

rival's efforts without payment * * *. When payment is possible, free-riding is not a problem because the 'ride' is not free." *Chicago Pro. Sports Ltd. Partnership v. NBA*, 961 F.2d 667, 675 (7th Cir.), cert. denied, 506 U.S. 954 (1992).⁸ More generally, when faced with a potential free-rider problem, firms should consider whether there are practical, less-restrictive alternatives than price-fixing.

The proposed Consent Order includes a third proviso that is designed to ensure that the Order does not impede Warner's ability to participate in industry efforts to discourage the promotion of violent or otherwise inappropriate audio and video products to children. Although Warner is generally prohibited from agreeing with a competitor to restrict truthful and non-deceptive advertising, Warner is expressly permitted under the Order to join with other sellers to prevent the advertising, marketing or sale to children of audio products or video products labeled or rated with a parental advisory or cautionary statement as to content.

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 its terms.

By direction of the Commission.

Benjamin I. Berman,
Acting Secretary.

Statement of Commissioner Mozelle W. Thompson

Warner Communications Inc. File No. 001-0231

As I said in my statement¹ following the issuance of the Antitrust Guidelines for Collaborations Among Competitors,² I believe that joint ventures can enable companies to expand into foreign markets, fund expensive innovation and research efforts, and lower costs to the benefit of industry and consumers alike. But an otherwise legitimate joint venture may not shield price fixing or any other form of anticompetitive restraint if the restraint is not both

reasonably related to the venture and reasonably necessary to achieve the venture's procompetitive objectives. The Commission's complaint against Warner Communications and the accompanying consent order that we accepted for public comment today underscore this important principle of joint venture law.

[FR Doc. 01-19723 Filed 8-6-01; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Notice of Interest Rate on Overdue Debts

Section 30.13 of the Department of Health and Human Services' claims collection regulations (45 CFR part 30) provides that the Secretary shall charge an annual rate of interest as fixed by the Secretary of the Treasury after taking into consideration private consumer rates of interest prevailing on the date that HHS becomes entitled to recovery. The rate generally cannot be lower than the Department of Treasury's current value of funds rate or the applicable rate determined from the "Schedule of Certified Interest Rates with Range of Maturities." This rate may be revised quarterly by the Secretary of the Treasury and shall be published quarterly by the Department of Health and Human Services in the **Federal Register**.

The Secretary of the Treasury has certified a rate of 13¼ percent for the quarter ended June 30, 2001. This interest rate will remain in effect until such time as the Secretary of the Treasury notifies HHS of any change.

Dated: July 26, 2001.

George Strader,

Deputy Assistant Secretary, Finance.

[FR Doc. 01-19651 Filed 8-6-01; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Committee on Vital and Health Statistics: Meeting

Pursuant to the Federal Advisory Committee Act, the Department of Health and Human Services announces the following advisory committee meeting.

Name: National Committee on Vital and Health Statistics (NCVHS), Subcommittee on Standards and Security.

Times and Dates: 9:00 a.m. to 5:00 p.m., August 20, 2001; and 8:30 a.m. to 12:00 noon, August 21, 2001.

Place: Hubert H. Humphrey Building, Room 705A, 200 Independence Avenue, SW., Washington, DC.

Status: Open.

Purpose: At this working session, the Subcommittee on Standards and Security will obtain public input into the Committee process for uniform patient medical record information from a panel of invited speakers.

Contact Person for More Information: Substantive program information as well as summaries of meetings and a roster of committee members may be obtained from J. Michael Fitzmaurice, Ph.D., Senior Science Advisor for Information Technology, Agency for Health Care Research and Quality, 2101 East Jefferson Street, #600, Rockville, MD 20852, phone: (301) 594-3938; or Marjorie S. Greenberg, Executive Secretary, NCVHS, National Center for Health Statistics, Centers for Disease Control and Prevention, Room 1100, Presidential Building, 6525 Belcrest Road, Hyattsville, Maryland 20782, telephone (301) 458-4245. Information also is available on the NCVHS home page of the HHS website: <http://www.ncvhs.hhs.gov/> where an agenda for the meeting will be posted when available.

Dated: July 31, 2001.

James Scanlon,

Director, Division of Data Policy, Office of the Assistant Secretary for Planning and Evaluation.

[FR Doc. 01-19649 Filed 8-6-01; 8:45 am]

BILLING CODE 4151-05-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Committee on Vital and Health Statistics: Meeting

Pursuant to the Federal Advisory Committee Act, the Department of Health and Human Services announces the following advisory committee meeting.

Name: National Committee on Vital and Health Statistics (NCVHS) Executive Subcommittee, Workgroup on Health Statistics for the 21st Century, Subcommittee on Populations.

Times and Dates: 8:30 a.m. to 5:30 p.m., August 14, 2001; and 8:30 a.m. to 3:45 p.m., August 15, 2001.

Place: The Westin O'Hare, 6100 River Road, Rosemont, IL 60018, (847) 698-6000.

Status: Open.

Purpose: The Executive Subcommittee will use the first day as a retreat for Committee planning purposes. The Subcommittee will plan future Committee meetings and review work plans for 2001 and early 2002. Strategic planning will include organizing and integrating agenda issues across priorities, reviewing the efficiency and effectiveness of the current Committee structure and meeting schedule, and positioning the Committee to address new and emerging topics.

⁸ *Accord High Technology Careers v. San Jose Mercury News*, 996 F.2d 987, 992 (9th Cir. 1993); *Toys R Us, Inc. v. F.T.C.* (1998), 1998 FTC LEXIS 119, 131-35 (1998), aff'd, 221 F.3d 928, 938 (7th Cir. 2000); H. Hovenkamp, XIII Antitrust Law at 334 ¶ 2223b (1999) ("[F]ree rider defenses should be rejected when the firm that controls the input is able to sell, rather than give away, the good or service that is subject to the free ride.").

¹ <http://www.ftc.gov/os/2000/04/antitrustguidethompson.htm>

² The Federal Trade Commission and the U.S. Department of Justice issued the Guidelines in April 2000. <http://www.ftc.gov/bc/guidelin.htm>