standards for bridges. The disposal is consistent with State and local government programs, plans, and applicable regulations.

EFFECTIVE DATE: Interested parties may submit comments on the direct sale on or before March 29, 1999.

ADDRESSES: Comments should be sent to the Taos Field Office Manager, BLM, 226 Cruz Alta Rd., Taos, NM 87571.

FOR FURTHER INFORMATION CONTACT: Francina Martinez, BLM, Taos Field Office, 226 Cruz Alta Rd., Taos, NM 87571, or at (505) 758–8851.

SUPPLEMENTARY INFORMATION: The direct sale will be subject to:

1. A reservation to the United States of a right-of-way for ditches or canals constructed by the authority of the United States in accordance with the Act of August 30, 1890 (43 U.S.C. 945).

2. All minerals shall be reserved to the United States, together with the right to prospect for, mine, and remove the minerals. A more detailed description of this reservation, which will be incorporated in the patent document or other document of conveyance is available for review at this BLM office.

Publication of this notice in the **Federal Register** will segregate the public land from appropriations under the public land laws including the mining laws but not the mineral leasing laws. This segregation will terminate upon the issuance of a patent or other document of conveyance, 270 days from date of publication of this notice in the **Federal Register** or upon publication of Notice of Termination, whichever occurs first.

Any adverse comments will be evaluated by the State Director who may sustain, vacate, or modify this realty action. In the absence of any objections, this realty action will become the final determination of the Department of the Interior.

Dated: February 2, 1999.

Alden Sievers,

Field Office Manager.

[FR Doc. 99–3443 Filed 2–11–99; 8:45 am]

BILLING CODE 4310–FB–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT–926–09–1420–00]

Montana: Filing of Plat of Survey

AGENCY: Bureau of Land Management, Montana State Office, Interior.

ACTION: Notice.

SUMMARY: The plat of survey of the following described land is scheduled to be officially filed in the Montana State Office, Billings, Montana, thirty (30) days from the date of this publication.

Principal Meridian, Montana

UNSURVEYED T. 15 N., R. 27 W.

The plat, in two sheets, representing the entire survey record of the dependent resurvey of a portion of Mineral Survey No. 3256, Consolidated Cedar Creek Placer and Mineral Survey No. 10997, Bonanza lode, and the survey of Tract 37 and the centerline of that portion of Forest Service Road No. 388 within Tract 37, in unsurveyed Township 15 North, Range 27 West, Principal Meridian, Montana, was accepted February 4, 1999.

This survey was executed at the request of the U.S. Forest Service, Lolo National Forest, and was necessary to identify lands for a proposed land exchange.

A copy of the preceding described plat will be immediately placed in the open files and will be available to the public as a matter of information.

If a protest against this survey, as shown on this plat, is received prior to the date of the official filing, the filing will be stayed pending consideration of the protest. This particular plat will not be officially filed until the day after all protests have been accepted or dismissed and become final or appeals from the dismissal affirmed.

FOR FURTHER INFORMATION CONTACT: Bureau of Land Management, 222 North 32nd Street, P.O. Box 36800, Billings, Montana 59107–6800.

Dated: February 4, 1999.

Steven G. Schey,

Acting Chief Cadastral Surveyor, Division of Resources.

[FR Doc. 99–3449 Filed 2–11–99; 8:45 am]

BILLING CODE 4310–DN–P

DEPARTMENT OF JUSTICE

Antitrust Division

[Civil No. 98–CV–2340 (TPJ)]

United States v. Halliburton Company; Public Comment and Plaintiff's Response

Pursuant to the Antitrust Procedures and Penalities Act, 15 U.S.C. 16(b)–(h), the United States of America hereby publishes below the comment received on the proposed Final Judgment in *United States* v. *Halliburton Company, et al.*, Civil No. 98–CV–2340 (TPJ), filed in the United States District Court for the District of Columbia, together with the United States' response to the comment.

Copies of the comment and response are available for inspection in Room 215 of the U.S. Department of Justice, Antitrust Division, 325 Seventeh Street, N.W., Washington, DC 20530 (telephone: 202/514–2481) and at the office of the Clerk of the United States District Court for the District of Columbia, 333 Constitution Avenue, N.W., Washington, DC 20001. Copies of these materials may be obtained upon request and payment of a copying fee.

Constance K. Robinson,

Director of Operations, Antitrust Division.

Plaintiff's Response to Public Comment

Pursuant to the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C.A. 16(b)–(h) (1997) (''Tunney Act''), the United States hereby responds to the single public comment received regarding the proposed Final Judgment in this case.

I. Background

On September 29, 1998, the United States Department of Justice (''the Department'') filed the Complaint in this matter. The Complaint alleges that the proposed merger of Halliburton Company (''Halliburton'') and Dresser Industries, Inc. (''Dresser'') would combine two of only four companies that provide logging-while-drilling (''LWD'') tools and services for oil and natural gas drilling and are the only sources of current and likely future innovations in new or improved LWD tools. LWD tools provide data during drilling for oil on the type of formation being drilled, whether there is oil in the formation, and the ease with which the oil can be extracted from the formation. LWD tools are mounted on the drill string and measure and transmit data while the drilling is ongoing that allow the drillers to determine if changes should be made in the drilling. Also mounted on the drill string with LWD tools are measurement-while-drilling (''MWD'') tools. MWD tools measure and transmit data while the drilling is ongoing about the direction and angle of the drill bit. Because it is necessary that LWD tools and MWD tools be compatible, customers who want to use both types of tools on a particular drilling project usually obtain them from the same company. The proposed merger would reduce competition and likely lead to higher prices for LWD services, reduce LWD service quality, and slow the pace of LWD-related innovation, in violation of Section 7 of the Clayton Act, 15 U.S.C.A. 18 (1997).

Simultaneously with the filing of the Complaint, the Plaintiff filed the

proposed Final Judgment and a Stipulation and Order signed by all the parties that allows for entry of the Final Judgment following compliance with the Tunney Act. A Competitive Impact Statement (''CIS'') was also filed, and subsequently published in the **Federal Register** on November 2, 1998. The CIS explains in detail the provisions of the proposed Final Judgment, the nature and purposes of these proceeding, and the transaction giving rise to the alleged violation.

To prevent the competitive harm, the proposed Final Judgment requires the defendants to divest Halliburton's worldwide LWD business, including virtually all of Halliburton's LWD tools, enough of its MWD tools for use with the LWD tools, manufacturing, workshop, and testing and repair equipment, a U.S. facility, the right to hire employees of the LWD business, and worldwide, royalty-free, irrevocable licenses to the intellectual property used in connection with the use, manufacture or sale of the transferred tools.

The sixty-day comment period for public comments expired on January 1, 1999. The Department received only one comment.[1] The comment was prepared by Mr. Geoffrey A. Mantooth, an attorney, on behalf of his client, Mr. Serge A. Scherbatskoy.

II. Response to the Public Comment

Mr. Mantooth observes that the proposed Final Judgment ''attempts to distinguish between 'LWD Service' and 'MWD Services,' and allows Halliburton to keep some of its MWD Services.'' Mr. Mantooth then states that the proposed Final Judgment ''does not give any basis or reason for the definitions of LWD and MWD. The distinction between LWD and MWD appears to arbitrary and without merit.'' Mr. Mantooth continues by citing classifications of LWD and MWD tools that appear in Schedule A of the proposed Final Judgment, contrasting these classifications with descriptions appearing in an industry trade journal (copy attached to his comment), and concluding that in that particular journal ''the distinction between LWD and MWD is clearly blurred.'' Mr. Mantooth ends his letter with a request for ''a more realistic definition'' of LWD Services. He provides no suggestions for doing so.

Mr. Mantooth's comment appears to be arguing either that the Department should have alleged a broader market and required divestiture of more MWD assets, or that the proposed Final Judgment's description of the divestiture assets is not sufficiently specific or clear. Neither argument is adequate to support a conclusion that the public interest would not be served by entry of the proposed Final Judgment.

The Department defined the product market as LWD services for offshore drilling projects. This definition, which excluded MWD services, was based on investigation and analysis, using judicial precedent and the Horizontal Merger Guidelines issued jointly by the Department and the Federal Trade Commission. As is set forth in paragraphs 10 and 11 of the Complaint, MWD tools and LWD tools provide different measurements—the former measure the direction and angle of the drill bit, while the latter evaluate the formation through which the drill bit is cutting. Many drillers purchase only MWD services, and there are a number of firms that provide MWD services that do not supply LWD services. While the component used to transmit data from MWD tools does share characteristics with the component used to transmit data from LWD tools, the tools themselves are distinct. Mr. Mantooth's attachment to his letter focuses on the data transmission components, not on the tools.[2]

Mr. Mantooth may not intend to disagree with the Department's product market, but simply expressing a concern that there is insufficient specificity in the description of the divestiture assets. The Department believes that such a concern is unwarranted. Although there are similarities in the two pieces of equipment cited in the attachment to Mr. Mantooth's comment, the Department believes the list of tools in Schedule A to the proposed Final Judgment is sufficiently specific. HDS1, which is used to transmit data from MWD tools, and HDSM, which is used to transmit data from LWD tools, are distinct products. The Department is confident that prospective purchasers will be able to get the equipment contemplated by the proposed Final Judgment, and that the Department will be able to ensure that its contemplated remedy is effected.

III. Conclusion

After careful consideration of the comment, the Plaintiff concludes that Mr. Mantooth's comment does not change its determination 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 will move 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 27th day of January, 1999.

Respectively submitted,

Angela L. Hughes,

Member of The Florida Bar, #211052.

Robert L. McGeorge,

Joan H. Hogan,

Andrew K. Rosa,

Salvatore Massa,

U.S. Department of Justice, Antitrust Division, 325 7ty Street, NW, Suite 500, Washington, D.C. 20530, (202) 307–6351.

Wofford, Zobal & Mantooth

Patent Attorneys

110 West Seventh, Suite 500, Fort Worth, Texas 76102

December 29, 1998.

Via Federal Express

Mr. Roger W. Fones,

Chief, Transportation, Energy and Agricultural Section, Antitrust Division, 325 Seventh Street, N.W., Suite 500, Washington, D.C. 20530

Re: United States v. Halliburton Company, Case No. 98–CV–2340

Dear Mr. Fones: Pursuant to the invitation in the **Federal Register** of November 2, 1998, (Volume 63, Number 211), the following is a comment on the subject case:

The proposed final judgment attempts to distinguish between ''LWD Services'' and ''MWD Services'', and allows Halliburton to keep some of its MWD Services.

Yet, the proposed final judgment does not give any basis or reason for the definitions of LWD and MWD. The distinction between LWD and MWD appears to be arbitrary and without merit. For example, in Schedule A of the proposed final judgment, LWD includes CWRGM Resistivity, DNSC Density, and SCWR Slim Resistivity Tool, while MWD includes HDSM Directional Tool, HDS1 MWD Kits, and RX4 MLWD Surface System. In the May 1998 issue of Hart's Petroleum Engineer International, page 17 (copy enclosed), the distinction between LWD and MWD is clearly blurred.

The undersigned would appreciate a more realistic definition of LWD services. If there

[1] The comment is attached. The Department plans to publish promptly the comment and this response in the Federal Register. The Department will provide the Court with a certificate of compliance with the requirements of the Tunney Act and file a motion for entry of the Final Judgment once publication takes place.

[2] While Mr. Mantooth may believe the Department should have alleged a broader product market, the public interest standard set forth in the Tunney Act does not extend ''to evaluate claims that the government did not make and to inquire as to why they were not made.'' *United States* v *Microsoft Corp.*, 56 F.3d 1448, 1459 (D.C. Cir. 1995); see also *United States* v *Associated Milk Producers, Inc.*, 534 F.2d 113, 117–18 (8th Cir. 1976). Mr. Mantooth's comment, to the extend it challenges the Department's product market, does not therefore provide a reason to find that the proposed Final Judgement fails to satisfy the public interest.

are any questions, please do not hesitate to call.

Very Truly Yours,

Geoffrey A. Mantooth,

Attorney for Serge A. Scherbatskoy.

cc: United States District of Columbia (w/enclose)

The MWD Comparison Tables which is the enclosure to the letter sent by Geoffrey A. Mantooth of Wofford, Zobal & Mantooth can be obtained from the U.S. Department of Justice, Antitrust Division, 325 7th Street, Room 215, Washington, D.C. 20530 (202/514–2481) or the United States District Court, District of Columbia.

Certificate of Service

I hereby certify that I have caused a copy of the foregoing Plaintiff's Response to Public Comments, as well as the attached copy of the public comment received from Geoffrey A. Mantooth on behalf of Serge A. Scherbatskoy, to be served on counsel for Defendants in this matter by facsimile and first class mail, postage prepaid, at the addresses set forth below.

Counsel for Defendant Halliburton Company:

Ky P. Ewing, Jr., Esquire,

Vinson & Elkins, 1455 Pennsylvania Avenue, N.W., Washington, D.C. 20004–1008, Telephone: (202) 639–6580, Facsimile: (202) 639–6604.

Counsel for Defendant Dresser Industries, Inc.:

Helen D. Jaffe, Esquire,

Weil, Gotshal & Manges, 767 Fifth Avenue, New York, NY 10153, Telephone: (212) 310–8572, Facsimile: (212) 310–8007.

Dated: January 27, 1999.

Angela L. Hughes,

[FR Doc. 99–2715 Filed 2–10–99; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF LABOR

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 section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under The Davis-Bacon And Related Acts,'' shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S–3014, Washington, D.C. 20210.

New General Wage Determination Decisions

The number of decisions added to the Government Printing Office document entitled ''General Wage determinations Issued Under the Davis-Bacon and related Acts'' are listed by Volume and States:

Volume V

Iowa
IA990080 (Feb. 12, 1999)

Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled ''General Wage Determinations Issued Under the Davis-Bacon and Related Acts'' being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

None

Volume II

Maryland
MD990002 (Feb. 12, 1999)
Pennsylvania
PA990005 (Feb. 12, 1999)
PA990006 (Feb. 12, 1999)
PA990026 (Feb. 12, 1999)
PA990030 (Feb. 12, 1999)
PA990031 (Feb. 12, 1999)

Volume III

None

Volume IV

Michigan
MI990001 (Feb. 12, 1999)
MI990002 (Feb. 12, 1999)
MI990003 (Feb. 12, 1999)
MI990004 (Feb. 12, 1999)
MI990005 (Feb. 12, 1999)
MI990007 (Feb. 12, 1999)
MI990046 (Feb. 12, 1999)
MI990047 (Feb. 12, 1999)
MI990060 (Feb. 12, 1999)
MI990063 (Feb. 12, 1999)
MI990064 (Feb. 12, 1999)
MI990066 (Feb. 12, 1999)
MI990074 (Feb. 12, 1999)
MI990075 (Feb. 12, 1999)
MI990077 (Feb. 12, 1999)
MI990078 (Feb. 12, 1999)
MI990081 (Feb. 12, 1999)