

to customer requirements by providing replacement products.

47. The limitations period for bringing any claim regarding the ELM Lights has expired.

48. The HID Expansion Lights matter discussed in the Staff's allegations does not constitute a reporting violation separate from the alleged HID Lights reporting violation.

Agreement of the Parties

49. Under the CPSA, the Commission has jurisdiction over this matter and over Acuity.

50. The parties enter into the Agreement for settlement purposes only. The Agreement does not constitute an admission by Acuity, or a determination by the Commission, that Acuity has knowingly violated the CPSA. The Agreement does not constitute a Commission finding of fact or law with respect to any of the Agreement's allegations.

51. In settlement of the Staff's allegations, Acuity shall pay a civil penalty in the amount of seven hundred thousand dollars (\$700,000.00) within twenty (20) calendar days of service of the Commission's final Order accepting the Agreement. The payment shall be by check payable to the order of the United States Treasury.

52. Upon the Commission's 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). If the Commission does not receive any written request not to accept the Agreement within fifteen (15) days, the Agreement shall be deemed finally accepted on the sixteenth (16th) day after the date it is published in the **Federal Register**.

53. Upon the Commission's final acceptance of the Agreement and issuance of the final Order, Acuity 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 Commission's Order or actions; (3) a determination by the Commission of whether Acuity 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 with respect to the Staff's allegations in the Agreement.

54. The Commission may publicize the terms of the Agreement and Order. In publicizing the Agreement and Order,

the Commission will comply with the requirements of law, including CPSA section 6(b), 15 U.S.C. 2055(b), to the extent applicable.

55. Acuity's full and timely payment to the United States Treasury of a civil penalty in the amount of seven hundred thousand dollars (\$700,000.00) as required herein resolves the Staff's allegations in the Agreement with respect to the following: (a) Acuity; (b) any Acuity parent, subsidiary, affiliate, division, or related entity; (c) any shareholder, director, officer, employee, agent, or attorney of any entity referenced in (a) or (b) above; and (d) any successor, heir, or assignee of any entity referenced in (a), (b), or (c) above.

56. The Agreement and Order shall apply to, and be binding upon, Acuity and each of its successors and assigns.

57. The Commission issues the Order under the provisions of the CPsa, and violation of the Order may subject Acuity to appropriate legal action.

58. The Agreement may be used in interpreting the Order. Understandings, agreements, representations, or interpretations apart from those contained in the Agreement and Order may not be used to vary or contradict their terms. The Agreement shall not be waived, amended, modified, or otherwise altered, except in a writing that is executed by the party against whom such waiver, amendment, modification, or alteration is sought to be enforced, and that is approved by the Commission.

59. If after the effective date hereof, any provision of the Agreement and Order is held to be illegal, invalid, or unenforceable under present or future laws effective during the terms of the Agreement and Order, such provisions shall be fully severable. The balance of the Agreement and Order shall remain in full force and effect, unless the Commission and Acuity determine that severing the provision materially affects the purpose of the Agreement and Order.

Acuity Brands, Inc.
Dated: January 3, 2006.

By:

Vernon J. Nagel,
*President, Acuity Brands, Inc., 1170
Peachtree Street, NE., Suite 2400, Atlanta,
GA 30309.*

Jeffrey S. Bromme,
*Esq., Arnold & Porter LLP, 555 Twelfth Street,
NW., Washington, DC 20004-1206, Counsel
for Acuity Brands, Inc.*

U.S. Consumer Product Safety Commission
Staff.

J. Gibson Mullan,
*Assistant Executive Director, Office of
Compliance.*

Ronald G. Yelenik,

*Acting Director, Legal Division, Office of
Compliance.*

Dated: January 13, 2006.

By:

Seth B. Popkin,
*Trial Attorney, Legal Division, Office of
Compliance.*

Order

Upon consideration of the Settlement Agreement entered into between Acuity Brands, Inc. ("Acuity") and the U.S. Consumer Product Safety Commission ("Commission") staff, and the Commission having jurisdiction over the subject matter and over Acuity, and it appearing that the Settlement Agreement and Order is in the public interest, it is

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

Further ordered, that Acuity shall pay a civil penalty in the amount of seven hundred thousand dollars (\$700,000.00) within twenty (20) calendar days of service of the final Order upon Acuity. The payment shall be made by check payable to the order of the United States Treasury. Upon the failure of Acuity to make the foregoing payment when due, interest on the unpaid amount shall accrue and be paid by Acuity 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 8th day of March, 2006.

By order of the Commission.

Todd A. Stevenson,

*Secretary, Consumer Product Safety
Commission.*

[FR Doc. 06-2419 Filed 3-13-06; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Meeting of the Defense Department Advisory Committee on Women in the Services (DACOWITS)

AGENCY: Department of Defense.

ACTION: Notice.

SUMMARY: Pursuant to section 10(a), Public Law 92-463, as amended, notice is hereby given of a forthcoming meeting of the Defense Department Advisory Committee on Women in the Services (DACOWITS). The purpose of the Committee meeting is to introduce new members and conduct orientation training. The meeting is open to the public, subject to the availability of space.

Interested persons may submit a written statement for consideration by

the Committee and make an oral presentation of such. Persons desiring to make an oral presentation or submit a written statement to the Committee must notify the point of contact listed below no later than 5 p.m., 22 March 2006. Oral presentations by members of the public will be permitted only on Monday, 27 March 2006 from 4:45 p.m. to 5 p.m. before the full Committee. Presentations will be limited to two minutes. Number of oral presentations to be made will depend on the number of requests received from members of the public. Each person desiring to make an oral presentation must provide the point of contact listed below with one (1) copy of the presentation by 5 p.m., 22 March 2006 and bring 35 copies of any material that is intended for distribution at the meeting. Persons submitting a written statement must submit 35 copies of the statement to the DACOWITS staff by 5 p.m. on 22 March 2006.

Dates: March 27, 2006, 8:30 a.m.–5 p.m.; March 28, 2006, 8:30 a.m.–5 p.m.; March 29, 2006, 8:30 a.m.–5 p.m.

Location: Embassy Suites Hotel Crystal City—National Airport, 1300 Jefferson Davis Highway, Arlington, VA 22202.

FOR FURTHER INFORMATION CONTACT: MSgt Gerald Posey, USA DACOWITS, 4000 Defense Pentagon, Room 2C548A, Washington, DC 20301–4000. Telephone (703) 697–2122. Fax (703) 614–6233.

SUPPLEMENTARY INFORMATION: Meeting agenda.

Monday, 27 March 2006, 8:30 p.m.–5 p.m.

Welcome & Administrative Remarks.
New Member Orientation.
Public Forum.

Tuesday, 28 March 2006, 8:30 a.m.–5 p.m.

New Member Orientation.

Wednesday, 29 March 2006, 8:30 a.m.–5 p.m.

New Member Orientation.

Note: Exact order may vary.

Dated: March 7, 2006.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, DoD.

[FR Doc. 06–2414 Filed 3–13–06; 8:45 am]

BILLING CODE 5001–06–M

DEPARTMENT OF DEFENSE

Department of Navy

Notice of Availability of Government-Owned Inventions; Available for Licensing

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The inventions listed below are assigned to the United States Government as represented by the Secretary of the Navy and are available for licensing by the Department of the Navy. U.S. Patent Number 5,520,331 entitled “Liquid Atomizing Nozzle”, Navy Case Number 75983, Inventor Wolfe, Issue date May 28, 1996. U.S. Patent Number 5,958,857 entitled “Thixotropic low-solvent, non-hap wheel well cleaner”, Navy Case Number 77564, Inventors Bevilacqua et al, Issue date September 28, 1999. Navy Case Number 96334 entitled “Radially Compressive Rope Assembly”, Inventor Kijesky, U.S. Patent Application Number 11/845,684 filed on January 26, 2006. Navy Case Number 96341 entitled “Non-Chromium post-treatment for aluminum coated steel”, Inventors Matzdorf et al, U.S. Patent Application Number 11/268,405 filed on November 01, 2005. Navy Case Number 96342 entitled “Non-Chromium Coatings for Aluminum”, Inventors Matzdorf et al, U.S. Patent Application Number 11/268,404 filed on November 01, 2005. U.S. Patent Number 6,239,725 entitled “Passive visual system and method for use thereof for aircraft guidance”, Navy Case Number 82248, Inventor Bray, Issue date May 29, 2001. Navy Case Number 96345 entitled “Non-Chromium Conversion Coating for Ferrous Alloys”, Inventors Matzdorf et al, U.S. Patent Application Number 11/268,406 filed on November 01, 2005. Navy Case Number 97473 entitled “Oleaginous Corrosion and Mildew-Inhibiting Composition”, Inventors Arafat et al, U.S. Patent Application Number 11/325,283 filed on December 20, 2005. Navy Case Number 97567 entitled “Corrosion Inhibiting Mildew Remover Kit”, Inventors Roser et al, U.S. Patent Application Number 11/345,686 filed on January 26, 2006. Navy Case Number 97798 entitled “Global Visualization Process for Personal Computer Platforms (GVP+)”, Inventors Gatewood et al, U.S. Patent Application Number 11/296,723 filed on December 06, 2005. U.S. Patent Number 6,241,164 entitled “Effervescent liquid fine mist apparatus and method”, Navy Case Number 82406, Inventor Wolfe, Issue date June 05, 2001.

U.S. Patent Number 6,625,510 entitled “Computer-based tool management documentation system”, Navy Case Number 82247, Inventors Kimball et al, Issue date September 23, 2003.

ADDRESSES: Request for data and inventor interviews should be directed to Mr. Paul Fritz, Naval Air Warfare Center Aircraft Division, Business Development Office, Office of Research and Technology Applications, Building 304; Room 107, 22541 Millstone Road, Patuxent River, MD 20670, 301–342–5586 or e-Mail Paul.Fritz@navy.mil.

DATES: Request for data, samples, and inventor interviews should be made prior to June 30, 2006.

FOR FURTHER INFORMATION CONTACT: Mr. Hans Kohler, Office of Research and Technology Applications, Building 150/2, Naval Air Warfare Center Aircraft Div, Lakehurst, NJ 08733–5060, 732–323–2948, Hans.Kohler@navy.mil or Mr. Paul Fritz, Office of Research and Technology Applications, Building 304; Room 107, Naval Air Warfare Center Aircraft Div, 22541 Millstone Rd, Patuxent River, MD 20670, 301–342–5586, Paul.Fritz@navy.mil.

SUPPLEMENTARY INFORMATION: The U.S. Navy intends to move expeditiously to license these inventions. All licensing application packages and commercialization plans must be returned to Naval Air Warfare Center Aircraft Division, Business Development Office, Office of Research and Technology Applications, Building 304; Room 107, 22541 Millstone Road, Patuxent River, MD 20670.

The Navy, in its decisions concerning the granting of licenses, will give special consideration to existing licensee's, small business firms, and consortia involving small business firms. The Navy intends to ensure that its licensed inventions are broadly commercialized throughout the United States.

PCT application may be filed for each of the patents as noted above. The Navy intends that licensees interested in a license in territories outside of the United States will assume foreign prosecution and pay the cost of such prosecution.

(Authority: 35 U.S.C. 207, 37 CFR Part 404)

Dated: March 6, 2006.

Eric McDonald,

Lieutenant Commander, Judge Advocate General's Corps, U. S. Navy, Federal Register Liaison Officer.

[FR Doc. E6–3549 Filed 3–13–06; 8:45 am]

BILLING CODE 3810–FF–P