above that it has knowingly caused the introduction into commerce of the aforesaid banned hazardous toys, or that it has violated the FHSA as alleged by the staff.

IV. Agreement of the Parties

12. The Consumer Product Safety Commission has jurisdiction over Boley and the subject matter of this Settlement Agreement under the following acts: Consumer Product Safety Act, 15 U.S.C. 2051 et seq., and the Federal Hazardous Substances Act, 15 U.S.C. 1261 et seq.

13. Upon final acceptance by the Commission of this Settlement Agreement and Order, the Commission shall issue the attached Order incorporated herein by reference.

14. The Commission does not make any determination that Boley knowingly violated the FHSA. The Commission and Boley agree that this Agreement is entered into for the purposes of

settlement only.

15. Upon final acceptance of this Settlement Agreement by the Commission and issuance of the Final Order, Boley knowingly, voluntarily and completely, waives any rights it may have in this matter (1) to an administrative or judicial hearing, (2) to judicial review or other challenge or contest of the validity of the Commission's actions, (3) to a determination by the Commission as to whether Boley failed to comply with the FHSA as aforesaid, (4) to a statement of findings of fact and conclusions of law, and (5) to all claims under the Equal Access to Justice Act, 28 U.S.C. 2412.

16. 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 publicize the terms of the Settlement

Agreement and the Order.

17. Upon provisional acceptance of this Settlement Agreement by the Commission, this Settlement Agreement and the Provisional Order shall be placed on the public record and shall be published in the Federal Register in accordance with the procedures set forth in 16 CFR 1118.20(e)-(h). If the Commission does not receive any written request not to accept the Settlement Agreement within 15 days, the Settlement Agreement shall be deemed finally accepted and the Final Order shall be deemed issued on the 16th day after the date the Settlement Agreement is published in the Federal Register.

18. The parties further agree that the Commission shall issue the aforesaid Order; and that a violation of the Order shall subject Boley to appropriate legal action.

19. Agreements, understandings, representations, or interpretations made outside of this Settlement Agreement may not be used to vary or contradict its

20. The provisions of the Settlement Agreement and Final Order shall apply to Boley and each of its successors and assign.

Respondent Boley Corporation, Dated: November 11, 1994, by:

Ronald Wong,

President, Boley Corporation, 2022 Violet Street, Los Angeles, California 90021.

Commission Staff

David Schmeltzer,

Assistant Executive Director, Office of Compliance and Enforcement.

Eric L. Stone,

Acting Director, Division of Administrative Litigation, Office of Compliance and Enforcement.

Dated: December 6, 1994, by:

Earl A. Gershenow,

Trial Attorney, Division of Administrative Litigation, Office of Compliance and Enforcement.

Dated: December 6, 1994, by:

Dennis C. Kacovanis,

Trial Attorney, Division of Administrative Litigation, Office of Compliance and Enforcement.

Order

Upon consideration of the Settlement Agreement entered into between respondent Boley Corporation, a corporation, and the staff of the Consumer Product Safety Commission, and the Commission having jurisdiction over the subject matter and Boley Corporation; and it appearing that the Settlement Agreement and Order is in the public interest, it is

Ordered, That the Settlement Agreement and Order be and hereby is

accepted; and it is

Further Ordered, That upon final acceptance of the Settlement Agreement and Order, Boley Corporation shall pay to the Commission a civil penalty in the amount of sixty thousand and 00/100 dollars (\$60,000.00) in three (3) payments of twenty thousand and 00/ 100 dollars (\$20,000.00) each. The first payment shall be due within twenty (20) days after service of the Final Order of the Commission accepting the Settlement Agreement, hereinafter, the "anniversary date." The second payment shall be made within one year of the anniversary date, and the third payment shall be made within two years of the anniversary date. Payment of the full amount of the civil penalty shall settle fully the staff's allegations set forth in paragraphs 5 through 11 of the

Settlement Agreement and Order that Boley Corporation knowingly violated the FHSA. Upon the failure by Boley Corporation to make a payment or upon the making of a late payment by Boley Corporation (a) the entire amount of the civil penalty shall be due and payable. and (b) 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).

Provisionally accepted and Provisional Order issued on the 11th day of January

By order of the Commission.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

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DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Partnership Council Meeting

SUMMARY: The Department of Defense

AGENCY: Department of Defense. **ACTION:** Notice of meeting.

(DoD) announces a meeting of the Defense Partnership Council. Notice of this meeting is required under the Federal Advisory Committee Act. This meeting is open to the public. The topics to be discussed are promotion of partnership and partnership training. **DATES:** The meeting is to be held Wednesday February 1, 1995, in room 1E801, Conference Room 4 the Pentagon from 10:00 a.m. until 12 noon. Comments should be received by January 24, 1995, in order to be considered at the February 1, meeting. **ADDRESSES:** We invite interested persons and organizations to submit written comments or recommendations. Mail or deliver your comments or recommendations to Mr. Kenneth Oprisko at the address shown below. Seating is limited and available on a first-come, first-served basis. Individuals wishing to attend who do not possess an appropriate Pentagon building pass should call the below listed telephone number to obtain instructions for entry into the Pentagon. Handicapped individuals wishing to attend should also call the below listed telephone number to obtain appropriate accommodations.

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth Oprisko, Chief, Labor Relations Branch, Field Advisory Services Division, Defense Civilian Personnel Management Service, 2461