TRANSACTIONS GRANTED EARLY TERMINATION BETWEEN: 052697 AND 060697—Continued

Name of acquiring person, name of acquired person, name of acquired entity	PMN No.	Date terminated
Aetna, Inc., FNI International, Inc., FNI International, Inc	97–2240	06/02/97
First National of Nebraska, Inc., Old Kent Financial Corp., Old Kent Bank	97–2241	06/02/97
Penn Ventilator Co., Inc., O.Y.L. Industries, BHD, AAF-McQuay, Inc. (BarryBlower Division)	97–2242	06/02/97
Leslie B. Otten, Michael A. Baker, Wolf Mountain Resorts, L.C	97–2243	06/02/97
St. Joseph Light & Power Company, Percy Kent Bag Co., Inc., Percy Kent Bag Co., Inc	97–2245	06/02/97
Cambridge Shopping Centres Limited, Kenneth R. Thomson, Markborough Properties, Inc	97–2246	06/02/97
Aeroquip-Vickers, Inc., Aeroquip-Vickers, Inc., Aeroquip Corporation/Assets	97–2256	06/02/97
360 Communications Company, 360 Communications Company, 360 Communications Company of Tallahassee Limited	97–2263	06/02/97
The Kaufmann Fund, Inc., Healthcare Recoveries, Inc., Healthcare Recoveries, Inc	97–2264	06/02/97
McCown DeLeeuw & Co. III, L.P., Healthcare America, Inc., Healthcare America, Inc	97–2265	06/02/97
OHM Corporation, Bennie Smith, Jr., Beneco Enterprises, Inc	97–2266	06/02/97
FS Equity Partners III, L.P., Stephen C. Swid, a natural person, SCS Communications, Inc., a Delaware corporation	97–2281	06/02/97
Sierra Pacific Holding Company, Louisiana-Pacific Corporation, Louisiana-Pacific Timber Company	97–2282	06/02/97
Co-Steel Inc., Myer N. Franklin, Jackson Iron & Metal Company, Inc	97–2294	06/02/97
Robert F. X. Sillerman, P. David Lucas, Murat Centre, L.P.; Polaris Amphitheater Limited	97–2298	06/02/97
Baker Hughes Incorporated, DRLX Partners, L.P., Drilex International Inc	97–2138	06/04/97
USA Waste Services, Inc., Alfred Rattenni, A–1 Compaction, Inc	97–2196	06/04/97
International Business Machines Corporation, International Business Machines Corporation, Advantis	97–2204	06/04/97
Gray Communications Systems, Raycom Media, Inc., WITN–TV	97–2212	06/04/97
Lancaster Health Alliance, Brandywine Health Services, Inc., Brandywine Health Services, Inc	97–2225	06/04/97
Jeffrey H. Smulyan, Tribune Company (The), Tribune New York Radio, Inc	97–2252	06/04/97
Occidental Petroleum Corporation, General Electric Company, General Electric Capital Corporation	97–2270	06/04/97
Foundation Health Systems, Inc., Physicians Health Services, Inc., Physicians Health Services, Inc	97–2274	06/04/97
Owens Corning, Fibreboard Corporation, Fibreboard Corporation	97–2290	06/04/97
Abbott Laboratories, Elf Aquitaine, Sanofi Pharmaceuticals, Inc	97–2068	06/05/97
General Electric Company, AT&T Corporation, AT&T Tridom, Inc	97–2069	06/05/97
Cross-Continent Auto Retailers, Inc., Jack Biegger, Sahara Nissan, Inc	97–2084	06/05/97
Rental Service Corporation, John Cooney, Central States Equipment, Inc	97–2247	06/05/97
LaserSight Incorporated, International Business Machines Corporation, International Business Machines Corporation	97–2275	06/05/97
BTG, Inc., John A. Pla, Nations, Inc	97–2279	06/05/97
Jeffrey M. Wolfe, Roy Smith, H.P. Smith Motors, Inc	97–2287	06/05/97
Ascend Communications, Inc., Cascade Communications Corp., Cascade Communications Corp	97–1819	06/06/97
Gururaj Deshpende, a U.S. citizen, Ascend Communications, Inc., Ascend Communications, Inc	97–1820	06/06/97
AmeriKing, Inc., Thomas Fickling, F & P Enterprises, Inc	97–2276	06/06/97
Federal Data Corporation, Gary S. and Areather T. Murray, Sylvest Management Systems Corporation	97–2285	06/06/97
REMEC, Inc., Tao Chow, C&S Hybrid, Inc	97–2291	06/06/97
AmeriKing Inc., William L. Prentice, F&P Enterprises, Inc	97–2296	06/06/97
Institute of the Sisters of Mercy of the Americas, Alexian Brothers of America, Inc., NEWCO	97–2306	06/06/97
National Australia Bank Limited, NationsBank Corporation, The Boatmen's National Bank of St. Louis	97–2319	06/06/97
Samuel Toscano, Jr., Drug Guild Distributors, Inc., Drug Guild Distributors, Inc	97–2321	06/06/97
Laird Norton Companies, Michael R. Wigley, Great Plains Supply, Inc.; GPS Mandan Partners, LLP	97–2324	06/06/97
Mr. Horst Kikwa-Lemmerz (a German person), Hayes Wheels International, Inc., Hayes Wheels International, Inc	97–2328	06/06/97
Suiza Foods Corporation, ZS Dairy Fresh L.P., Dairy Fresh L.P	97–2329	06/06/97
U.S. Office Products Company, Fortune Brands, Inc. f/k/a American Brands, Inc., Sax Arts & Crafts, Inc	97–2353	06/06/97

FOR FURTHER INFORMATION CONTACT: Sandra M. Peay or Parcellena P. Fielding, Contact Representatives, Federal Trade Commission, Premerger Notification Office, Bureau of Competition, Room 303, Washington, D.C. 20580, (202) 326–3100.

By Direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 97–16607 Filed 6–24–97; 8:45 am]

BILLING CODE 6750–01–M

FEDERAL TRADE COMMISSION

[Docket No. 9282]

Automatic Data Processing, Inc.; Analysis to Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed Consent Agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the draft amended complaint that accompanies the consent agreement and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before August 25, 1997.

ADDRESSES: Comments should be directed to: FTC/Office of the Secretary, Room 159, 6th St. and Pa. Ave., N.W., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT: William J. Baer, Federal Trade Commission, H–374, 6th and Pennsylvania Ave., NW, Washington, DC 20580. (202) 326–2932.

Howard Morse, Federal Trade Commission, S–3627, 6th and

Pennsylvania Ave., NW, Washington, DC 20580. (202) 326–2949.

Eric D. Rohlck, Federal Trade Commission, S–3627, 6th and Pennsylvania Ave., NW, Washington, DC 20580. (202) 326–2681.

SUPPLEMENTARY INFORMATION: Purusant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46, and Section 3.25 of the Commission's Rules of Practice (16 CFR 3.25), notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the accompanying complaint. An electronic copy of the full text of the consent agreement package can be obtained from the Commission Actions section of the FTC Home Page (for June 18, 1997), on the World Wide Web, at ''http://www.ftc.gov/os/actions/htm.'' A paper copy can be obtained from the FTC Public Reference Room Room H–130, Sixth Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580, either in person or by calling (202) 326–3627. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(6)(ii) of the Commission's Rules of Practice (16 CFR 4.9(b)(6)(ii)).

Analysis to Aid Public Comment on the Provisionally Accepted Consent Order

The Federal Trade Commission (''Commission'') has accepted, for public comment, from Automatic Data Processing, Inc. (''ADP''), an Agreement Containing Consent Order (''Agreement''). The Agreement has been placed on the public record for sixty days for receipt of comments from interested persons.

Comments received during this period will become part of the public record. After sixty days, the Commission will again review the Agreement and the comments received and will decide whether it should withdraw from the Agreement or make final the Agreement's order (''Order'').

The Commission issued an administrative complaint on November 13, 1996, charging ADP with violations of Section 5 of the Federal Trade Commission Act, 15 U.S.C. 45, and Section 7 of the Clayton Act, 15 U.S.C. 18, for its April 1, 1995, acquisition of assets from AutoInfo, Inc. (''Acquisition''). The Complaint alleged that prior to the Acquisition, AutoInfo and ADP were vigorous, head-to-head competitors (Complaint at ¶ 36) and the principal or only competitors in five product markets: (1) Automotive used parts and assemblies interchange; (2) computerized automotive salvage yard management systems that use an interchange; (3) electronic communication systems using an interchange used to buy and sell used automotive parts and assemblies; (4) the integrated network consisting of an interchange, yard management systems and communication systems; and (5) the collection and provision of salvage yard inventory data to customers that provide such data as part of estimating products sold to insurance companies (Complaint at ¶¶ 16–30). The Complaint charged that the effect of the Acquisition may be substantially to lessen competition or tend to create a monopoly in the relevant markets, that through the acquisition agreement, ADP engaged in unfair methods of competition, that ADP attempted to monopolize the relevant product markets, and that ADP monopolized the relevant product markets (Complaint at ¶¶ 42–49).

According to the Complaint, entry into the relevant product markets would not be timely, likely or sufficient in magnitude, character and scope to deter or counteract anticompetitive effects of the Acquisition. The interchange is based on a database that took many years to develop and would be difficult and time-consuming to attempt to reproduce (Complaint at ¶ 39). The interchange is a key input to the yard management systems and electronic communication systems, and without entry into the interchange market, it is also unlikely that timely or sufficient entry will occur (Complaint at ¶ 39). Entry would also be difficult, time-consuming and unlikely in yard management systems, electronic communication systems, and salvage yard information services because of the large number of customers ADP currently has using these products and services. According to the Complaint, salvage yards are reluctant to rely upon a new entrant without a significant number of other salvage yard customers participating in the network (Complaint at ¶ 40). the Compliant also alleged that timely or sufficient entry is unlikely in the collection and dissemination of salvage yard inventory data largely because of the time, expense, and difficulty in collecting salvage yard inventory data independent of ADP and because ADP is the gatekeeper of salvage yard inventory data through its control of the interchange, integrated yard management systems, electronic communication systems, and salvage yard information systems (Complaint at ¶ 39).

The Complaint alleged that the Acquisition was part of a two-step plan by ADP to acquire the leading information service providers to the salvage industry and thereby acquire market power. ADP acquired such market power by first acquiring Hollander, Inc., in 1992, a provider of salvage yard information services with the largest customer base, and then acquiring the AutoInfo assets in 1995, a provider with the second largest customer base (Complaint at ¶ 33).

The Complaint alleged that the Acquisition would, among other things, eliminate AutoInfo as an actual, substantial, and direct competitor, increase or potentially increase prices or reduce technological improvements or innovations in the relevant product markets, increase barriers to entry, harm users of the former-AutoInfo products, and give ADP market and monopoly power in the relevant product markets (Complaint at ¶ 33).

Since November 1996, this matter has been in pretrial discovery before an administrative law judge, with trial scheduled to begin on July 15, 1997. The matter was removed from administrative adjudication on May 22, 1997, on a joint motion of ADP and Commission counsel, so the Commission could consider the Agreement. The Agreement Containing Consent Order would, if finally accepted by the Commission, settle the charge alleged in the Complaint.

Paragraph II of the Order accepted for public comment would require ADP to divest, to an acquire or acquirers and in a manner that receives the prior approval of the Commission, the following assets, collectively known as the ''AutoInfo Assets'':

(1) The former-AutoInfo yard management systems, including, among other things, Checkmate, Checkmate Jr., Classic, the BidPad, PartPad, accounting and management modules, source codes, application program interfaces, data formats, communications protocols, and customer, supplier and service contracts;

(2) The former-AutoInfo communication systems, including ORION/RTS, AutoMatch, AutoXchange, and ORION Exchange communication systems, including, among other things, source codes, application program interfaces, data formats, communication protocols, customer, supplier and service contracts, and ADP's rights and obligations with respect to current and former subscribers to CalQwik;

(3) A non-exclusive, paid-up license to all research and development done by or for

ADP Claims Solutions Group, Inc.'s Parts Services Division for any new yard management system or communication system;

(4) The AutoInfo Interchange, including the assets used in the development and maintenance of the AutoInfo Interchange; and

(5) The former-AutoInfo Parts Locator, a computerized on-line telephone service that is offered to the automobile casualty insurance industry, which uses ORION/RTS, and, among other things, software that provides access to the ORION/RTS database, and customer, supplier and service contracts.

Paragraph II of the Order also requires that ADP divest its rights and obligations as the data collector for the Automotive Recyclers Association (''ARA'') International Database. The proposed Order provides that, in the alternative to a divestiture of the data collector rights, ADP can terminate its rights as the ARA Database Collector pursuant to the contract with the ARA.

ADP would be required to divest the AutoInfo Assets absolutely and in good faith, as an on-going business, to an acquirer within 150 days from the date the Commission accepted the Agreement Containing Consent Order for public comment or 60 days after the Order becomes final, whichever is later, or be subject to civil penalties and the possibility of a trustee being appointed pursuant to Paragraph III of the Order. The trustee would have the right to divest not only the AutoInfo Assets, but also the Compass network of voice lines (''Trustee Assets''). If the trustee is unable to divest the Trustee Assets consistent with the Commission's purpose, the trustee may divest additional ancillary assets of ADP related to the Trustee Assets and effect such other arrangements as are necessary to satisfy the requirements of the Order.

Paragraph II.A. of the proposed Order states that the purpose of the divestiture is to maintain the divested assets as on-going businesses, to continue use of the former-AutoInfo businesses in the same manner as before ADP acquired AutoInfo when ADP and AutoInfo were competitors, and to remedy the lessening of competition resulting from the Acquisition as alleged in the Commission's complaint.

Since the Acquisition, ADP, has not updated the former-AutoInfo Interchange and has switched the former-AutoInfo yard management system customers (Checkmate, Checkmate, Jr. and Classic users) from the AutoInfo Interchange to the Hollander Interchange with some integration of the AutoInfo Interchange. Because the merger has led to a migration to a single interchange, the proposed Order would require ADP to grant a paid-up, perpetual, non-exclusive license to the Hollander Interchange with updates from ADP for at least a three-year period. The Hollander Interchange is an important component for trading salvage parts and the proposed Order would allow for the identical Hollander Interchange to be used by the acquirer and its customers and licensees for a period of time.

The acquirer would be free to create its own updates to the Hollander Interchange. This would allow the acquirer to differentiate and improve the Hollander Interchange during the time it is receiving updates from ADP and thereafter. Paragraph IV.B. would assist the acquirer in writing updates by requiring ADP to provide to the acquirer at the time of divestiture, a copy of, and non-exclusive license to, all computer programs and databases, and a list of and sources for all information, used by ADP to update the Hollander Interchange.

Under Paragraph IV.A. of the proposed Order, the acquirer of the divested assets would have the right to sublicense the Hollander Interchange and reproduce it in any form including electronic or printed forms (other than the copyright-protected format of Hollander Interchange books presently produced and sold by ADP). These rights granted the acquirer pursuant to the Order should allow for a competitive environment to emerge through development of the acquirer's or its licensee's products and broaden the choices available to salvage yard customers for parts trading.

Several provisions of the proposed Order are intended to ensure that the acquirer would be a viable and competitive entity at the time of divestiture. The Commission's Complaint alleges that ADP stopped selling the former-AutoInfo yard management systems after the Acquisition and that ADP had a virtual monopoly in the provision of yard management systems to the salvage industry (Complaint at ¶ 24 and 32–38). New yard management system customers were denied the choice of acquiring the AutoInfo yard management system from the date of the Acquisition up to the time of the divestiture under the proposed Order. Paragraph V of the proposed Order would facilitate those customers' switching to the acquirer's products by requiring ADP, for a year, to allow, without penalty, any customer who entered into a contract for the Hollander Yard Management System or ADP's EDEN communication system between April 1, 1995 (the date of the AutoInfo acquisition) and the date of divestiture, to switch from ADP systems to a yard management system or communication system of the acquirer.

Paragraph VII of the proposed Order would prohibit ADP, for ten years, from restricting, or threatening to restrict any customer or licensee of the Hollander Interchange from using or connecting to the products of the acquirer, its licensees or the ARA Data Collector. To facilitate interconnection, the proposed Order would also require ADP to provide to the acquirer and its licensees specifications and information reasonably necessary to create interfaces with ADP's yard management and communication systems. The acquirer and its licensees will be able to transmit inventory data using the Hollander Interchange numbers even after the three-year time period prescribed in Paragraph IV expires because ADP is required to grant a paid-up, perpetual, non-exclusive license to the Hollander Interchange to the acquirer and its licensees in connection with the collection or searching of inventory data. This provision would allow customers to choose to access or connect to other companies' products, thereby increasing their options for buying and selling used parts and assemblies.

Paragraph VII of the proposed Order would not require ADP to give acquirer and its licensees rights to sell or distribute updates of the Hollander Interchange other than the rights specified in Paragraphs II and IV, would not bar ADP from restricting transmission of Hollander Interchange numbers to persons other than the acquirer or its licensees, and would not require ADP to create the interfaces to connect to its products or to repair any customer's Hollander yard management system or EDEN communication system if the product's functionality is damaged by use of the acquirer's or licensees' products.

Paragraph VI of the proposed Order would require ADP to cooperate with the acquirer in hiring persons knowledgeable about interchange, yard management systems, and communication systems from ADP; ADP would be prohibited from restricting or threatening to restrict any person employed by ADP's Parts Services division or formerly by AutoInfo, Inc. at any time since January 1, 1995, from working for the acquirer; and, ADP would be required to cooperate in effecting transfer of any employee who chooses to transfer to the acquirer. For a year after the date the acquirer hires an ADP employee, ADP is also prohibited from re-hiring that person.

The requirements of this Paragraph would assist the acquirer to obtain technical expertise to serve its customers.

Paragraph VIII of the proposed Order would require ADP to obtain prior approval from the Commission for any reacquisition of the assets required to be divested. Certain acquisitions that would not require a premerger filing under the Hart-Scott-Rodino Premerger Notification Act would be subject to a prior notice requirement.

The proposed Order also would require ADP to provide periodic reports of compliance (Paragraph IX), to notify the Commission of changes in its corporate structure or status (Paragraph X), and to permit authorized representatives of the Commission access to, among other things, documents and memoranda relating to matters contained in the Order (Paragraph XI). The proposed Order would terminate twenty years from the date the Order is final.

The purpose of this analysis is to facilitate public comment on the proposed Order, and it is not intended to constitute an official interpretation of the agreement and proposed Order or to modify in any way their terms.

Donald S. Clark,

Secretary.

[FR Doc. 97–16608 Filed 6–24–97; 8:45 am]

BILLING CODE 6750–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Agency Information Collection Activities: Proposed Collections; Comment Request

The Department of Health and Human Services, Office of the Secretary will periodically publish summaries of proposed information collections projects and solicit public comments in compliance with the requirements of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995. To request more information on the project or to obtain a copy of the information collection plans and instruments, call the OS Reports Clearance Officer on (202) 690–6207.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Proposed Projects 1. Study of the Implementation of the Office of Minority Health's Bilingual/Bicultural Service Demonstration Program

New—The Office of Minority Health proposes to survey sites participating in its Bilingual/Bicultural demonstration grant program to obtain general information on how the program is being implemented.

Type of Respondents: demonstration sites; *Number of Respondents:* 47; *Burden Estimate per Response to Verification Survey:* 4 hours; *Total Burden for Verification Survey:* 188 hours; *Burden Estimate per Response to Telephone Interview:* 1 hour; *Total Burden for Telephone Interview:* 47 hours. *Total Study Burden:* 235 hours.

Send comments to Cynthia Agens Bauer, OS Reports Clearance Officer, Room 503H, Humphrey Building, 200 Independence Avenue S.W., Washington, DC, 20201. Written comments should be received within 60 days of this notice.

Dated: June 18, 1997.

Dennis P. Williams,

Deputy Assistant Secretary, Budget.

[FR Doc. 97–16643 Filed 6–24–97; 8:45 am]

BILLING CODE 4150–04–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Program Support Center; Agency Information Collection, Activities: Submission for OMB Review; Comment Request

The Department of Health and Human Services, Program Support Center, publishes a list of information collections it has submitted to the Office of Management and Budget (OMB) for clearance in compliance with the paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) and 5 CFR 1320.5. The following are those information collections recently submitted to OMB:

1. Public Health Service (PHS) Commissioned Corps Application Forms (PHS–50 and PHS–1813)—Revision. The forms have been revised to reflect a reduction in the number and type of questions, as well as a reorganization of the questions to permit a more logical entry of data by both the applicant and the processing personnel office.

The PHS–50, Application for Appointment as a Commissioned Officer in the United States Public Health Service, is used to determine if an applicant is qualified for appointment in the Commissioned Corps of the Public Health Service. In addition, the information contained in PHS–50 establishes the basis for future assignments and benefits as a commissioned officer. *Respondents:* individual applicants seeking appointment as an officer in the Commissioned Corps of the PHS; *Total Number of Respondents:* 1,750 in calendar year 1996; *Frequency of Response:* once per applicant; *Average Burden per Response:* 1.0 hours; Estimated *Annual Burden:* 1,750 hours.

The PHS 1813, Reference Request for Applicants to the U.S. Public Health Service Commissioned Corps, is used to obtain reference information concerning applicants for appointment in the Commissioned Corps of the PHS. Each applicant is required to provide four references. *Respondents:* persons designated by applicant; *Total Number of Respondents:* 7,000; *Frequency of Response:* once per reference source; *Average Burden per Response:* .25 hour; *Estimated Annual Burden:* 1,750 hours. *Total Burden:* 3,500 hours to respondents *OMB Desk Officer:* Allison Eydt.

Copies of the information collection packages listed above can be obtained by calling the PSC Reports Clearance Officer on (301) 443–2045. Written comments and recommendations for the proposed information collection should be sent directly to the OMB desk officer designated above at the following address: Human Resources and Housing Branch, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street N.W., Washington, D.C. 20503.

Comments may also be sent to Douglas F. Mortl, PSC Reports Clearance Officer, Room 17A08, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857. Written comments should be received within 30 days of this notice.

Dated: June 18, 1997.

Lynnda M. Regan,

Director, Program Support Center.

[FR Doc. 97–16560 Filed 6–24–97; 8:45 am]

BILLING CODE 4160–17–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HHS Committee on Health Data Standards: Meeting

Notice is hereby given that the U.S. Department of Health and Human