

Bear knowingly, voluntarily, and completely waives any rights it may have in this matter to the following: (a) An administrative or judicial hearing; (b) judicial review or other challenge or contest of the Commission's actions; (c) a determination by the Commission of whether Build-A-Bear failed to comply with the CPSA and the underlying regulations; (d) a statement of findings of fact and conclusions of law; and (e) any claims under the Equal Access to Justice Act.

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

22. The Agreement and the Order shall apply to, and be binding upon, Build-A-Bear and each of its successors and/or assigns.

23. The Commission issues the Order under the provisions of the CPSA, and a violation of the Order may subject Build-A-Bear and each of its successors and/or assigns to appropriate legal action.

24. 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 the terms or the Agreement and the Order. 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.

25. If any provision of the Agreement or 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 Build-A-Bear agree that severing the provision materially affects the purpose of the Agreement and Order.

#### **Build-A-Bear Workshop, Inc.**

Dated: September 27, 2011.

By: \_\_\_\_\_

Eric R. Fencl,  
*General Counsel,*

Build-A-Bear Workshop, Inc.  
1954 Innerbelt Business Center Drive  
St. Louis, MO 63114.

Dated: September 27, 2011.

By: \_\_\_\_\_

Stephen L. Hill,  
*Esquire,*

Husch Blackwell LLP  
4801 Main Street, Suite 1000  
Kansas City, MO 64112  
Counsel for Build-A-Bear Workshop, Inc.

U.S. Consumer Product Safety Commission  
Staff

Cheryl A. Falvey,  
*General Counsel.*

Mary B. Murphy,  
*Assistant General Counsel.*

Dated: December 2, 2011.

By: \_\_\_\_\_

Belinda V. Bell,  
*Trial Attorney,*

Division of Compliance  
Office of the General Counsel.

#### **Order**

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

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

*Further Ordered*, that Build-A-Bear shall pay a civil penalty in the amount of \$600,000.00 within 20 calendar days of receiving service of the Commission's final Order accepting the Settlement Agreement. The payment shall be made electronically to the CPSC via <http://www.pay.gov>. Upon the failure of Build-A-Bear to make the foregoing payment when due, interest on the unpaid amount shall accrue and be paid by Build-A-Bear 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 9th day of December, 2011.

By order of the Commission.

**Todd A. Stevenson,**

*Secretary, U.S. Consumer Product Safety Commission.*

[FR Doc. 2011-32116 Filed 12-14-11; 8:45 am]

**BILLING CODE 6355-01-P**

## **DEPARTMENT OF DEFENSE**

### **Office of the Secretary**

#### **Defense Acquisition University Board of Visitors; Notice of Meeting**

**AGENCY:** Defense Acquisition University, Department of Defense (DoD).

**ACTION:** Meeting notice.

**SUMMARY:** Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and

41 CFR 102-3.150, the Department of Defense announces that the following Federal advisory committee meeting of the Defense Acquisition University Board of Visitors will take place.

**DATES:** Wednesday, January 25, 2012, from 8:30 a.m.–11:30 a.m.

**ADDRESSES:** Command Conference Center, Building 202, Defense Acquisition University, 9820 Belvoir Road, Fort Belvoir, VA 22060.

**FOR FURTHER INFORMATION CONTACT:** Christen Goulding, Protocol Director, DAU, Phone: (703) 805-5134, Fax: (703) 805-5940, Email: [christen.goulding@dau.mil](mailto:christen.goulding@dau.mil).

#### **SUPPLEMENTARY INFORMATION:**

*Purpose of the Meeting:* The purpose of this meeting is to report back to the Board of Visitors on continuing items of interest.

#### *Agenda:*

8:30 a.m. Welcome and approval of minutes.

8:40 a.m. Certification to Qualification.

9:30 a.m. Distinguished Faculty.

10:30 a.m. Mission Assistance.

11:15 a.m. Open forum discussion.

11:30 a.m. Adjourn.

#### *Public's Accessibility to the Meeting:*

Pursuant to 5 U.S.C. 552b and 41 CFR 102-3.140 through 102-3.165, and the availability of space, this meeting is open to the public. However, because of space limitations, allocation of seating will be made on a first-come, first served basis. Persons desiring to attend the meeting should call Ms. Christen Goulding at (703) 805-5134. Committee's Designated Federal Officer or Point of Contact:

Ms. Kelley Berta, (703) 805-5412.

Dated: December 9, 2011.

**Aaron Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2011-32133 Filed 12-14-11; 8:45 am]

**BILLING CODE 5001-06-P**

## **DEPARTMENT OF EDUCATION**

### **Applications for Eligibility Designation; Programs Under Parts A and F of Title III of the Higher Education Act of 1965, as Amended (HEA), and Programs Under Title V of the HEA**

**AGENCY:** Office of Postsecondary Education, Department of Education.

**ACTION:** Notice.

#### *Overview Information:*

Programs authorized under Part A, Title III of the HEA: Strengthening Institutions Program (Part A SIP), Predominantly Black Institutions (Part