

18. Respondent agrees to pay to the order of the U.S. Treasury a civil penalty in the amount of one million, one hundred thousand dollars (\$1,100,000), in settlement of this matter. The first payment in the amount of \$366,666.66 shall be made within twenty (20) calendar days of receiving service of the final Settlement Agreement and Order. The second payment in the amount of \$366,666.67 shall be made within six months of the date the first payment is due. A final payment in the amount of \$366,666.68 shall be made within one calendar year of the date the first payment is due. If Fisher-Price fails to make a payment on schedule, the unpaid balance of the entire 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) from the date payment was due.

19. This Settlement Agreement and Order is entered into for settlement purposes only and does not constitute findings by the Commission or an admission of any fault, any liability, any violation of any law, or any wrongdoing by Respondent.

20. Fisher-Price knowingly, voluntarily and completely waives any rights it may have in the above captioned case (i) to the issuance of a Complaint in this matter; (ii) to an administrative or judicial hearing with respect to the staff's allegations cited herein; (iii) to judicial review or other challenge or contest of the validity of the Settlement Agreement or the Commission's Order; (iv) to a determination by the Commission as to whether a violation of Section 15(b) of the CPSA, has occurred; (v) to a statement of findings of fact and conclusions of law with regard to the staff's allegations; and (vi) to any claims under the Equal Access to Justice Act.

21. Upon provisional acceptance of this Settlement Agreement and Order by the Commission, the Commission shall place this Settlement Agreement and Order on the public record and shall publish it in the **Federal Register** in accordance with the procedure set forth in 16 CFR 1118.20(e). If the Commission does not receive any written requests not to accept 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).

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

23. Upon final acceptance of this Settlement Agreement by the Commission, the Commission may publicize the terms of the Settlement Agreement and Order.

24. Respondent agrees to the entry of the attached Order, which is incorporated herein by reference, and agrees to be bound by its terms.

25. This Settlement Agreement and Order is being upon Fisher-Price, its parent, its parent's subsidiaries and each of their successors or assigns with respect to Power Wheels.

26. This Settlement Agreement and Order releases Fisher-Price, its parent and its parent's subsidiaries and each of their successors and assigns, from any liability to the Commission under section 20 of the CPSA for a civil penalty arising from the allegations in paragraphs 4 through 10.

27. Nothing in this Settlement Agreement and Order shall be construed to preclude the Commission from pursuing corrective action or other relief not described above.

28. If, after the effective date hereof, any provision of this Settlement Agreement and Order is held to be illegal, invalid, or unenforceable under present or future laws effective during the terms of the Settlement Agreement and Order, such provision shall be fully severable. The rest of the Settlement agreement and Order shall remain in full effect, unless the Commission and Fisher-Price determine that severing the provision materially impacts the purpose of the Settlement Agreement and Order.

29. This Settlement Agreement and Order shall not be waived, changed, amended, modified, or otherwise altered, except in writing executed by the party against whom such amendment, modification, alteration, or waiver is sought to be enforced, and approved by the Commission.

30. 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 to contradict its terms.

Dated: May 29, 2001.

Fisher-Price, Inc.

Neil Friedman,
President & Chief Executive Officer.

The Consumer Product Safety Commission
Alan H. Schoem,
Assistant Executive Director, Office of Compliance.

Eric L. Stone,
Legal Division, Office of Compliance.

Dated: May 30, 2001.

Ronald G. Yelenk,

Trial Attorney, Legal Division, Office of Compliance.

Order

Upon consideration of the Settlement Agreement between Respondent Fisher-Price, Inc., a corporation, and the staff of the Consumer Product Safety Commission, and the Commission having jurisdiction over the subject matter and over Fisher-Price, 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

Further Ordered, that Fisher-Price, Inc. shall pay to the order of the U.S. Treasury a civil penalty in the amount of one million, one hundred thousand dollars (\$1,100,000), payable as follows: \$366,666.66 within twenty (20) calendar days after service of this Final Order upon Fisher-Price, Inc.; \$366,666.67 within six months of the date the first payment is due; and \$366,666.68 within one calendar year of the date the first payment is due.

Upon failing to make a payment on schedule, the unpaid balance of the entire 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) from the date payment was due.

Provisionally accepted and Provisional Order issued on the 7th day of June, 2001.

By Order of the Commission.

Todd A. Stevenson,
Consumer Product Safety Commission.

[FR Doc. 01-14927 Filed 6-13-01; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Submission for OMB Review; Comment Request

ACTION: Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Title, Form, and OMB Number:
Military Critical Technical Data Agreement; DD Form 2345; OMB Number 0704-0207.

Type of Request: Extension.
Number of Respondents: 6,000.
Responses per Respondent: 1.
Annual Responses: 6,000.

Average Burden per Response: 20 Minutes.

Annual Burden Hours: 2,000.

Needs and Uses: The information collection requirement is necessary as a basis for certifying individuals or businesses to have access to DoD export-controlled military critical technical data subject to the provisions of 32 CFR 250. Individuals and enterprises that need access to unclassified DoD-controlled militarily critical technical data must certify on DD Form 2345 that data will be used only in ways that will inhibit unauthorized access and maintain the protection afforded by U.S. export control laws. Use of the form permits U.S. and Canada defense contractors to certify their eligibility to obtain certain unclassified technical data with military and space applications. Nonavailability of this information prevents defense contractors from accessing certain restricted databases and obstructs conference attendance where restricted data will be discussed.

Affected Public: Business or Other For-Profit; Not-For-Profit Institutions.

Frequency: On Occasion.

Respondent's Obligation: Required to Obtain or Retain Benefits.

OMB Desk Officer: Mr. David M. Pritzker.

Written comments and recommendations on the proposed information collection should be sent to Mr. Pritzker at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

DOD Clearance Officer: Mr. Robert Cushing.

Written requests for copies of the information collection proposal should be sent to Mr. Cushing, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302.

Dated: June 5, 2001.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 01-14944 Filed 6-13-01; 8:45 am]

BILLING CODE 5001-08-M

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 01-10]

36(b)(1) Arms Sales Notification

AGENCY: Department of Defense, Defense Security Cooperation Agency.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104-164 dated 21 July 1996.

FOR FURTHER INFORMATION CONTACT: Ms. J. Hurd, DSCA/COMPT/RM, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 01-10 with attached transmittal and policy justification.

Dated: June 5, 2001.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.