DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

Docket No. 0812021556-81558-01

Public Telecommunications Facilities Program: Closing Date

AGENCY: National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce

ACTION: Notice of Amended Closing Date for Solicitation of Applications; Catalog of Federal Domestic Assistance

SUMMARY: The National Telecommunications and Information Administration (NTIA) announces that the new closing date for certain digital television Distributed Transmission System (DTS) projects is Monday, May 18, 2009. This new Closing Date for certain DTS projects is designed to accommodate a new policy issued by the Federal Communications Commission after NTIA published the original Closing Date notice in the **Federal Register**. The Closing Date for receipt of all other Public Telecommunications Facilities Program (PTFP) applications remains Thursday, December 18, 2008.

DATES: Applications for certain digital television DTS projects must be received prior to 5 p.m. Eastern Daylight Time (Closing Time), Monday, May 18, 2009 (DTS Closing Date). Applications submitted by facsimile will not be accepted. If an application is received after the DTS Closing Date due to (1) carrier error, when the carrier accepted the package with a guarantee for delivery by the DTS Closing Date and Closing Time, (2) significant weather delays or natural disasters, or (3) delays due to national security issues, NTIA will, upon receipt of proper documentation, consider the application as having been received by the deadline. NTIA will not accept applications posted on the DTS Closing Date or later and received after this deadline.

ADDRESSES: To obtain a printed application package, submit completed applications, or send any other correspondence, write to PTFP at the following address (please note the new room number): NTIA/PTFP, Room H–4812, U.S. Department of Commerce, 1401 Constitution Avenue, N.W., Washington, DC 20230. Application materials may be obtained electronically via the Internet at http://www.ntia.doc.gov/ptfp or http://www.grants.gov.

FOR FURTHER INFORMATION CONTACT: William Cooperman, Director, Public Broadcasting Division, telephone: (202) 482–5802; fax: (202) 482–2156. Information about the PTFP can also be obtained electronically via the Internet at http://www.ntia.doc.gov/ptfp.

SUPPLEMENTARY INFORMATION: On October 20, 2008, NTIA published a Notice of Closing Date for Solicitation of Applications for the FY 2009 PTFP grant round. The Notice established Thursday, December 18, 2008 as the Closing Date.[1]

On November 3, 2008, the Federal Communications Commission (FCC) adopted rules for the use of Distributed Transmission System (DTS) Technologies in the digital television service.[2] In paragraph 28 of the Report and Order, the FCC adopted an immediate waiver policy to use DTS to continue to provide over-the-air service to existing analog viewers after the digital transition even before its new DTS rules and forms take effect.[3] Under the timeline adopted by the FCC in the DTS Report and Order, licensees must submit DTS applications using this waiver policy to the FCC no later than August 18, 2009 (six months after the February 17, 2009 deadline for shut-down of full-power analog television service), and applicants must commit to build the DTS facility as quickly as possible.[4] Consistent with PTFP's purposes, NTIA is extending the Closing Date for DTS applications so stations may apply for the financial assistance necessary to build DTS facilities as allowed by the new FCC rules and waiver policy.[5]

For DTS projects that require an FCC waiver under the aforementioned waiver policy, NTIA will accept applications for DTS projects until May 18, 2009 (DTS Closing Date). Such applications will be placed in Subpriority A. While applicants may file requests for FCC authorizations with the FCC after the DTS Closing Date, applicants are reminded that no grant will be awarded until confirmation has been received from the FCC that any necessary authorization will be issued. As noted in the Federal Funding Opportunity Notice of October 20, 2008, ''[t]ransmission equipment required by public television stations to complete their digital broadcast facilities will be considered in Broadcast Other, Subpriority A'' and that facilities ''should replicate the station's comparable analog Grade B coverage.''[6]

Applications for DTS projects will utilize the same forms, and undergo the same review and evaluation process contained in the PTFP Closing Date Notice. The Closing Date for receipt of all other PTFP applications, including applications for those DTS projects that do not require a FCC waiver as discussed above, remains Thursday, December 18, 2008.[7]

Dated: December 4, 2008.

Dr. Bernadette McGuire-Rivera,

Associate Administrator, Office of Telecommunications and Information Applications.

[FR Doc. E8–29096 Filed 12–8–08; 8:45 am]

BILLING CODE 3510–60–S

[1] Public Telecommunications Facilities Program: Closing Date, 73 Fed. Reg. 62,258 (NTIA Oct. 20, 2008)(PTFP Closing Date Notice).

[2] Digital Television Distributed Transmission Services Technologies, MB Docket No. 05-312, Report and Order, 2008 FCC LEXIS 7698, FCC 08-256 (2008)(DTS Report and Order).

[3] *Id.* at ¶28.

[4] *Id.*

[5] *See* 47 U.S.C. § 390.

[6] Announcement of Federal Funding Opportunity, National Telecommunications and Information Administration, FY 2009, U.S. Department of Commerce (Oct. 20, 2008) available at http://www.ntia.doc.gov/otiahome/ptfp/attachments/FFO1Notice109.html.

[7] *See* PTFP Closing Date Notice, *supra* note 1.

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 09–C0002]

Nordstrom, Inc., Provisional Acceptance of a Settlement Agreement and Order

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: It is the policy of the Commission to publish settlements which it provisionally accepts under the Federal Hazardous Substances Act in the **Federal Register** in accordance with the terms of 16 CFR 1118.20(e). Published below is a provisionally-accepted Settlement Agreement with Nordstrom, Inc., containing a civil penalty of $60,000.00.

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 December 24, 2008.

ADDRESSES: Persons wishing to comment on this Settlement Agreement should send written comments to Comment 09–C0002, Office of the Secretary, Consumer Product Safety Commission, 4330 East West Highway, Room 502, Bethesda, Maryland 20814–4408.

FOR FURTHER INFORMATION CONTACT: Dennis C. Kacoyanis, Trial Attorney, Office of Compliance and Field

Operations, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, Maryland 20814–4408; telephone (301) 504–7587.

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

Dated: December 2, 2008.

Todd A. Stevenson,

Secretary.

United States of America

Consumer Product Safety Commission

In the Matter of Nordstrom, Inc.; CPSC Docket No. 09–C0002

Settlement Agreement

1. In accordance with 16 CFR 1118.20, Nordstrom, Inc. (''Nordstrom'') and the staff (''Staff'') of the United States Consumer Product Safety Commission (''Commission'') enter into this Settlement Agreement (''Agreement''). The Agreement and the incorporated attached Order (''Order'') settle the Staff's allegations set forth below.

Parties

2. The Commission is an independent federal regulatory agency established pursuant to, and responsible for the enforcement of, the Consumer Product Safety Act, 15 U.S.C. 2051–2089 (''CPSA'').

3. Nordstrom is a corporation organized and existing under the laws of the State of Washington, with its principal offices located in Seattle, WA. Nordstrom is a fashion specialty retailer selling a wide selection of apparel, shoes, and accessories for women, men, and children.

Staff Allegations

4. From November 2007 to December 2007, Nordstrom held for sale and/or sold 2,418 Micros boy's hooded jackets and Hearts & Stars and Robot reversible zip hooded sweaters with drawstrings (''Drawstring Jackets and Sweaters'').

5. Nordstrom sold the Drawstring Jackets and Sweaters to consumers nationwide.

6. The Drawstring Jackets and Sweaters are ''consumer product[s],'' and, at all times relevant hereto, Nordstrom was a ''retailer'' of those consumer products, which were ''distributed in commerce,'' as those terms are defined in CPSA sections 3(a), (5), (8), and (13), 15 U.S.C. § 2052(a), (5), (8), and (13).

7. In February 1996, the Staff issued the Guidelines for Drawstrings on Children's Upper Outerwear (''Guidelines'') to help prevent children from strangling or entangling on neck and waist drawstrings. The Guidelines state that drawstrings can cause, and have caused, injuries and deaths when they catch on items such as playground equipment, bus doors, or cribs. In the Guidelines, the Staff recommends that there be no hood and neck drawstrings in children's upper outerwear sized 2T to 12.

8. In June 1997, ASTM adopted a voluntary standard, ASTM F1816–97, that incorporated the Guidelines. The Guidelines state that firms should be aware of the hazards and should be sure garments they sell conform to the voluntary standard.

9. On May 19, 2006, the Commission posted on its Web site a letter from the Commission's Director of the Office of Compliance to manufacturers, importers, and retailers of children's upper outerwear. The letter urges them to make certain that all children's upper outerwear sold in the United States complies with ASTM F1816–97. The letter states that the Staff considers children's upper outerwear with drawstrings at the hood or neck area to be defective and to present a substantial risk of injury to young children under Federal Hazardous Substances Act (''FHSA'') section 15(c), 15 U.S.C. 1274(c). The letter also notes the CPSA's section 15(b) reporting requirements.

10. Nordstrom reported to the Commission there had been no incidents or injuries from the Drawstring Jackets and Sweaters.

11. Nordstrom's distribution in commerce of the Drawstring Jackets and Sweaters did not meet the Guidelines or ASTM F1816–97, failed to comport with the Staff's May 2006 defect notice, and posed a strangulation hazard to children.

12. By December 10, 2007, Nordstrom had removed the Drawstring Jackets and Sweaters from sale and had removed the drawstrings from those garments.

13. On February 6, 2008 and March 11, 2008, the Drawstring Jackets and Sweaters were recalled. The recall informed consumers that they should immediately remove the drawstrings to eliminate the hazard.

14. Nordstrom had presumed and actual knowledge that the Drawstring Jackets and Sweaters distributed in commerce posed a strangulation hazard and presented a substantial risk of injury to children under FHSA section 15(c)(l), 15 U.S.C. 1274(c)(l). Nordstrom had obtained information that reasonably supported the conclusion that the Drawstring Jackets and Sweaters contained a defect that could create a substantial product hazard or that they created an unreasonable risk of serious injury or death. CPSA sections 15(b)(3) and (4), 15 U.S.C. 2064(b)(3) and (4), required Nordstrom to immediately inform the Commission of the defect and risk.

15. Nordstrom knowingly failed to immediately inform the Commission about the Drawstring Jackets and Sweaters 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 Nordstrom to civil penalties.

Nordstrom Response

16. Nordstrom denies the Staff's allegations that Nordstrom violated the CPSA.

Agreement of the Parties

17. Under the CPSA, the Commission has jurisdiction over this matter and over Nordstrom.

18. The parties enter into the Agreement for settlement purposes only. The Agreement does not constitute an admission by Nordstrom, or a determination by the Commission, that Nordstrom has knowingly violated the CPSA.

19. In settlement of the Staff's allegations, Nordstrom shall pay a civil penalty in the amount of sixty-thousand dollars ($60,000.00) 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.

20. 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**.

21. Upon the Commission's final acceptance of the Agreement and issuance of the final Order, Nordstrom knowingly, voluntarily, and completely waives any rights it may have regarding the Staff's allegations 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 Nordstrom 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.

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

23. The Agreement and the Order shall apply to, and be binding upon, Nordstrom and each of its successors and assigns.

24. The Commission issues the Order under the provisions of the CPSA, and violation of the Order may subject Nordstrom to appropriate legal action.

25. 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.

26. 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 Nordstrom agree that severing the provision materially affects the purpose of the Agreement and the Order.

NORDSTROM, INC.

Dated: Oct. 30, 2008.

By:

Cherie Williams,
General Liability and Business Claims Manager, Nordstrom, Inc., 1700 7th Avenue, Seattle, WA 98101.

U.S. CONSUMER PRODUCT SAFETY COMMISSION

Cheryl A. Falvey,
General Counsel.

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

Dated: 10/31/08.

By:

Dennis C. Kacoyanis,
Trial Attorney, Division of Compliance, Office of the General Counsel.

United States of America

Consumer Product Safety Commission

In the Matter of Nordstrom, Inc., CPSC Docket No. 09–C0002

Order

Upon consideration of the Settlement Agreement entered into between Nordstrom, Inc. (''Nordstrom'') and the U.S. Consumer Product Safety Commission (''Commission'') staff, and the Commission having jurisdiction over the subject matter and over Nordstrom, 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 Nordstrom shall pay a civil penalty in the amount of sixty thousand dollars ($60,000.00) 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 Nordstrom to make the foregoing payment when due, interest on the unpaid amount shall accrue and be paid by Nordstrom at the federal legal rate of interest set forth at 28 U.S.C. 196 1(a) and (b).

Provisionally accepted and provisional Order issued on the 2nd day of December, 2008.

By Order of the Commission:

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

[FR Doc. E8–28892 Filed 12–8–08; 8:45 am]

BILLING CODE 6355–01–M

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0055]

Federal Acquisition Regulation; Information Collection; Freight Classification Description

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for public comments regarding an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection requirement concerning freight classification description. The clearance currently expires on December 31, 2008.

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the FAR, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

DATES: Submit comments on or before February 9, 2009

ADDRESSES: Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the General Services Administration, FAR Secretariat (VIR), 1800 F Street, NW, Room 4035, Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Jeritta Parnell, Procurement Analyst, Contract Policy Division, at (202) 501–4082.

SUPPLEMENTARY INFORMATION:

A. Purpose

When the Government purchases supplies that are new to the supply system, nonstandard, or modifications of previously shipped items, and different freight classifications may apply, offerors are requested to indicate the full Uniform Freight Classification or National Motor Freight Classification. The information is used to determine the proper freight rate for the supplies.

B. Annual Reporting Burden

Respondents: 2,640.
Responses Per Respondent: 3.
Annual Responses: 7,920.
Hours Per Response: .167.
Total Burden Hours: 1,323.
Obtaining copies of proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, FAR Secretariat (VIR), Room 4035, 1800 F Street, NW, Washington, DC 20405, telephone (202) 501–4755. Please cite OMB Control No. 9000–0055, Freight Classification Description, in all correspondence.

Dated: November 20, 2008

Al Matera

Director, Contract Policy Division.

[FR Doc. E8–29048 Filed 12–8–08; 8:45 am]

BILLING CODE 6820–EP–S