

19107; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$12.75 (25 cents per page reproduction costs), payable to the Consent Decree Library. Joel M. Gross,

Acting Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 95-30395 Filed 12-12-95; 8:45 am]

BILLING CODE 4410-01-M

Antitrust Division

United States v. American Bar Association, Civ. No. 95-1211 (CR) (D.D.C.); Supplemental Response of the United States to Two Additional Public Comments Concerning the Proposed Final Judgment

Pursuant to Section 2(d) of the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(d), the United States publishes below two additional written comments received on the proposed Final Judgment in *United States v. American Bar Association*, Civil Action No. 95-1211 (CR), United States District Court for the District of Columbia, together with its response thereto.

Copies of the written comments and the response are available for inspection and copying in Room 3235 of the Antitrust Division, United States Department of Justice, Tenth Street and Constitution Avenue, N.W., Washington, D.C. 20530 (telephone 202/514-2481) and the inspection at the Office of the Clerk of the United States District Court for the District of Columbia, Room 1825A, United States Courthouse, Third Street & Constitution Avenue, N.W., Washington, D.C. 20001. Rebecca P. Dick,
Deputy Director of Operations.

United States' Supplemental Response to Two Additional Public Comments

The United States is filing this Supplemental Response to respond to letters from law professors Marina Angel and Leslie Espinoza to the Attorney General about the proposed Final Judgment. The Antitrust Division's notice under the Antitrust Procedures and Penalties Act ("APPA") directed that public comments be sent to John F. Greaney, Chief, Computers and Finance Section, Department of Justice, Antitrust Division. Because

Professors Angel and Espinoza sent their letters to the Attorney General instead of Mr. Greaney, we had not received those letters when we filed our "Response To Public Comments" on October 27. Since the Government's Response states that it will treat as timely all comments received up to the time of filing that response, we provide this Supplemental Response to these two letters from law faculty.¹

The Government has carefully reviewed the letters from Professors Angel and Espinoza. Entry of the proposed Final Judgment remains in the public interest.

1. Professor Marina Angel (Exhibit 1)

Professor Angel is under the impression that the Antitrust Division seeks to eliminate enforcement of the American Bar Association's ("ABA") antidiscrimination accreditation standards. ABA Accreditation standards 211-213, dealing with discrimination, are not affected by the proposed Final Judgment. Nor is the enforcement of those standards. Law schools will continue to maintain faculty salary records. Accreditation inspection teams may review these records to investigate discrimination complaints. The proposed Final Judgment prevents the ABA, but not other organizations, from collecting and disseminating salary data. Additionally, site inspection teams may not compare salary levels at one law school with those at another, since the Complaint alleges that this had been done to raise salaries illegally, but may review the records of the inspected school to resolve discrimination allegations.

2. Professor Leslie G. Espinoza (Exhibit 2)

Professor Espinoza is concerned that the consent decree would prevent the Society of American Law Teachers from collecting salary data from law schools that may be used to determine if salary levels are discriminatory. The consent decree is not intended to relax the ABA's antidiscrimination accreditation standards, and it will not have that effect. The Society of American Law Teachers procures salary data from law school deans that may be used to ascertain whether salary levels are discriminatory. While the ABA will no longer be permitted to collect and disseminate faculty salary data and to use it in the accreditation process to increase faculty salaries, law schools will continue to maintain salary data

¹ As the deadline for public comments has expired, any future letters received by the Justice Department will be treated as citizen letters and will not be filed with the Court.

and other organizations may collect it. In this regard, we realize that organizations, such as the American Association of University Professors, have collected and published faculty salary data for many years. While the ABA may not collect and use salary data to raise general salary levels, accreditation inspection teams may fully investigate allegations of discrimination at a law school, including allegations of discriminatory salaries, and may review salary records at that law school to resolve the discrimination allegations.

Conclusion

The ABA used the accreditation process to fix and raise faculty salaries. They collected extensive salary data and used it to pressure schools to raise their salaries to an artificial level. The consent decree is narrowly tailored to prevent such illegal collusion in the future. It does not affect the ABA's enforcement of antidiscrimination accreditation standards.

Dated: November 3, 1995.

Respectfully submitted,

Anne K. Bingaman,
Assistant Attorney General, Antitrust Division.

John F. Greaney,
D. Bruce Pearson,
Jessica N. Cohen,
James J. Tierney,
Molly L. DeBusschere,
U.S. Department of Justice, Antitrust Division, Computers and Finance Section, Judiciary Center Building, 555 Fourth Street, N.W., Washington, DC 20001, 202/307-6122.

Temple University, School of Law
1719 N. Broad Street (055-00), A
Commonwealth University, Philadelphia,
Pennsylvania 19122, (215) 204-7861, Fax:
(215) 204-1185

October 16, 1995.

The Honorable Janet Reno,
Attorney General, Department of Justice, R. 4400, Tenth and Constitution Avenue, N.W., Washington, DC 20530, FAX 202-514-4371

Dear Attorney General Reno: I was shocked to learn that the Justice Department is seeking to eliminate enforcement of the antidiscrimination Accreditation Standards of the ABA.

I didn't substantially financially support the election of President Clinton to have you destroy what limited antidiscrimination protection law school faculty, staff and students currently enjoy.

I suggest you explain your antidiscrimination position to your Antitrust Division.