

addresses into destination barcodes, and use these barcodes to sort mail by country, state, city and/or street. Postal automation systems reduce the amount of labor needed to reliably handle the millions of pieces of mail received daily by public postal services.

The world market for postal automation systems is highly concentrated, and the proposed acquisition would allow Siemens, the largest supplier of these systems, to purchase its closest competitor. Siemens and Dematic regularly bid against each other for significant public postal contracts, and they supply postal automation systems to virtually all of the major public postal services in the world, including the United States Postal Service. By eliminating competition between these two leading suppliers, the proposed acquisition would allow Siemens to exercise market power unilaterally, thereby increasing the likelihood that purchasers of postal automation systems would be forced to pay higher prices and that innovation and service levels in the market would decrease. Siemens's proposed acquisition of Vodafone would also increase the likelihood that the remaining suppliers of postal automation systems could collude to the detriment of customers in the market for postal automation systems.

Significant impediments to new entry exist in the postal automation systems market. Customers require highly sophisticated and reliable systems in order to process the large volume of mail they handle daily. Consequently, customers do not consider new suppliers of postal automation systems unless they first establish a track record of successfully delivering smaller component parts. A supplier must then develop a competitive system and have the resources to participate in the very lengthy competitions typical in this market. These steps are difficult, expensive and time-consuming. For this reason, new entry into the market for postal automation systems would not be accomplished in a timely manner or be likely to occur at all even if prices increased substantially after the proposed acquisition.

The Consent Agreement effectively remedies the acquisition's anticompetitive effects in the postal automation systems market by requiring Siemens and Vodafone to divest the MDPA business. Pursuant to the Consent Agreement, Siemens and Vodafone are required to divest the MDPA business to Northrop no later than ten (10) days from the date Siemens consummates its acquisition of certain voting securities of Vodafone. If

the Commission determines that Northrop is not an acceptable buyer or that the manner of divestiture is not acceptable, Siemens and Vodafone must divest the MDPA business to a Commission-approved buyer within three (3) months from the date the Order becomes final. Should they fail to do so, the Commission may appoint a trustee to divest the MDPA business.

The Commission's goal in evaluating possible purchasers of divested assets is to maintain the competitive environment that existed prior to the acquisition. A proposed buyer of divested assets must not itself present competitive problems. The Commission is satisfied that Northrop is a well-qualified acquirer of the divested assets. Northrop is a publicly-traded corporation and a leading systems integrator. It has the necessary industry expertise to replace the competition that existed prior to the proposed acquisition. Furthermore, Northrop poses no separate competitive issues as the acquirer of the divested assets.

The Consent Agreement contains several provisions designed to ensure that the divestiture of the MDPA business is successful. The Consent Agreement requires Siemens and Vodafone to provide incentives to certain employees to continue in their positions until the divestiture is accomplished. Under certain circumstances, Siemens is also required to provide additional incentives to key employees to accept employment, and remain employed, by the acquirer. For a period of one (1) year from the date the divestiture of the MDPA business is accomplished, Siemens and Vodafone are prohibited from soliciting or inducing any employees or agents of the MDPA business to terminate their employment with MDPA. Furthermore, for a period of four (4) months following the date the divestiture is accomplished, Siemens and Vodafone are prohibited from hiring any employees or agents of MDPA. Siemens and Vodafone are also prohibited from soliciting MDPA customers for a period of two (2) years from the date Siemens signs its divestiture agreement with the acquirer of the MDPA business. Finally, Siemens is not permitted to disclose to any person or use any information it obtains relating to the MDPA business.

In order to ensure that the Commission remains informed about the status of the MDPA business pending divestiture, and about the efforts being made to accomplish the divestiture, the Consent Agreement requires Siemens and Vodafone to file reports with the Commission within thirty (30) days of the date they sign the

Consent Agreement, and periodically thereafter, until the divestiture is accomplished.

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

By direction of the Commission.

**Benjamin I. Berman,**  
*Acting Secretary.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Notice of a Meeting of the National Bioethics Advisory Commission (NBAC)

**SUMMARY:** Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is given of a meeting of the National Bioethics Advisory Commission. The Commission will discuss its ongoing project on ethical and policy issues in research involving human participants. Some Commission members may participate by telephone conference. The meeting is open to the public and opportunities for statements by the public will be provided on May 15 from 1:00-1:30 pm.

Dates/times	Location
May 15, 2001—8:30 am-5:00 pm.	The Mayflower Hotel, Colonial Room, 1127 Connecticut Avenue, NW., Washington, DC 20036.

**SUPPLEMENTARY INFORMATION:** The President established the National Bioethics Advisory Commission (NBAC) on October 3, 1999 by Executive Order 12975 as amended. The mission of the NBAC is to advise and make recommendations to the National Science and Technology Council, its Chair, the President, and other entities on bioethical issues arising from the research on human biology and behavior, and from the applications of that research.

#### Public Participation

The meeting is open to the public with attendance limited by the availability of space on a first come, first serve basis. Members of the public who wish to present oral statements should contact Ms. Jody Crank by telephone, fax machine, or mail as shown below as

soon as possible, at least 4 days before the meeting. The Chair will reserve time for presentations by persons requesting to speak and asks that oral statements be limited to five minutes. The order of persons wanting to make a statement will be assigned in the order in which requests are received. Individuals unable to make oral presentations can mail or fax their written comments to the NBAC staff office at least five business days prior to the meeting for distribution to the Commission and inclusion in the public record. The Commission also accepts general comments at its website at [bioethics.gov](http://bioethics.gov). Persons needing special assistance, such as sign language interpretation or other special accommodations, should contact NBAC staff at the address or telephone number listed below as soon as possible.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jody Crank, National Bioethics Advisory Commission, 6705 Rockledge Drive, Suite 700, Bethesda, Maryland 20892-7979, telephone (301) 402-4242, fax number (301) 480-6900.

Dated: April 10, 2001.

**Eric M. Meslin,**

*Executive Director, National Bioethics Advisory Commission.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

[Announcement Number 01055]

#### Building Influenza Surveillance Capacity in Asia; Notice of Availability of Funds

##### A. Purpose

The Centers for Disease Control and Prevention (CDC) announces the availability of fiscal year (FY) 2001 funds for a cooperative agreement program with the Western Pacific Regional Office of the World Health Organization (WHO) for building influenza surveillance capacity in Asia. This program addresses the "Healthy People 2010" focus areas of Immunization and Infectious Diseases and Public Health Infrastructure. For additional information on "Healthy People 2010" visit the internet site: <http://www.health.gov/healthypeople>.

The purpose of the program is to build influenza surveillance capacity in Asia by improving infrastructure and providing training and technical assistance. Asia has long been thought

by experts to be the starting point for new influenza viruses.

Improving the infrastructure and surveillance capacity for influenza surveillance in Asia has a direct impact on the United States (U.S.) and globally by improving influenza surveillance, the basis for international and U.S. vaccine decisions, and improving the early detection system for influenza viruses with pandemic potential.

##### B. Eligible Applicants

Assistance will be provided only to the Western Pacific Regional Office (WPRO) of the World Health Organization (WHO). No other applications are solicited.

WPRO is the only international, non-government organization in the Western Pacific region qualified to conduct the activities under this cooperative agreement because:

1. As a Regional Office of WHO, they are in a unique position to act as the technical agency for health within the United Nations.

2. WPRO's location in Manila and formal collaborative ties to 37 countries in the region gives them access to the national health promotion and disease prevention programs and potential sites to expand influenza surveillance in the countries located in the region.

3. WPRO collaborates with other international organizations to accomplish its mission by disseminating information related to infectious disease program needs and services, making recommendations for improved policies and programs, and provides consultation and guidance at all levels in the region.

4. As a regional office of WHO, WPRO offers special opportunities for furthering research programs through the use of unusual talent resources and through a vast working knowledge of the specific abilities and needs in each country in the region.

5. WPRO is uniquely qualified to conduct activities to enhance influenza surveillance capacity which have specific relevance to the mission and objectives of CDC and which have potential to advance knowledge that benefits the U.S. and the international community.

##### C. Availability of Funds

Approximately \$125,000 is available in FY 2001 to fund one award. It is expected that the award will begin on or about August 1, 2001, and will be made for a 12-month budget period within a project period of up to five years. The funding estimate may change.

Continuation awards within an approved project period will be made

on the basis of satisfactory progress as evidenced by required reports and the availability of funds.

##### D. Program Requirements

In conducting activities to achieve the purpose of this program, the recipient will be responsible for the activities under 1. (Recipient Activities), and CDC will be responsible for the activities listed under 2. (CDC Activities).

###### 1. Recipient Activities

a. Develop strategies to enhance influenza surveillance capacity for both disease-based and virologic surveillance of influenza and build infrastructure for those programs in the region.

b. Analyze national resources of the countries in the region devoted to influenza surveillance and identify shortfalls in human, technical, and equipment resources, then develop plans to resolve recognized deficiencies.

c. Assist public health authorities in the Western Pacific Region in developing and implementing effective prevention and control strategies for influenza including surveillance, pandemic planning activities, facilitating improvement of vaccine production, supply and distribution issues, and regional coordination of these issues.

d. Conduct applied surveillance research focusing on recognition and response to novel influenza virus isolates.

e. Monitor and evaluate program performance.

###### 2. CDC Activities

a. Provide technical assistance in the design, conduct, and evaluation of surveillance projects and activities.

b. Perform selected laboratory tests, as requested by WPRO, on isolates collected from the region.

c. Assist in data collection, data management, data analysis, and interpretation of data generated from surveillance projects.

d. Participate in dissemination of program information and surveillance data.

e. Provide educational and training materials as appropriate.

##### E. Application Content

Use the information in the Program Requirements, Other Requirements, and Evaluation Criteria sections to develop the application content. The application will be evaluated on the criteria listed, so it is important to follow them in laying out your program plan. The narrative should be no more than 40 double-spaced pages, printed on one