

and (4), 15 U.S.C. 2064(b)(3) and (4), required Pro-Pac to immediately inform the Commission of the defect and risk.

13. Pro-Pac knowingly failed to immediately inform the Commission about the Sweatshirts as required by CPSA sections 15(b)(3) and (4), 15 U.S.C. 2064(b)(3) and (4), and as the term “knowingly” is defined in CPSA section 20(d), 15 U.S.C. 2069(d). This failure violated CPSA section 19(a)(4), 15 U.S.C. 2068(a)(4). Pursuant to CPSA section 20, 15 U.S.C. 2069, this failure subjected Pro-Pac to civil penalties.

Pro-Pac's Response

14. Pro-Pac denies the Staff's allegations above that Pro-Pac knowingly violated the CPSA.

Agreement of the Parties

15. Under the CPSA, the Commission has jurisdiction over this matter and over Pro-Pac.

16. The parties enter into the Agreement for settlement purposes only. The Agreement does not constitute an admission by Pro-Pac, or a determination by the Commission, that Pro-Pac knowingly violated the CPSA.

17. In settlement of the Staff's allegations, Pro-Pac shall pay a civil penalty in the amount of one hundred twenty-five thousand dollars (\$125,000.00). The civil penalty shall be paid within twenty (20) calendar days of service of the Commission's final Order accepting the Agreement. The payment shall be made by check payable to the order of the United States Treasury.

18. Upon provisional acceptance of the Agreement, the Agreement shall be placed on the public record and published in the **Federal Register** in accordance with the procedures set forth in 16 CFR 1118.20(e). In accordance with 16 CFR 1118.20(f), if the Commission does not receive any written request not to accept the Agreement within fifteen (15) calendar days, the Agreement shall be deemed finally accepted on the sixteenth (16th) calendar day after the date it is published in the **Federal Register**.

19. Upon the Commission's final acceptance of the Agreement and issuance of the final Order, Pro-Pac knowingly, voluntarily, and completely waives any rights it may have in this matter to the following: (1) An administrative or judicial hearing; (2) judicial review or other challenge or contest of the validity of the Order or of the Commission's actions; (3) a determination by the Commission of whether Pro-Pac failed to comply with the CPSA and its underlying regulations; (4) a statement of findings of fact and conclusions of law; and (5)

any claims under the Equal Access to Justice Act.

20. The Commission may publicize the terms of the Agreement and the Order.

21. The Agreement and the Order shall apply to, and be binding upon, Pro-Pac and each of its successors and assigns.

22. The Commission issues the Order under the provisions of the CPSA, and violation of the Order may subject Pro-Pac and each of its successors and assigns to appropriate legal action.

23. The Agreement may be used in interpreting the Order. Understandings, agreements, representations, or interpretations apart from those contained in the Agreement and the Order may not be used to vary or contradict their terms. The Agreement shall not be waived, amended, modified, or otherwise altered without written agreement thereto executed by the party against whom such waiver, amendment, modification, or alteration is sought to be enforced.

24. If any provision of the Agreement and the Order is held to be illegal, invalid, or unenforceable under present or future laws effective during the terms of the Agreement and the Order, such provision shall be fully severable. The balance of the Agreement and the Order shall remain in full force and effect, unless the Commission and Pro-Pac agree that severing the provision materially affects the purpose of the Agreement and the Order.

Pro-Pac Distributing Corp.
Dated: August 11, 2010. By:

Young-Geun Lee
President and Owner, Pro-Pac Distributing Corp., 204 W. Rosecrans Avenue, Gardena, CA 90248.
Dated: August 15, 2010. By:

Simon Langer,
Law Offices of David Marh & Associates, 3325 Wilshire Blvd., Suite 1350, Los Angeles, CA 90010, Counsel for Pro-Pac Distributing Corp.

U.S. Consumer Product Safety, Commission Staff.

Cheryl A. Falvey,
General Counsel.

Ronald G. Yelenik,
Assistant General Counsel, Office of the General Counsel.

Dated: August 24, 2010.

Jason E. Yearout,
Trial Attorney, Division of Compliance, Office of the General Counsel.

**UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY
COMMISSION**

[CSPC Docket No. 10-C0005]

In the Matter of: Pro-Pac Distributing Corp.

Order

Upon consideration of the Settlement Agreement entered into between Pro-Pac Distributing Corp. (“Pro-Pac”) and the U.S. Consumer Product Safety Commission (“Commission”) staff, and the Commission having jurisdiction over the subject matter and over Pro-Pac, and it appearing that the Settlement Agreement and the Order are in the public interest, it is

Ordered, that the Settlement Agreement be, and hereby is, accepted; and it is

Further ordered, that Pro-Pac shall pay a civil penalty in the amount of one hundred twenty-five thousand dollars (\$125,000.00) within twenty (20) calendar days of service of the Commission's final Order accepting the Agreement. The payment shall be made by check payable to the order of the United States Treasury. Upon the failure of Pro-Pac to make the foregoing payment when due, interest on the unpaid amount shall accrue and be paid by Pro-Pac at the federal legal rate of interest set forth at 28 U.S.C. 1961(a) and (b).

Provisionally accepted and provisional Order issued on the 7th day of September, 2010.

BY ORDER OF THE COMMISSION:

Todd A. Stevenson,
Secretary, U.S. Consumer Product Safety Commission

[FR Doc. 2010-22779 Filed 9-13-10; 8:45 am]

BILLING CODE 6355-01-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Strategic Environmental Research and Development Program, Scientific Advisory Board

AGENCY: Department of Defense.

ACTION: Notice.

SUMMARY: This notice is published in accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463). The topic of the meeting on October 19–21, 2010, is to review new start research and development projects requesting Strategic Environmental Research and Development Program funds in excess of \$1M. This meeting is open to the public. Any interested person may attend, appear before, or file statements with the Scientific Advisory Board at the time and in the manner permitted by the Board.

DATES: The meeting will be held on Tuesday, October 19 (from 9 a.m. to 5

p.m.), Wednesday, October 20 (from 9 a.m. to 4 p.m.) and Thursday, October 21, 2010 (from 8:30 a.m. to 12:30 p.m.).

ADDRESSES: The meeting will be held at the SERDP Office Conference Center, 901 North Stuart Street, Suite 804, Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: Mr. Jonathan Bunger, SERDP Office, 901 North Stuart Street, Suite 303, Arlington, VA, or by telephone at (703) 696-2126.

Dated: September 8, 2010.

Mitchell S. Bryman,
Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2010-22800 Filed 9-13-10; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF EDUCATION

Notice of Submission for OMB Review

AGENCY: Department of Education.

ACTION: Comment request.

SUMMARY: The Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13).

DATES: Interested persons are invited to submit comments on or before October 14, 2010.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503, be faxed to (202) 395-5806 or e-mailed to oira_submission@omb.eop.gov. Please note that written comments received in response to this notice will be considered public records.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. The OMB is particularly interested in comments which: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of

the methodology and assumptions used; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Dated: September 3, 2010.

Darrin A. King,

Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.

Institute of Education Sciences

Type of Review: Reinstatement.

Title of Collection: National Household Education Survey (NHES 2011/2012) Field Test.

OMB Control Number: 1850-0768.

Frequency of Responses: Once.

Affected Public: Individuals or households.

Total Estimated Number of Annual Responses: 40,905.

Total Estimated Annual Burden Hours: 5,535.

Abstract: The National Household Education Surveys Program (NHES) collects data directly from households on early childhood care and education, children's readiness for school, parent perceptions of school safety and discipline, before- and after-school activities of school-age children, participation in adult and continuing education, parent involvement in education, school choice, homeschooling, and civic involvement. NHES surveys have been conducted approximately every other year from 1991 through 2007 using random digit dial (RDD) sampling and telephone data collection from landline telephones only. Each survey collection included the administration of household screening questions (screener) and two or three topical surveys. Like virtually all RDD surveys, NHES Screener response rates have declined (from above 80% in early 1990s to 53% in 2007) and the decline in the percentage of households without landline telephones (from 93% in early 2004 to about 75% in 2009 mostly due to conversion to cellular-only coverage) raises issues about population coverage.

To address these issues, the NHES is transitioning from a Random Digit Dial (RDD) interviewer administered study to an Address Based Sample, self-administered study. A feasibility test of the methodology was conducted successfully in 2009. In 2011, the National Center for Education Statistics (NCES) will conduct a large scale pilot

test to further refine the methodology. A number of interventions to improve response rates and data quality will be tested in 2011. In 2012, NCES will conduct the first full-scale production data collection utilizing the new design. The 2011 test and 2012 data collections will utilize the Parent and Family Involvement in Education and Early Childhood Program Participation modules.

Requests for copies of the information collection submission for OMB review may be accessed from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or from the Department's Web site at <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 4351. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to the Internet address ICDocketMgr@ed.gov or faxed to 202-401-0920. Please specify the complete title of the information collection and OMB Control Number when making your request.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. 2010-22787 Filed 9-13-10; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF EDUCATION

Notice of Submission for OMB Review

AGENCY: Department of Education.

ACTION: Comment request.

SUMMARY: The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13).

DATES: Interested persons are invited to submit comments on or before October 14, 2010.

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