

assist the Commission in considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

**DATES:** Comments must be received on or before March 9, 1995.

**ADDRESSES:** Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street NW, Washington, DC 20581. Reference should be made to the KCBT western natural gas futures and option contracts.

**FOR FURTHER INFORMATION CONTACT:** Please contact Joseph Storer of the Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street NW, Washington, DC 20581, telephone 202-254-7303.

**SUPPLEMENTARY INFORMATION:** Copies of the terms and conditions will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K street, N.W., Washington, D.C. 20581. Copies of the terms and conditions can be obtained through the Office of the Secretariat by mail at the above address or by phone at (202) 254-6314.

Other materials submitted by the KCBT in support of the applications for contract market designation may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 C.F.R. part 145 (1987)), except to the extent they are entitled to confidential treatment as set forth in 17 C.F.R. 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 C.F.R. 145.7 and 145.8.

Any person interested in submitting written data, views, or arguments on the proposed terms and conditions, or with respect to other materials submitted by the KCBT, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW, Washington, DC 20581 by the specified date.

Issued in Washington, DC, on February 1, 1995.

**Blake Imel,**

*Acting Director.*

[FR Doc. 95-2909 Filed 2-6-95; 8:45 am]

BILLING CODE 6351-01-P

## CONSUMER PRODUCT SAFETY COMMISSION

### Notification of Proposed Collection of Information; Survey of Manufacturers of Upholstered Furniture

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1981 (44 U.S.C. Chapter 35), the Consumer Product Safety Commission has submitted to the Office of Management and Budget a request for approval of a proposed collection of information in the form of a survey of manufacturers of upholstered furniture. The purpose of this survey is to obtain information about the types of fabrics and filling materials currently used in the production of upholstered furniture.

In 1994, the Commission began a rulemaking proceeding to develop a flammability standard for upholstered furniture to address risks of death, injury, and property damage associated with fires resulting from ignition of upholstered furniture by small open-flame sources. The information obtained from the proposed survey will be used in conjunction with data obtained from flammability testing of upholstered furniture items to make estimates of potential benefits and potential costs of the flammability standard for upholstered furniture now under development.

#### Additional Details About the Request for Approval of a Collection of Information

*Agency address:* Consumer Product Safety Commission, Washington, DC 20207.

*Title of information collection.* Survey of Upholstered Furniture Manufacturers.

*Type of request.* Approval of a new plan.

*Frequency of collection.* One time.

*General description of respondents.* Manufacturers of upholstered furniture.

*Total number of respondents.* 280.

*Number of responses per respondent.*

1.

*Hours per response.* 10.

*Total hours for all respondents.* 2,800.

*Comments.* Comments about this request for approval of a collection of information should be addressed to Donald Arbuckle, Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503; telephone (202) 395-7340. Copies of the request for approval of a collection of information

are available from Francine Shacter, Office of Planning and Evaluation, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-0416, extension 2245.

This is not a proposal to which 44 USC 3504(h) is applicable.

Dated: January 31, 1995.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 95-2859 Filed 2-6-95; 8:45 am]

BILLING CODE 6355-01-P

#### [CPSC Docket No. 95-C0007]

### General Nitewear Corp., a corporation; Provisional Acceptance of a Settlement Agreement and Order

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Provisional acceptance of a settlement agreement under the Consumer Product Safety Act.

**SUMMARY:** It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the **Federal Register** in accordance with the terms of 16 CFR 1605.13. Published below is a provisionally-accepted Settlement Agreement with General Nitewear Corp., a corporation.

**DATES:** Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by February 22, 1995.

**ADDRESSES:** Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 95-C0007, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**FOR FURTHER INFORMATION CONTACT:** Eric L. Stone, Trial Attorney, Office of Compliance and Enforcement, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-0626.

**SUPPLEMENTARY INFORMATION:** The text of the Agreement and Order appears below.

Dated: January 31, 1995.

**Sadye E. Dunn,**

*Secretary.*

#### Consent Order Agreement

General Nitewear Corp. ("General Nitewear" or "Respondent") enters into this Consent Order Agreement with the staff ("the staff") of the Consumer Product Safety Commission ("the Commission") pursuant to the procedures set forth in section 1605.13 of

the Commission's Procedures for Investigations, Inspections, and Inquiries under the Flammable Fabrics Act (FFA), 16 CFR 1605.

This Agreement and Order are for the sole purpose of settling allegations of the staff that Respondent sold children's sleepwear that failed to comply with the Standard for the Flammability of Children's Sleepwear: Sizes 0 through 6X and Standard for the Flammability of Children's Sleepwear: Sizes 7 through 14, 16 CFR Parts 1615 and 1616 ("the sleepwear standards").

#### Respondent and the Staff Agree

1. The Consumer Product Safety Commission is an independent regulatory agency of the United States government. The Commission has jurisdiction over this matter under the Consumer Product Safety Act, 15 U.S.C. 2051 *et seq.* (CPSA), the Flammable Fabrics Act, 15 U.S.C. 1191 *et seq.* (FFA) and the Federal Trade Commission Act (15 U.S.C. *et seq.* (FTCA)).

2. Respondent General Nitewear is a corporation organized and existing under the laws of the State of New York with principle corporate offices at 1 West 34th Street, New York, New York 10001.

3. Respondent is now, and has been engaged in one or more of the following activities: the manufacture for sale, the sale, or the offering for sale, in commerce, or the importation, delivery for introduction, transportation in commerce, or the sale or delivery after sale or shipment in commerce, of children's sleepwear subject to the sleepwear standards.

4. This Agreement is for the purpose of settling the allegations in the accompanying Complaint. Respondent denies it intentionally violated the sleepwear standard and does not admit that it knowingly violated the law. Moreover, this Agreement does not constitute an admission by Respondent that it is paying a civil penalty as it is Respondent's position that it is paying the amount referenced in the attached Order to settle the Commission's contention that a civil penalty is appropriate. The Agreement becomes effective only upon its final acceptance by the Commission and service of the incorporated Order upon Respondent.

5. The parties agree this Consent Order Agreement resolves the allegations of the Complaint and the Commission shall not initiate any other criminal, civil or administrative action against the firm for those alleged violations based on the information currently known to the staff.

6. Respondent waives any rights to a formal hearing, and any findings of fact and conclusions of law regarding the allegations set forth in the Complaint. Respondent waives any right to seek judicial review or otherwise challenge or contest the validity of the Commission's Order and to any rights under the Equal Access to Justice Act, Pub. L. 96-481, 94 Stat. 2325, 5 U.S.C. 504.

7. Respondent denies the allegations of paragraphs 1 through 6 of the Complaint that it has knowingly violated the sleepwear standard provisions related to trim of the Flammable Fabrics Act, 15 U.S.C. 1194; and further denies that it intentionally shipped non-conforming children's sleepwear after notification from the Commission.

8. The Commission may disclose the terms of this Consent Order Agreement to the public consistent with section 6(b) of the CPSA.

9. This Agreement and the Complaint accompanying the Agreement may be used in interpreting the Order. Agreements, understandings, representations or interpretations made outside of this Consent Order Agreement may not be used to vary or contradict its terms.

Upon acceptance of this Agreement, the Commission shall issue the following ORDER.

Dated: December 23, 1994.

Eric L. Stone,

*Trial Attorney, Division of Administrative Litigation.*

David Schmeltzer,

*Assistant Executive Director, Office of Compliance and Enforcement, Consumer Product Safety Commission.*

For the Commission staff.

Harold Jetter,

*President & CEO, General Nitewear Corp.*

#### Complaint

The staff of the Consumer Product Safety Commission ("staff") contends that General Nitewear Corp., a corporation ("Respondent"), is subject to the provisions of the Consumer Product Safety Act, 15 U.S.C. §§ 2051 *et seq.* (CPSA); the Flammable Fabrics Act, 15 U.S.C. §§ 1191 *et seq.* (FFA); the Federal Trade Commission Act (15 U.S.C. §§ 41 *et seq.* (FTCA)); the Standard for the Flammability of Children's Sleepwear: Sizes 0 through 6X and the Standard for the Flammability of Children's Sleepwear: Sizes 7 through 14, 16 C.F.R. Parts 1615 and 1616 ("the sleepwear standards"). The staff further contends Respondent violated the sleepwear standards' provisions related to trim.

Based upon the information provided to the Commission by the staff, the Commission determined it is in the public interest to issue this Complaint. Therefore, by virtue of the authority vested in the Commission by section 30(b) of the CPSA, 15 U.S.C. § 2079(b); sections 3 and 5 of the FFA, 15 U.S.C. §§ 1192 and 1194; and section 5 of the FTCA, 15 U.S.C. § 45; and in accordance with the Commission's Rules of Practice for Adjudicative Proceedings, 16 CFR Part 1025, the Commission hereby issues this Complaint and states the staff's charges as follows:

1. Respondent General Nitewear Corp. is a corporation organized and existing under the laws of the State of New York with principal corporate offices at 1 West 34th Street, New York, New York 10001.

2. Respondent is and has been engaged in one or more of the following activities: the manufacture for sale, the sale, or the offering for sale, in commerce, or the importation, delivery for introduction, transportation in commerce, or the sale or delivery after sale or shipment in commerce, of children's sleepwear subject to the sleepwear standards.

3. For a period of several years, Respondent manufactured and sold items of children's sleepwear that use a kind of trim known as "piping." Respondent used trim manufactured out of materials that do not

comply with the flammability requirements of the sleepwear standards.

4. Respondent failed to properly test the piping and other trim and consequently failed to maintain appropriate records of such testing as required by the sleepwear standards.

5. As the result of these failures to comply with the sleepwear standards, Respondent manufactured for sale, sold, or offered for sale, in commerce, or imported, delivered for introduction, transported in commerce, or sold or delivered after sale or shipment in commerce, a significant number of garments of several different styles and sizes of children's sleepwear garments that failed to comply with the sleepwear standards.

6. After being informed of the violations by the Commission staff, Respondent continued to ship sleepwear with trim that did not comply with the sleepwear requirements.

#### Relief Sought

Wherefore, the staff requests the Commission to issue an order requiring Respondent to

(a) cease and desist from the manufacture for sale, and sale, or the offering for sale, in commerce, or the importation, delivery for introduction, transportation in commerce, or the sale or delivery after sale or shipment in commerce, of children's sleepwear subject to the sleepwear standards that fails to comply with the sleepwear standards, and further,

(b) order Respondent to comply with the recordkeeping and testing requirements of the sleepwear standards.

Wherefore, the premises considered, the Commission hereby issues this Complaint on the 1st day of February 1995.

By direction of the Commission.

David Schmeltzer,

*Assistant Executive Director, Office of Compliance and Enforcement.*

#### Order

I

*It is hereby ordered that* Respondent, its successors and assigns, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other business entity, or through any agency, device or instrumentality, do forthwith cease and desist from selling or offering for sale, in commerce, or manufacturing for sale, in commerce, or importing into the United States or introducing, delivering for introduction, transporting or causing to be transported, in commerce, or selling or delivering after sale or shipment in commerce, any item of children's sleepwear with trim that fails to comply with the flammability requirements with respect to trim of the Standard for the Flammability of Children's Sleepwear: Sizes 0 through 6X, 16 CFR Part 1615.4(d)(2)(ii); or the Standard for the Flammability of Children's Sleepwear: Sizes 7 through 14, 16 CFR Part 1616.4(c)(2)(ii).

II

*It is further ordered that* Respondent shall conduct all prototype testing, and maintain all records for sleepwear with trim required by the Standard for the Flammability of

Children's Sleepwear: Sizes 0 through 6X, 16 CFR Part 1615.31(e)(iii); and the Standard for the Flammability of Children's Sleepwear: Sizes 7 through 14, 16 CFR Part 1616.31(d)(iii).

### III

It is further ordered that Respondent pay to the United States Treasury a civil penalty of \$110,000 within 36 months of service upon Respondent of the Final Order. Such payment may be made in one lump sum payment within twenty days of service of the Final Order or in three installment payments of thirty-six thousand, six hundred and sixty-six dollars and sixty-seven cents (\$36,666.67) each. If Respondent elects to make three payments, the first payment is due within twenty (20) days after service upon Respondent of the Final Order in this matter. Respondent shall pay the second installment within 24 months after service of the Final Order, and the third payment within 36 months after service of the Final Order. Upon the failure of Respondent to make any payment in a timely manner, the entire amount of the civil penalty shall be due and payable, and interest on the outstanding balance shall accrue and be paid at the federal legal rate of interest under the provisions of 28 U.S.C. 1961 (a) and (b).

### IV

It is further ordered that for a period of three years following the service upon Respondent of the Final Order in this matter, Respondent notify the Commission within 30 days following the consummation of the sale of a majority of its stock or following a change in any of its corporate officers responsible for compliance with the terms of this Consent Agreement and Order.

By direction of the Commission, this Consent Order Agreement is provisionally accepted pursuant to 16 CFR 1605.13, and shall be placed on the public record, and the Secretary is directed to publish the provisional acceptance of the Consent Order Agreement in the Commission's Public Calendar and in the **Federal Register**.

So ordered by the Commission, this 31st day of January 1995.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 95-2879 Filed 2-6-95; 8:45 am]

BILLING CODE 6355-01-M

## CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

### Selection of AmeriCorps\* VISTA Sponsors and Projects; Guidelines

**AGENCY:** Corporation for National and Community Service.

**ACTION:** Notice of guidelines with respect for comment.

**SUMMARY:** The Corporation for National and Community Service (the Corporation) is issuing this notice concerning guidelines for the selection

of AmeriCorps\*VISTA sponsors and projects. The Corporation will refer to this program as AmeriCorps\*VISTA. These guidelines outline the way AmeriCorps\*VISTA will operate, the overall programmatic direction of the AmeriCorps\*VISTA program, criteria for selection of AmeriCorps\*VISTA sponsors and projects, and AmeriCorps\*VISTA project approval procedures. The Corporation invites all interested parties to comment on the issues discussed in this notice. Any comments received will be given careful consideration in the development of the final guidelines.

**DATES:** This notice is effective February 7, 1995. Comments must be received on or before March 24, 1995.

**ADDRESSES:** Comments may be mailed to the AmeriCorps\*VISTA Office, The Corporation for National Community Service, Room 9217, 1201 New York Ave., NW., Washington, DC 20525. Comments received may also be inspected at Room 9120 between 9 a.m. and 5 p.m.

**FOR FURTHER INFORMATION CONTACT:** Diana B. London, Deputy Director, AmeriCorps\*VISTA, (202) 606-5000, extension 228. For individuals with disabilities, information will be made available in alternative formats, upon request.

**SUPPLEMENTARY INFORMATION:** The Final Notice of VISTA Guidelines, as published in the **Federal Register**, 50 FR 30982, July 31, 1985 and 55 FR 9343, March 13, 1990, are no longer valid. Pursuant to Subtitle B, Chapter 1, section 321 of the National and Community Service Trust Act of 1993 (the Act) Pub. L. 103-82, the purpose of AmeriCorps\*VISTA as provided in the Domestic Volunteer Service Act (42 U.S.C. 4950 et seq.) has been broadened to include strengthening local organizations to carry out the purpose of the program. Section 327 of the Act provides additional factors in approving applications for assistance under AmeriCorps\*VISTA.

This notice outlines the guidelines for the selection of AmeriCorps\*VISTA sponsors and projects. The following provisions address the criteria for sponsorship of new and existing AmeriCorps\*VISTA projects, criteria for project selection, and explain the approval process at the State level. In addition, the process for selecting national competitive and national demonstration AmeriCorps\*VISTA projects is addressed.

## Guidelines for Selection of AmeriCorps\*VISTA Sponsors and Projects

### Part I. Program Directions

The Corporation for National and Community Service was established by the National and Community Service Act Trust Act of 1993, enacted into law on September 21, 1993. The Corporation manages several types of service initiatives, including the AmeriCorps National Service Network of programs. AmeriCorps is locally driven, offering resources to communities to design and implement their own solutions while maintaining a national AmeriCorps identity.

The mission of AmeriCorps has four components:

**Getting Things Done**—achieving demonstrable results in meeting Americans' educational, public safety, human, and environmental needs.

**Strengthening Communities**—uniting citizens from different backgrounds and bringing together diverse institutions in partnerships to transform communities in need.

**Encouraging Responsibility**—strengthening the spirit of citizenship through service, education about service, and understanding of communities.

**Expanding Opportunity**—offering education awards in return for service, and providing invaluable life- and job-skills to members which they will carry through the rest of their lives.

Within the AmeriCorps National Service Network of programs is AmeriCorps\*VISTA (Volunteers In Service To America), authorized under Title I, Part A of the Domestic Volunteer Service Act of 1973, as amended (Pub. L. 93-113). The statutory mandate of AmeriCorps\*VISTA is "to eliminate and alleviate poverty and poverty-related problems in the United States by encouraging and enabling persons from all walks of life, all geographical areas, and all age groups \* \* \* to perform meaningful and constructive volunteer service \* \* \* where the application of human talent and dedication may assist in the solution of poverty and poverty-related problems and secure and exploit opportunities for self-advancement by persons afflicted with such problems. In addition, the objective of (AmeriCorps\*VISTA) is to generate the commitment of private sector resources, to encourage volunteer service at the local level, and to strengthen local agencies and organizations to carry out the purposes (of the program)" (42 U.S.C. 4951).

AmeriCorps\*VISTA provides full-time, full-year members to local public