

evidence to suggest that any dealer was terminated for selling that firm's pumps. In any case, however, even if OEM exclusivity could be convincingly demonstrated, it should be clear from the discussion above that a great deal more is required to prove that the exclusive arrangements had anticompetitive effects.¹⁰ The evidence on the competitive effects of existing arrangements between pump makers and OEMs is as consistent with the view that the arrangements induce greater efficiency in the production and marketing of pumps as it is with a market power theory.

I am therefore unpersuaded that respondents' distribution policies have harmed competition in any relevant market. Even had I concluded otherwise, however, I would not endorse the proposed consent orders, which require each respondent to cease and desist from requiring OEM exclusivity as a condition of sale. As I have noted elsewhere,¹¹ the problems with remedies of this sort are significant.¹² A formal ban on exclusive dealing accomplishes little if respondents have alternative means available to achieve the same end. One readily available method in this case, fully consistent with the terms of the proposed orders, would be to establish a set of quantity discounts providing a customer with substantial financial incentives to procure all of its pumps from a single seller. Moreover, nothing in the orders would prevent a pump manufacturer from unilaterally refusing to sell to an OEM so long as the refusal was not conditioned on a promise of exclusivity. Another possible method would be to give exclusive OEMs better service (e.g., faster delivery times) than their non-exclusive rivals receive.

I cannot endorse an ineffective remedy for a nonexistent harm.

[FR Doc. 96-19592 Filed 7-31-96; 8:45 am]

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¹⁰ Cf. *Continental T.V., Inc. v. GTE Sylvania Inc.*, 433 U.S. 36, 58-59 (1977) (plaintiff must demonstrate anticompetitive effects and defendant's market power when challenging vertical restraints).

¹¹ Dissenting Statement of Commissioner Roscoe B. Starek, III, in *Silicon Graphics, Inc.*, Docket No. C-3626.

¹² For a discussion of why nondiscrimination remedies are problematic, see Brennan, "Why regulated firms should be kept out of unregulated markets: understanding the divestiture in *United States v. AT&T*," 32 *Antitrust Bull.* 741 (1987).

GENERAL SERVICES ADMINISTRATION

FAR Secretariat; Stocking Change and Revision of SF 28, Affidavit of Individual Surety

AGENCY: Office of Policy, Planning, and Evaluation, General Services Administration.

ACTION: Notice.

SUMMARY: The General Services Administration/FAR Secretariat is revising the SF 28, Affidavit of Individual Surety to update the burden statement by correcting the GSA address and deleting OMB's address for submitting comments regarding the burden estimate or any other aspect of the collection of information, and changing the stocking requirement. This form is now authorized for local reproduction and will no longer be available through the Federal Supply Service. Since this form is authorized for local reproduction, you can obtain the updated camera copy in two ways: On the internet. Address: <http://www.gsa.gov/forms>, or; From CARM, Attn.: Barbara Williams, (202) 501-0581.

FOR FURTHER INFORMATION CONTACT: The FAR Secretariat, (202) 501-4755. This contact is for information on completing the form and interpreting the FAR only.

DATES: Effective on or before August 1, 1996.

Dated: July 22, 1996.

Barbara M. Williams,
*Deputy Standard and Optional Forms
Management Officer.*
[FR Doc. 96-19391 Filed 7-31-96; 8:45 am]
BILLING CODE 6820-34-M

Notice of Establishment of Advisory Committee

Establishment of Advisory Committee. This notice is published in accordance with the provisions of Section 9(a)(2) of the Federal Advisory Committee Act (P.L. 92-463) and advises of the establishment of the General Services Administration's Federal Advisory Committee on the National World War II Memorial Design Competition in Washington, D.C. The Administrator of the General Services Administration has determined that establishment of this Committee is in the public interest.

Designation. Federal Advisory Committee on the National World War II Memorial Design Competition, Washington, DC.

Purpose: The purpose of the Committee is to advise and assist GSA

and the American Battle Monuments Commission in the review and evaluation of the proposals submitted on the National World War II Memorial Design Competition procurement. This will include, but not be limited to: (1) reviewing and evaluating proposals received; (2) providing the Committee's views regarding specific proposals received, including the bases for the views; and, (3) making recommendations for selection of the Designer and the Architect-Engineer of Record.

Contact for Information. For additional information, contact: Mr. Douglas Nelson, Project Executive, General Services Administration, 7th and D Streets, SW., Washington, DC 20407, Telephone: (202) 708-7623.

Dated: July 26, 1996.

David J. Barram,

Acting Administrator.

[FR Doc. 96-19664 Filed 7-31-96; 8:45 am]

BILLING CODE 6820-34-M

Federal Advisory Committee on the National World War II Memorial Design Competition; Meeting

Notice is hereby given that the General Services Administration's Federal Advisory Committee on the National World War II Memorial Design Competition in Washington, DC, will meet on an as needed basis in August, September, October, and November 1996 (after August 12, 1996). The purpose of the meetings is to review and evaluate the proposals received and make recommendations regarding final selection. The agenda for all meetings will relate to the evaluation of the proposals received.

All meetings will be closed to the public because procurement sensitive matters, including the pre-award evaluation of proposals, will be discussed. The bases for closing the meetings are 5 U.S.C. 552b(c) (3) and (4) (Government in the Sunshine Act).

Questions regarding these meetings should be directed to: Mr. Douglas Nelson, Project Manager, General Services Administration, 7th and D Streets, SW., Washington, DC 20407.

Dated: July 26, 1996.

David J. Barram,

Acting Administrator.

[FR Doc. 96-19665 Filed 7-31-96; 8:45 am]

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