

Issued: August 5, 2008.

**William R. Bishop,**

*Hearings and Meetings Coordinator.*

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Federal Register Notice

Notice is hereby given pursuant to the Defense Production Act of 1950, 50 U.S.C. App. § 2158 ("DPA") that the Attorney General finds that the purpose of a Voluntary Tanker Agreement ("VTA") proposed by the Maritime Administration ("MarAd") may not reasonably be achieved through a voluntary agreement or plan of action having less anticompetitive effects or without any voluntary agreement of plan of action. The text of the proposed VTA was published in Volume 72 of the **Federal Register** at pages 41099-41103 (July 26, 2007).

Under the DPA, MarAd may enter into agreements with representatives of private industry for the purpose of improving the efficiency with which private firms contribute to the national defense when conditions exist that may pose a direct threat to the national defense or its preparedness. Such arrangements are generally known as "voluntary agreements." A defense to actions brought under the antitrust laws is available to each participant acting within the scope of a voluntary agreement that has come into force under the DPA.

The DPA requires that each proposed voluntary agreement be reviewed by the Attorney General prior to becoming effective. If, after consulting with the Chairman of the Federal Trade Commission, the Attorney General finds that the purpose of the DPA "may not be reasonably achieved through a voluntary agreement having less anticompetitive effects or without any voluntary agreement or plan of action," the agreement may become effective. 50 U.S.C. App. § 2158(f)(1)(B). The Attorney General's authority is delegated to the Assistant Attorney General for the Antitrust Division by 28 CFR 0.40(e).

The purpose of the proposed VTA is to support Department of Defense ("DoD") contingency requirements to provide tanker capacity during times of crisis through procedures agreed in advance. The proposed VTA establishes the terms, conditions and procedures under which participants agree voluntarily to make tankers available to

the DoD. MarAd has certified that the proposed VTA is necessary to carry out its purpose.

MarAd requested that the Antitrust Division issue a finding that the proposed VTA satisfies the statutory criteria set forth in 50 U.S.C. App. § 2158(f)(1)(B). The Antitrust Division reviewed the proposed agreement, attended an open meeting of interested persons pursuant to the requirements of 44 CFR 332.2, and consulted with the Chairman of the Federal Trade Commission as to the competitive effect of the proposed agreement. On July 23, 2008, by letter to Sean T. Connaughton, Maritime Administrator for MarAd, Thomas O. Barnett, Assistant Attorney General for the Antitrust Division, issued a finding that the proposed agreement satisfies the statutory criteria.

**J. Robert Kramer II,**

*Director of Operations, Antitrust Division.*

[FR Doc. E8-17996 Filed 8-7-08; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Antitrust Division

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

Notice is hereby given that, on June 30, 2008, 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") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. 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. Specifically, Global Protein Products, Inc., Winslow, ME has been added as a party to this venture.

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 13, 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 with the Department on September 23, 2003. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on October 14, 2003 (68 FR 59197).

**Patricia Brink,**

*Deputy Director of Operations, Antitrust Division.*

[FR Doc. E8-18184 Filed 8-7-08; 8:45 am]

BILLING CODE 4410-11-M

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—the Information Technology Industry Council, Inc./the International Committee for Information Technology Standards

Notice is hereby given that, on June 25, 2008, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), The Information Technology Industry Council, Inc./The InterNational Committee for Information Technology Industry Council, Inc. ("ITI/INCITS") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. 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. Specifically, ITI/INCITS has approved 100 new national standards in such areas as Biometrics, Fibre Channel, Office Processing, Identification Cards and OSI, initiated numerous other new standards development projects, and restructured several of its technical committees, task groups and management committees. More detail regarding these activities—including a catalog of current standards, descriptions of proposed standards under public review, and information concerning comment procedure and deadlines—may be found at <http://www.incits.org>.

On September 21, 2004, ITI/INCITS 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 December 16, 2004 (69 FR 75346).

**Patricia A. Brink,**

*Deputy Director of Operations, Antitrust Division.*

[FR Doc. E8-18182 Filed 8-7-08; 8:45 am]

**BILLING CODE 4410-11-M**

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Records Schedules; Availability and Request for Comments

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

**DATES:** Requests for copies must be received in writing on or before September 8, 2008. Once the appraisal of the records is completed, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums that contain additional information concerning the records covered by a proposed schedule. These, too, may be requested and will be provided once the appraisal is completed. Requesters will be given 30 days to submit comments.

**ADDRESSES:** You may request a copy of any records schedule identified in this notice by contacting the Life Cycle Management Division (NWML) using one of the following means:

*Mail:* NARA (NWML), 8601 Adelphi Road, College Park, MD 20740-6001.

*E-mail:* [requestschedule@nara.gov](mailto:requestschedule@nara.gov).

*Fax:* 301-837-3698.

Requesters must cite the control number, which appears in parentheses

after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports should so indicate in their request.

#### FOR FURTHER INFORMATION CONTACT:

Laurence Brewer, Director, Life Cycle Management Division (NWML), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. Telephone: 301-837-1539. E-mail: [records.mgt@nara.gov](mailto:records.mgt@nara.gov).

**SUPPLEMENTARY INFORMATION:** Each year Federal agencies create billions of records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval, using the Standard Form (SF) 115, Request for Records Disposition Authority. These schedules provide for the timely transfer into the National Archives of historically valuable records and authorize the disposal of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

The schedules listed in this notice are media neutral unless specified otherwise. An item in a schedule is media neutral when the disposition instructions may be applied to records regardless of the medium in which the records are created and maintained. Items included in schedules submitted to NARA on or after December 17, 2007, are media neutral unless the item is limited to a specific medium. (See 36 CFR 1228.24(b)(3).)

No Federal records are authorized for destruction without the approval of the Archivist of the United States. This approval is granted only after a thorough consideration of their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and whether or not they have historical or other value.

Besides identifying the Federal agencies and any subdivisions requesting disposition authority, this public notice lists the organizational unit(s) accumulating the records or indicates agency-wide applicability in the case of schedules that cover records

that may be accumulated throughout an agency. This notice provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction). It also includes a brief description of the temporary records. The records schedule itself contains a full description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it too includes information about the records. Further information about the disposition process is available on request.

### Schedules Pending

1. Department of Agriculture, Food and Nutrition Service (N1-462-04-3, 4 items, 4 temporary items). Inputs, master file and Web site records associated with a Web-based food ordering system used by state and local governments, the Federal Government, and private industry. The proposed disposition instructions are limited to electronic records for certain items and to paper records for other items.

2. Department of Agriculture, Food Safety and Inspection Service (N1-462-04-9, 1 item, 1 temporary item). Master file associated with an electronic information system that provides information on microbiological, chemical, and pathological analyses of domestic and imported meat and poultry and their processed products. The proposed disposition instructions are limited to electronic records.

3. Department of Justice, Federal Bureau of Investigation (N1-65-08-20, 1 item, 1 temporary item). This schedule requests authority to destroy case 29J-OC-63713, which pertains exclusively to the investigation of the captioned individual. This request responds to a Federal Pre-Trial Diversion Program court order to delete the records of the captioned individual.

4. Department of State, Bureau of Near Eastern Affairs (N1-59-08-10, 7 items, 4 temporary items). Subject files, biographic files, extra copies of briefing books, and departmental task force/working group files. Proposed for permanent retention are bureau-level task force/working group files, geographic office briefing books, and unique collections of records relating to historically significant events within the geographic region covered by the bureau. The proposed disposition instructions for permanent items are limited to paper records.

5. Federal Housing Finance Board, Office of the Inspector General (N1-485-08-2, 10 items, 10 temporary