

the Settlement Agreement and order within 15 days, the Settlement Agreement and Order shall be deemed finally accepted on the 16th day after the date it is published in the **Federal Register** in accordance with 16 CFR 1118.20(f).

27. This Settlement Agreement and Order becomes effective upon its final acceptance by the Commission and service upon Respondent.

28. For purposes of section 6(b) of the CPSA, 15 U.S.C. § 2055(b), this matter shall be treated as if a complaint had issued, and the Commission may publicise the terms of the Settlement and Order.

(29) The provisions of this Settlement Agreements and Order shall apply to 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.

30. Neiman Marcus agrees to immediately inform the Commission if it learns of any additional incidents or flammability information about the robes.

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

Dated: August 19, 1998.

Eric P. Geller,

*Senior Vice President and General Counsel,
The Neiman Marcus Group, Inc., Chestnut Hill, MA.*

The Consumer Product Safety Commission.

Alan H. Schoem,

Assistant Executive Director, Office of Compliance.

Eric L. Stone,

Director, Legal Division, Office of Compliance.

Dated: September 18, 1998.

Ronald G. Yelenik,

Trial Attorney, Legal Division, Office of Compliance.

Order

Upon consideration of the Settlement Agreement between Respondent The Neiman Marcus Group, Inc., a corporation, and the staff of the Consumer Product Safety Commission, and the Commission having jurisdiction over the subject matter and over The Neiman Marcus Group, Inc., and it appearing the Settlement Agreement is in the public interest, it is

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

Ordered, that within 20 days of the service of the Final Order upon Respondent. The Neiman Marcus Group, Inc. shall pay to the order of the U.S. Treasury a civil penalty in the amount of one hundred and twelve thousand five hundred dollars (\$112,500).

Further ordered, The Neiman Marcus Group, Inc. shall immediately inform the Commission if it learns of any additional incidents or flammability information about the products identified in the Settlement Agreement herein.

Provisionally accepted and Provisional Order issued on the 14th day of October, 1998.

By Order of the Commission.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 98-27990 Filed 10-16-98; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

Department of the Army

Intent To Grant an Exclusion License to RSI Industries

AGENCY: U.S. Army Legal Services Agency, DoD.

ACTION: Notice of intent.

SUMMARY: In compliance with 37 CFR 404 et seq., the Department of the Army hereby gives notice of its intent to grant to RSI Industries and Pharmaceuticals, Inc., a corporation having its principal place of business at 5051 Edison Avenue, P.O. Box 1168, Chino, CA 91708, an exclusive license under U.S. Patent Number 5,714,515, issued February 3, 1998. This Patent relates to a food product for and a method for enhancing cellular phosphorylation potential.

FOR FURTHER INFORMATION CONTACT: Mr. Werten F.W. Bellamy, Intellectual Property Law Division, ATTN: JALS-IP, 901 North Stuart Street, Arlington, VA 22203-1837. Phone: (703) 696-8119.

SUPPLEMENTARY INFORMATION: Objections along with supporting evidence, if any, should be filed within 60 days from the date of this notice and submitted to the above address.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 98-27931 Filed 10-16-98; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Intent To Prepare a Draft Environmental Impact Statement/ Environmental Impact Report (DEIS/ EIR) for the Upper Newport Bay Environmental Restoration Feasibility Study; City of Newport, Orange County, CA

AGENCY: U.S. Army Corps of Engineers, Los Angeles District, DoD.

ACTION: Notice of intent.

SUMMARY: Newport Bay is located on the southern California coast approximately 40 miles south of Los Angeles and 75 miles north of San Diego. The Pacific Coast Highway divides the Bay into two distinct bodies of water referred to as the "Upper" and "Lower" sections. Excessive sedimentation in the 752-acre Upper Newport Bay Ecological Reserve, and shoaling in navigation channels have resulted in habitat changes, disruption of boat traffic, and an overall decrease in water circulation in the Bay. Sediments and nutrients transported from the Newport Bay/San Diego Creek watershed to the bay will continue to degrade water quality and habitat quality within the bay. These conditions have caused a concern among local interest groups and resource agencies regarding the potential adverse impacts on the biota in the Bay ecosystem. The Corps is preparing a feasibility study to determine the Federal interest in restoring and enhancing the marine biological productivity of the Upper Bay and a long-term management plan to permit continued maintenance efforts in the Bay. The goal of the feasibility study is to preserve optimized structure, function, integrity and viability of the ecosystem.

ADDRESSES: Commander, U.S. Army Corps of Engineers, Los Angeles District, Environmental Planning Section, P.O. Box 532711, Los Angeles, CA 90053-2325.

FOR FURTHER INFORMATION CONTACT: Mr. Russell L. Kaiser, Environmental Manager, phone (213) 452-3846.

SUPPLEMENTARY INFORMATION:

1. Authorization

This study was authorized by Section 841 of the Water Resources Development Act of 1986, Pub. L. 99-662.

2. Background

The Corps along with several other Federal, state and local agencies and interested parties representing different

environmental groups in the Orange County area have been meeting regularly over the last several years to discuss and develop a long term strategy for restoration, enhancement, conservation and preservation efforts for Newport Bay. This consortium of agencies and interested parties are formulating the preliminary concepts for restoration efforts. The Corps has held several public scoping meetings in association with this project. Discussion items have focused on the loss of native habitat and wildlife communities, the propagation of exotic vegetation and domestic predation, the loss of habitat supporting native sensitive species, the overall decrease in water quality, the increase in sediment build-up, the effects of development in the watershed and point/nonpoint discharges entering the bay.

3. Proposed Action

Preparation of a DEIS/EIR.

4. Alternatives

No-Action allows for continued sediment deposition in Upper and Lower Newport Bay, significantly reducing open-water areas, degrading existing marsh habitat, reducing tidal circulation, and shoaling navigation channels. A full array of alternatives will be developed to achieve both environmental restoration and sediment control. To refine alternatives and determine which are viable, project criteria will be developed to assess feasibility. A co-equal analysis will be conducted for the no action and each viable project alternative in the DEIS/EIR pursuant with the National Environmental Policy Act of 1969, 42 U.S.C. 4321, as amended. Project area maps will be available upon request.

5. Scoping Process

The Corps will evaluate potential impacts associated with the no-action and alternative plans. A public scoping meeting will be held to address baseline conditions, solicit public participation on significant environmental issues, and participation in the formulation of alternative measures. All interested parties and agencies are welcome to attend and encouraged to participate in the meeting. The Corps will briefly present the study to the public, review the environmental process and issues identified thus far, and outline the overall schedule for study completion, then request public input. Individuals and agencies may offer information or data relevant to the proposed study and/or request to be placed on the mailing list for future announcements. The

DEIS/EIR is expected to be available for review and comment in July 1999.

Several years ago, the California Department of Fish and Game (CDFG) prepared a draft Upper Newport Bay Ecological Reserve (UNBER) management plan. The CDFG is revising the draft plan and will solicit public input at this meeting.

6. Location and Time

The public scoping meeting is scheduled for October 21, 1998 at 7:00 p.m., at the Newport Beach City Council Chambers, 3300 Newport Blvd., Newport Beach, California.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 98-27930 Filed 10-16-98; 8:45 am]

BILLING CODE 3710-KF-M

DEPARTMENT OF DEFENSE

Department of the Navy

Meeting of the Naval Research Advisory Committee

AGENCY: Department of the Navy, DOD.

ACTION: Notice of meeting.

SUMMARY: The Naval Research Advisory Committee (NRAC) Panel on Global Positioning System (GPS) Vulnerability and Alternatives will meet to examine the vulnerabilities of the GPS on Navy and Marine Corps platforms and weapons systems. All sessions of the meeting will be devoted to executive sessions that will include discussions and technical examination of information related to GPS vulnerabilities; the Department of the Navy's mitigation plans for platforms, weapons, communications, and intelligence systems as related to the projected threat; GPS modernization; and research, development, test, acquisition, and training activities to improve GPS-related military readiness and precision navigation capabilities. All sessions of the meeting will be closed to the public.

DATES: The meeting will be held on Monday, October 19, 1998, through Friday, October 23, 1998, from 8:00 a.m. to 5:00 p.m. each day.

ADDRESSES: The meeting will be held at the Office of Naval Research, 800 North Quincy Street, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Diane Mason-Muir, Program Director, Naval Research Advisory Committee, 800 North Quincy Street, Arlington, VA 22217-5660, telephone number: (703) 696-6769.

SUPPLEMENTARY INFORMATION: This notice of meeting is provided in

accordance with the provisions of the Federal Advisory Committee Act (5 U.S.C. App. 2). All sessions of the meeting will be devoted to discussions involving technical examination of information related to vulnerabilities and deficiencies of the GPS on Navy and Marine Corps platforms and weapons systems. These discussions will contain classified information that is specifically authorized under criteria established by Executive Order to be kept secret in the interest of national defense and are in fact properly classified pursuant to such Executive Order. The classified and non-classified matters to be discussed are so inextricably intertwined as to preclude opening any portion of the meeting. In accordance with 5 U.S.C. App. 2, section 10(d), the Secretary of the Navy has determined in writing that the public interest requires that all sessions of the meeting be closed to the public because they will be concerned with matters listed in 5 U.S.C. section 552b(c)(1). Due to unavoidable delay in administrative processing, the normal 15 days notice could not be provided.

Dated: October 7, 1998.

Ralph W. Corey,

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

[FR Doc. 98-27984 Filed 10-14-98; 2:55 pm]

BILLING CODE 3810-FF-P

DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education

SUMMARY: The Leader, Information Management Group, Office of the Chief Financial and Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before November 18, 1998.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Danny Werfel, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW, Room 10235, New Executive Office Building, Washington, DC 20503 or should be electronically mailed to the internet address Werfel_d@al.eop.gov. Requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, SW, Room 5624, Regional Office