1994 Memorandum of Understanding. All aluminum consumers must remember the MOU, a systematic global scheme to cut production that resulted in 100% price increases in primary aluminum within nine short months of the agreement.

GM recognizes that industry consolidation and corporate integration are not always bad for the consumer. They can lead to reduced costs and efficiencies that benefit the consumer in the form of lower prices. The consumer realizes those lower prices, however, provided there is still adequate current competition or the probability of new entry. Unfortunately, the cost of entry for integrated aluminum production is staggering. History taught us that lesson many years ago as Alcoa reigned supreme as one of the last and most successful corporate monopolies in North America.

Most importantly, GM sees no long-term benefits from this merger, either for itself or for the future customers of GM cars and trucks. Whether alone or through the joint research effort known as the Partnership for a New Generation of Vehicles, GM would like to continue to work closely with a fully competitive aluminum industry on increased usage of aluminum in our vehicles. This most recent glaring example of competitive base dilution appears deleterious to those efforts and will force GM to re-evaluate aluminum's role as a primary metal of choice in GM's future.

[FR Doc. 98–26976 Filed 10–7–98; 8:45 am]

BILLING CODE 4915–00–M

DEPARTMENT OF JUSTICE

National Institute of Justice

[OJP (NIJ)–1200]

RIN 1121–ZB36

Announcement of the Availability of the National Institute of Justice Solicitation for ''Juvenile 'Breaking the Cycle' Evaluation''

AGENCY: Office of Justice Programs, National Institute of Justice, Justice.

ACTION: Notice of solicitation.

SUMMARY: Announcement of the availability of the National Institute of Justice ''SL000308.''

DATES: Due date for receipt of proposals is close of business Thursday, December 17, 1998.

ADDRESSES: National Institute of Justice, 810 Seventh Street, NW, Washington, DC 20531.

FOR FURTHER INFORMATION CONTACT: For a copy of the solicitation, please call NCJRS 1–800–851–3420. For general information about application procedures for solicitations, please call the U.S. Department of Justice Response Center 1–800–421–6770.

SUPPLEMENTARY INFORMATION:

Authority

This action is authorized under the Omnibus Crime Control and Safe Streets Act of 1968, §§ 201–03, as amended, 42 U.S.C. 3721–23 (1994).

Background

This solicitation calls for an evaluation of two Juvenile ''Breaking the Cycle'' (JBTC) sites supported by NIJ and the Office of National Drug Control Policy. JBTC is a research demonstration project designed by a consortium of Federal agencies to test the effectiveness of a system-wide juvenile justice intervention with drug-involved offenders. The goal of the project is to provide drug testing, drug treatment, graduated sanctions, and judicial supervision to each drug-involved defendant regardless of charge or detention status.

Applicants must outline an overall research strategy for two sites that includes a thorough process analysis and a comprehensive analysis of impact of the JBTC program on individual behavior and on system functioning.

This solicitation makes available $400,000 for the first stage of the multi-site evaluation and a total of up to $1.5 million will be available for the complete evaluation of the two JBTC sites. For each JBTC site NIJ plans to support a 9–12 month planning phase followed by two years of full program implementation. The JBTC evaluator is expected to enter the planning process at least 60 days prior to the first intake of eligible juveniles and will be required to work closely with NIJ staff, the BTC Program Board, and with staff at the two program sites.

Interested organizations should call the National Criminal Justice Reference Service (NCJRS) at 1–800–851–3420 to obtain a copy of ''Juvenile 'Breaking the Cycle' Evaluation'' (refer to document no. SL000308). For World Wide Web access, connect to either NIJ at http://www.ojp.usdoj.gov/nij/funding.htm, or the NCJRS Justice Information Center at http://www.ncjrs.org/fedgrant.htm#nij.

Jeremy Travis,

Director, National Institute of Justice.

[FR Doc. 98–27004 Filed 10–7–98; 8:45 am]

BILLING CODE 4410–18–P

OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy

Small Disadvantaged Business Procurement; Reform of Affirmative Action in Federal Procurement

AGENCY: Office of Federal Procurement Policy (OFPP).

ACTION: Notice of definitions of regions used in price evaluation adjustments and benchmarking methodology.

SUMMARY: The Federal Acquisition Regulation (FAR), 48 CFR Part 19, contains regulations permitting eligible small disadvantaged businesses (SDB's) to receive price evaluation adjustments in Federal Procurement Programs. The FAR provides further that the Department of Commerce (DOC) will determine the price evaluations adjustments (percentages) by standard industrial classification (SIC) major groups and regions (if any). OMB published the DOC Notice of Determination Concerning the Price Evaluation Adjustment in the **Federal Register** on June 30, 1998 (63 FR 35714). The original DOC notice recommended price evaluation adjustments on a national basis for all SIC major groups except construction major groups 15, 16, and 17, which were on a regional basis. The original DOC notice did not include the list of states and outlying areas that comprise the regions (of which there are nine). The attached DOC memorandum supplements the original notice by listing the states and outlying areas for the nine regions.

EFFECTIVE DATE: October 1, 1998.

FOR FURTHER INFORMATION CONTACT: Ms. Linda G. Williams, Deputy Associate Administrator, Office of Federal Procurement Policy, Telephone 202–395–3302. For further information on the Commerce regional definitions, contact Mr. Jeffrey Mayer, Director of Policy Development, Economics and Statistics Administration, U.S. Department of Commerce, Telephone, 202–482–1728.

SUPPLEMENTARY INFORMATION:

Definitions of Regions

OFPP gives notice that the attached Memorandum from the DOC supplements the original Commerce Notice of Determination Concerning Price Evaluation Adjustments by listing the states and outlying areas that comprise the nine regions.

Deidre A. Lee,

Administrator.

September 21, 1998.

Memorandum for Office of Federal Procurement Policy

From: Jeffrey L. Mayer, Director of Policy Development.

Subject: Definitions of Regions Used in Price Evaluation Adjustments and Benchmarking Methodology.

This memorandum supplements the Notice of Determination Concerning Price Evaluation Adjustments transmitted by the Department of Commerce (DOC) to the Office of Federal Procurement Policy and published in the Federal Register on June 30, 1998. In the Notice, recommendations specific to major industry groups (and combinations thereof) apply nation-wide for all industry groupings except the major construction industry groups (Standard Industrial Classification Major Industry Groups 15, 16, and 17). Recommendations in these three major groups apply regionally rather than nationally. Regional definitions are based on the nine multi-state Divisions used by the Bureau of the Census when it reports certain sub-national data. DOC augmented the Bureau's basic definitions for the Divisions by including Guam in the Pacific Region and Puerto Rico and the Virgin Islands in the South Atlantic Region. This memorandum provides a complete list of the states and outlying areas that comprise each of the nine regions used by DOC.

East North Central: Illinois, Indiana, Michigan, Ohio, Wisconsin

East South Central: Alabama, Kentucky, Mississippi, Tennessee

Middle Atlantic: New Jersey, New York, Pennsylvania

Mountain: Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Wyoming

East England: Connecticut, Maine, Massachusetts, New Hampshire, Rode Island, Vermont

Pacific: Alaska, California, Guam, Hawaii, Oregon, Washington

South Atlantic: Delaware, District of Columbia, Florida, Georgia, Maryland, North Carolina, Puerto Rico, South Carolina Virgin Islands, Virginia, West Virginia

West North Central: Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota