write separately to highlight several lingering concerns.

As explained in greater detail in the Analysis to Aid Public Comment, to remedy overlaps in the ''superpremium'' ice cream businesses of Nestlé and Dreyer's, the parties will be required to divest a package of assets—including Dreyer's Dreamery ice cream and Whole Fruit sorbet brands, Dreyer's license to the Godiva brand,[1] and Nestlé's frozen dessert Direct Store Delivery (DSD) distribution network—to CoolBrands International, Inc. However, Nestlé's DSD system currently handles more product volume than that represented by the products CoolBrands will acquire. Therefore, the proposed consent agreement also requires the merged competitors, for a period of five years, to supply CoolBrands with sufficient volumes of additional ice cream products to enable it profitably to operate the distribution system.

CoolBrands is a qualified buyer whose management team has significant experience in the ice cream business. With respect to the acquisition of the three product brands, CoolBrands has existing manufacturing capacity and expertise, which should facilitate a smooth transition on the manufacturing side. With respect to the acquisition of Nestlé's DSD distribution assets, CoolBrands already has some DSD assets and business of its own, and appears to understand how to operate a DSD network. This is particularly important, because DSD is the method currently used to sell virtually all superpremium ice cream in the United States. In sum, CoolBrands seems well-positioned to make the most of the product and distribution assets it will acquire.

However, the ''mix-and-match'' nature of the divestiture package is far from ideal, especially when compared with the assets to be retained by the combined Nestlé/Dreyer's. Post-merger, Nestlé/Dreyer's will own Nestlé's dominant Häagen-Dazs superpremium ice cream brand as well as Dreyer's superior DSD distribution system. CoolBrands, on the other hand, will end up with one company's less-popular brands and the other company's weaker DSD distribution system.

As Commission staff recently has acknowledged, and as I have maintained throughout my tenure as Commissioner, the divestiture of a complete, autonomous, ongoing business unit minimizes the risks of anticompetitive harm because ''such a remedy requires the Commission and the Bureau to make the fewest assumptions and to draw the fewest conclusions about the market and its participants and about the viability and competitiveness of the proposed package of assets.''[2] In this case, it is a foregone conclusion that the ''mix-and-match'' product and distribution assets to be acquired by CoolBrands are *not* a perfect fit for each other. The proposed consent agreement explicitly recognizes that, absent a short-term commitment of product volume from competitor Nestlé/Dreyer's, CoolBrands would have insufficient volume to operate the Nestlé DSD distribution system profitably. The resulting volume commitments are a more regulatory form of relief than I ordinarily like to see, in large part because they effectively will require the Commission to supervise the superpremium ice cream marketplace for the next five years.

Moreover, there is no guarantee that the CoolBrands DSD distribution system will, in fact, be profitable once the volume commitments terminate. In the meantime, all of the risk of failure is borne by CoolBrands and, ultimately, consumers—not by the parties. Five years from now, Nestlé/Dreyer's almost certainly will retain its leading Häagen-Dazs brand, an excellent DSD distribution system, and plenty of volume to drive through that system. In contrast, if CoolBrands finds itself unable to attract additional DSD product volume from third parties, the company may suffer from decreased profitability. Depending upon the strategic choices CoolBrands might be forced to make, consumers could be faced with fewer, higher-priced superpremium offerings on supermarket shelves.

Every settlement has elements of uncertainty and risk. Our job is to determine whether the risk is small enough to be acceptable. I have voted to accept the proposed settlement based upon staff's extensive investigation of the ice cream industry, as well as CoolBrands' track record. CoolBrands appears capable of attracting enough independent distribution business to fill its excess DSD capacity over time. In addition, CoolBrands always has the option of scaling down its DSD system to more closely match available volume and maintain profitability. Therefore, based upon the evidence available to me at this time, I am reasonably comfortable that things will work out as intended, and that the competitive *status quo* can be attained.

[1] The parties will not be required to divest Dreyer's license to the Starbucks brand. The combined Nestlé/Dreyer's will retain the existing Starbucks ice cream business. However, the current joint venture between Dreyer's and Starbucks will be modified to make it a non-exclusive joint venture, thereby allowing Starbucks (if it so chooses) to conduct ice cream business apart from the joint venture.

[2] Bureau of Competition, Federal Trade Commission, Statement of the Federal Trade Commission's Bureau of Competition on Negotiating Merger Remedies (Apr. 2, 2003), available at *http://www.ftc.gov/bc/bestpractices/bestpractices030401.htm.*

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BILLING CODE 6750–01–P

GENERAL ACCOUNTING OFFICE

Advisory Council on Government Auditing Standards; Government Auditing Standards

AGENCY: General Accounting Office.

ACTION: Notice of document availability.

SUMMARY: David M. Walker, Comptroller General of the United States and head of the U.S. General Accounting Office (GAO), on Wednesday, June 25, 2003, announced the release of a new edition of ''Government Auditing Standards'' commonly referred to as the Yellow Book. GAO's publication of ''Government Auditing Standards'' provides a framework for ensuring the competence, integrity, objectivity, and independence of government audits at a time of urgent need for integrity in the auditing profession and for transparency and accountability in the management of limited government resources. This fourth revision since the standards were first published in 1972 will guide audits of financial and program management not only in Federal agencies, but also State and local governments, and nonprofit organizations that receive Federal funds. Bringing the 1994 edition up to date after an extensive process of consultation with auditors and stakeholders, the standards incorporate amendments on computer-based information systems, auditor communication, and auditor independence. The revision strengthens audit requirements for identifying fraud, illegal acts, and noncompliance; redefines the types of audits and services covered; provides consistency of requirements across types of audits; and gives clear guidance to auditors as they work toward a government that is efficient, effective, and accountable to the people.

New standards are applicable for financial audits and attestation engagements of periods ending on or after January 1, 2004, and for performance audits beginning on or after January 1, 2004. Early applications is permissible and encouraged.

''Government Auditing Standards'' is available on the GAO Web site at

www.gao.gov/govaud/ybk01.htm. Printed copies will be available from the U.S. Government Printing Office. Also posted on the Web site is a list of major changes from the 1994 edition.

FOR FURTHER INFORMATION CONTACT: Marcia Buchanan, Assistant Director, Government Auditing Standards, 202–512–9321.

Jeanette M. Franzel,

Director, Financial Management and Assurance.

[FR Doc. 03–16716 Filed 7–1–03; 8:45 am]

BILLING CODE 1610–03–M

GENERAL SERVICES ADMINISTRATION

Notice of Intent To Prepare an Environmental Impact Statement for the San Ysidro Border Station Expansion

AGENCIES: General Services Administration (GSA), California Department of Transportation (CalTrans), and Federal Highway Administration (FHWA).

ACTION: Notice of intent to prepare an Environmental Impact Statement (EIS) for the upgrade and expansion of the existing San Ysidro Border Station.

SUMMARY: The action to be evaluated by this EIS is the upgrade and expansion of the existing San Ysidro Border Station, located in San Ysidro, California, to relieve the substantial increase of traffic congestion at the southern terminus of I–5; to implement new mandated border entry/exit programs, in accordance with the legislative requirements of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to further the reorganization of the Federal Inspection Services into an agency of Homeland Security; and, to maintain control over ever present illegal activities at the border.

Alternatives

Four build alternatives for the proposed project are currently under consideration and will be analyzed in the EIS for potential environmental impacts. In addition, as required be NEPA, the ''No Build'' alternative will be analyzed. In an effort to provide effective border control services to both Mexico and the United States (U.S.), and to streamline traffic along I–5 between Mexico and the U.S., several potential developments outside of the scope of this project are being taken into consideration during the planning stages of the proposed project. One of these potential developments involves the Mexican Federal Government's plan to develop a new non-commercial port of entry at El Chaparral, located directly south of the decommissioned U.S. Virginia Avenue Commercial Vehicle Inspection facility. The San Ysidro Border Station would need to align with, or connect to, the El Chaparral facility. A second local area project which would affect the development of the proposed project is the San Ysidro Intermodal Transportation Center, which will improve the trolley terminus to the east of the existing San Ysidro Border Station. The proposed transportation center also includes general hardscape and landscape improvements, as well as upgrades to existing parking lots and roadways. This development would establish the area east of the existing San Ysidro Border Station as the main hub for the local population and any individuals wishing to cross the U.S./Mexico border.

Public Involvement

The views and comments of the public are necessary in determining the scope and content of the environmental analysis in connection with the proposed project. A scoping meeting for the proposed project will be held on Wednesday, July 23, 2003 from 3 p.m. to 7 p.m. at the San Ysidro Multi-Cultural Center, located at 4345 Otay Mesa Road in San Ysidro, CA. Interested parties may attend to present questions and concerns that they believe should be addressed in the EIS. Release of the Draft EIS for public comment and the public meeting will be announced in the local news media as these dates are established.

FOR FURTHER INFORMATION CONTACT: General Services Administration, Pacific Rim Region, Ramón D. Riesgo, Border Station Program, Desert Service Center, 401 West ''A'' Street, Suite 2075, San Diego, CA 92101–8843, (619) 557–5092.

Steve J. Scavo,

Acting Director, Desert Service Center.

[FR Doc. 03–16784 Filed 7–1–03; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60 Day–03–88]

Proposed Data Collections Submitted for Public Comment and Recommendations

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 for opportunity for public comment on proposed data collection projects, the Centers for Disease Control and Prevention (CDC) will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the data collection plans and instruments, call the CDC Reports Clearance Officer on (404) 498–1210.

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. Send comments to Seleda Perryman, CDC Assistant Reports Clearance Officer, 1600 Clifton Road, MS–D24, Atlanta, GA 30333. Written comments should be received within 60 days of this notice.

Proposed Project: Hemostatic Disorders in Families—New—National Center for Infectious Diseases (NCID), Centers for Diseases Control and Prevention (CDC). Disorders of hemostasis are primarily due to alteration in the balance of the normal hemostatic mechanism, which provides for the appropriate formation and breakdown of the clot. Disruption in this balance causes bleeding disorders and thrombotic disorders, both of which are multifactorial, resulting from the interaction of genetic and environmental risk factors. Disorders that are transmitted in families, such as hemophilia and protein S deficiency, are due to specific mutations, but many different mutations are known to cause each disease. Since different mutations may cause variation in severity and clinical course of the disease, population studies capture a heterogeneous group. Modification of the primary gene defect by acquired factors and by action of other genes to produce further variability in clinical expression of the disease may be less apparent in populations. Study of family members allows for control of one significant parameter, gene defect, in order for the effects of other variables to be examined.

Diagnosis of a hemostatic disorder through measurement of coagulation factors or genetic testing is not always predictive of clinical disease, yet