

an opportunity to submit comments on the proposed actions.

Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the products and services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. If approved, the action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the products and services to the Government.

2. If approved, the action will result in authorizing small entities to furnish the products and services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the products and services proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

End of Certification

The following products and services are proposed for addition to Procurement List for production by the nonprofit agencies listed:

Products:

NSN: 8470-00-NSH-0030—Improved Oxygen Harness

NSN: 8470-00-NSH-0031—Center Mounted Weapon Harness

NPA: Employment Source, Inc., Fayetteville, NC

Contracting Activity: Dept of the Army, XR W2DF RDECOM ACQ CTR, NATICK, MA

COVERAGE: C-List for 100% of the requirements of the U.S. Army, as aggregated by the Department of the Army Research, Development, & Engineering Command, Natick, MA.

Cold Weather Midweight Drawers (GEN III)

NSN: 8415-01-538-8727—Drawers Size Small Regular

NSN: 8415-01-538-8730—Drawers Size Medium Regular

NSN: 8415-01-538-8745—Drawers Size Large Regular

NSN: 8415-01-538-8747—Drawers Size Large Long

NSN: 8415-01-538-8750—Drawers Size X Large Regular

NSN: 8415-01-538-8751—Drawers Size X Large Long

NSN: 8415-01-545-7672—Drawers Size X Small Short

NSN: 8415-01-545-7676—Drawers Size X Small Regular

NSN: 8415-01-545-7717—Drawers Size Small Short

NSN: 8415-01-545-7768—Drawers Size Small Long

NSN: 8415-01-545-7810—Drawers Size Medium Long

NSN: 8415-01-545-7960—Drawers Size X Large X Long

NSN: 8415-01-545-7965—Drawers Size XX Large Regular

NSN: 8415-01-545-7966—Drawers Size XX Large Long

NSN: 8415-01-545-7968—Drawers Size XX Large X Long

NPAs: New Horizons Rehabilitation Services, Inc., Auburn Hills, MI
Peckham Vocational Industries, Inc., Lansing, MI
Contracting Activity: Defense Logistics Agency, Defense Supply Center Philadelphia, Philadelphia, PA

Coverage: C-List for an additional 25% of the requirement of the Department of Defense, as aggregated by the Defense Logistics Agency Troop Support, Philadelphia, PA. Note that 75% of this requirement is already on the PL; this addition will bring the total to 100% of the requirement.

Services:

Service Type/Locations: Custodial Service, USARC Mare Island, 1481 Railroad Ave., Vallejo, CA. USARC Hunter Hall, 2600 Castro Rd., San Pablo, CA.

NPA: Solano Diversified Services, Vallejo, CA.

Contracting Activity: Dept of the Army, XR W6BB ACA Presidio of Monterey, Presidio of Monterey, CA.

Service Type/Location: Janitorial Service, Anchorage FAA Tower/TRACON, 5200 West International Airport Road, Anchorage, AK.

NPA: MQC Enterprises, Inc., Anchorage, AK.
Contracting Activity: Dept of Transportation, Federal Aviation Administration, Northwest/Mountain REG, LOG. DIV (ANM-55), Renton, WA.

Service Type/Location: Custodial Service, Isle Royale National Park, Houghton, MI.

NPA: Goodwill Industries of Northern Wisconsin and Upper Michigan, Marinette, WI
Contracting Activity: National Park Service, Midwest Region, Major Acquisition Buying Office, Sagamore Hills, OH.

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2010-22621 Filed 9-9-10; 8:45 am]

BILLING CODE 6353-01-P

COMMODITY FUTURES TRADING COMMISSION

Performance of Registration Functions by National Futures Association With Respect to Retail Foreign Exchange Dealers and Associated Persons

AGENCY: Commodity Futures Trading Commission

ACTION: Notice and order

SUMMARY: The Commodity Futures Trading Commission ("Commission" or "CFTC") is authorizing the National Futures Association ("NFA"), effective September 10, 2010, to process and grant applications for initial registration, renewed registration and withdrawals of retail foreign exchange dealers ("RFEDs") and their associated persons ("APs") and to issue temporary licenses to eligible APs; to conduct proceedings to deny, condition, suspend, restrict or revoke the registration of any RFED or AP of an RFED, or an applicant for registration in either category; and to maintain records regarding RFEDs and their APs, and to serve as the official custodian of those Commission records.

DATES: *Effective Date:* September 10, 2010.

FOR FURTHER INFORMATION CONTACT: For information contact: William Penner, Deputy Director, Division of Clearing and Intermediary Oversight, 1155 21st Street, NW, Washington, DC 20581. Telephone number: 202-418-5450; facsimile number: 202-418-5547; and electronic mail: wpenner@cftc.gov. Christopher Cummings, Special Counsel, Division of Clearing and Intermediary Oversight, 1155 21st Street, NW., Washington, DC 20581. Telephone number (202) 418-5450; facsimile number: 202-418-5547; and electronic mail: ccummings@cftc.gov.

SUPPLEMENTARY INFORMATION:

I. Authority and Background

In a separate document published elsewhere in today's **Federal Register**, the Commission is issuing final rules regarding the regulation of off-exchange retail foreign exchange transactions and intermediaries. The final rules follow the publication of proposed rules on January 20, 2010,¹ and represent a comprehensive regulatory scheme to implement the requirements of the CFTC Reauthorization Act of 2008 ("CRA") with regard to off-exchange retail forex transactions.² The

¹ See Regulation of Off-Exchange Retail Foreign Exchange Transactions and Intermediaries; Proposed Rule, 75 FR 3282 (Jan. 20, 2010).

² Food, Conservation, and Energy Act of 2008, Pub. L. 110-246, 122 Stat. 1651, 2189-2201 (2008).

Commodity Exchange Act ("Act"),³ as amended by the CRA, provides that the Commission's jurisdiction extends to off-exchange contracts of sale of a commodity for future delivery (or an option on such a contract) or an option (other than an option executed or traded on a national securities exchange), and to certain off-exchange leveraged or margined contracts in foreign currency that are offered to or entered into with retail customers. Moreover, the CRA provides the Commission with the authority to register persons serving as intermediaries or counterparties to these transactions.

Specifically, the CRA gives the Commission the authority to require the registration of intermediaries who solicit retail customers to participate in off-exchange forex contracts, who pool customer money for the purpose of trading off-exchange currency contracts or who manage customer money for this purpose. In the final rules published today, the Commission has determined that these entities should be registered in the existing categories of introducing broker ("IB"), commodity pool operator ("CPO"), or commodity trading advisor ("CTA"), as appropriate.

The CRA also authorizes the Commission to register entities that serve as counterparties to such transactions, either within the existing category of futures commission merchant ("FCM") or as an RFED, a new category of registrant. RFEDs are counterparties not engaged primarily or substantially in the offer and sale of exchange-traded futures (as opposed to FCMs, which are).⁴ The CRA provides that RFEDs, their APs, and each of the other categories of registrants discussed above, must be members of a registered futures association such as the National Futures Association ("NFA") and must register with the Commission subject to such terms as the Commission may prescribe.⁵

The CFTC has previously authorized NFA to perform the full range of registration functions with regard to FCMs, IBs, CTAs, CPOs and their respective APs, including granting applications for initial registration and renewed registration; enabling withdrawals and issuing temporary

licenses to eligible APs; and conducting proceedings to deny, condition, suspend, restrict or revoke the registration of existing registrants or applicants for registration in each category.⁶ By today's order the Commission authorizes NFA to perform these functions with regard to RFEDs and their APs.

As proposed and adopted, Commission Regulations 5.3(a)(4) and (6) require all those who meet the definition of an RFED, and any such associated persons of RFEDs to register with the Commission in accordance with part 3 of the Commission's Regulations. (17 CFR 3.1, *et seq.*) Commission Regulation 3.2 provides that the registration functions of the Commission are to be performed by the National Futures Association. Upon consideration, the Commission has determined to authorize NFA, effective September 10, 2010, to perform registration functions with regard to RFEDs and their APs as set forth in part 3 of the Commission's Regulations. Moreover, Section 17(o)(2) of the Act provides that the Commission may authorize a registered futures association, such as NFA, to perform Commission registration functions, to deny, condition, suspend, restrict or revoke any registration, subject to Commission review.⁷ The Commission is therefore also authorizing NFA to take such actions with regard to RFED and AP applicants as well as existing registrants in each of these categories.

The Commission further notes that it has, by prior orders, authorized NFA to maintain various Commission registration records, and has certified NFA as the official custodian of such records for the Commission.⁸ The Commission has determined, in accordance with its authority under section 8a(10) of the Act, to authorize NFA to maintain and serve as official custodian of the Commission's registration records with respect to RFEDs and their APs.

In maintaining the Commission's registration records pursuant to this Order, NFA shall be subject to all other requirements and obligations imposed upon it by the Commission in existing or future Orders or regulations. In this regard, NFA shall also implement such additional procedures (or modify existing procedures) as are necessary to ensure the security and integrity of

these records as may be acceptable to the Commission; to facilitate prompt access to these records by the Commission and its staff; to facilitate disclosure of public or nonpublic information in those records when permitted by Commission Orders or rules, and to keep logs as required by the Commission concerning disclosures of nonpublic information; and otherwise to safeguard the confidentiality of the records.

II. Conclusion and Order

The Commission has determined, in accordance with the provisions of Sections 2(c)(2)(B), 2(c)(2)(C), and 8a(10) of the Act, to authorize NFA, effective September 10, 2010 to perform the following registration functions:

(1) To process and grant applications for initial registration, renewed registration and withdrawals from registration of retail foreign exchange dealers ("RFEDs") and their associated persons ("APs") and to issue temporary licenses to eligible APs;

(2) To conduct proceedings to deny, condition, suspend, restrict or revoke the registration of any RFED or AP of an RFED, or any applicant for registration in either category; and

(3) To maintain records regarding RFEDs and their APs, and to serve as the official custodian of those Commission records.

NFA shall perform these functions in accordance with the standards established by the Act and the regulations promulgated thereunder. NFA shall follow the same procedures with respect to recordkeeping, disclosure and tracking of fitness investigations and adverse action proceedings concerning RFEDs and their APs as it must follow in cases involving FCMs, IBs, CPOs, CTAs, and their respective APs.

These determinations are based upon the Congressional intent expressed in sections 2(c)(2)(B), 2(c)(2)(C), 8a(10) and 17(o) of the Act. This Order does not, however, authorize NFA to accept or act upon requests for exemption from registration, or to render "no-action" or interpretive letters with respect to applicable registration requirements.

Nothing in this Order, or in sections 2(c)(2)(B), 2(c)(2)(C), 8a(10) and 17(o) of the Act, shall affect the Commission's authority to review the performance by NFA of Commission registration functions.⁹

⁹ See also section 17(o)(3) of the Act, 7 U.S.C. 21(o)(3).

³ 7 U.S.C. 1, *et seq.*

⁴ Previously, firms serving as counterparties to retail forex typically registered as FCMs, even though they may not have engaged in exchange-traded futures business. Under the CRA, either FCMs or RFEDs can offer to serve as counterparties to retail forex transactions, but the entity must register as an FCM if primarily and substantially engaged in on-exchange trading, or an RFED if not. See, 7 U.S.C. 2(c)(2)(B)(i)(II)(cc) and (gg) and 7 U.S.C. 2(c)(2)(C)(i).

⁵ *Id.*

⁶ See 48 FR 15940 (Apr. 13, 1983); 48 FR 35158 (Aug. 3, 1983); 48 FR 51809 (Nov. 14, 1983); 49 FR 8226 (Mar. 5, 1984); 49 FR 39593 (Oct. 9, 1984); and 50 FR 34885 (Aug. 28, 1985).

⁷ 7 U.S.C. 21(o)(2).

⁸ See 49 FR 39593 (Oct. 9, 1984) and 66 FR 43227 (Aug. 17, 2001).

Issued in Washington, DC, on August 26, 2010.

David A. Stawick,

Secretary of the Commission.

[FR Doc. 2010-21726 Filed 9-9-10; 8:45 am]

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CONSUMER PRODUCT SAFETY COMMISSION

Sunshine Act Meetings

TIME AND DATE: Wednesday, September 15, 2010, 10 a.m.–11 a.m.

PLACE: Hearing Room 420, Bethesda Towers, 4330 East West Highway, Bethesda, Maryland.

STATUS: Commission Meeting—Open to the Public.

MATTERS TO BE CONSIDERED: *Decisional Matter:* Final Interpretative Rule: Interpretation of Children's Product.

A live webcast of the Meeting can be viewed at <http://www.cpsc.gov/webcast>.

For a recorded message containing the latest agenda information, call (301) 504-7948.

CONTACT PERSON FOR MORE INFORMATION:

Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, (301) 504-7923.

Dated: September 7, 2010.

Todd A. Stevenson,

Secretary.

[FR Doc. 2010-22780 Filed 9-8-10; 4:15 pm]

BILLING CODE 6355-01-P

DEPARTMENT OF DEFENSE

Department of the Army

Preparation of a Programmatic Environmental Impact Statement (PEIS) for the Growth, Realignment, and Stationing of Army Aviation Assets

AGENCY: Department of the Army, DoD.

ACTION: Notice of Intent.

SUMMARY: The Army announces its intent to prepare a PEIS for the proposed growth, realignment, and stationing of new and existing Army aviation assets. The proposed action includes the consolidation and reorganization of existing aviation units, and the establishment of one or more Combat Aviation Brigades (CABs). The proposed action will increase the availability of rotary wing assets to meet current and future national security requirements and will allow the Army better to organize existing aviation

assets to promote more effective training and force management. The PEIS will evaluate the environmental impacts associated with the proposed action, which includes the construction and renovation of garrison facilities and additional training needed to support the establishment and realignment of aviation units.

The Army is considering the following alternatives in the PEIS: (1) Realign and consolidate existing aviation elements of up to a full CAB at Fort Carson (CO) or Joint Base Lewis-McChord (WA); (2) implement those actions discussed in Alternative 1; in addition, establish a new CAB and station it at Fort Carson or Joint Base Lewis-McChord; and, (3) No-Action Alternative that would retain the Army aviation force structure at its current levels, configurations, and locations. No more than one additional CAB would be assigned to either of the stationing locations being considered. As part of Alternatives 1 and 2, aviation units would conduct training on existing training land at either the Yakima Training Center (YTC) (WA) or the Pinon Canyon Maneuver Site (PCMS) (CO) in order to maintain training proficiency and support integrated training with ground units. Land acquisition is not being considered as part of this action.

Fort Carson and Joint Base Lewis-McChord are the only stationing alternatives that meet all of the Army's stationing requirements for new CAB stationing. These locations provide an existing runway and airfield, provide adequate maneuver and airspace for CAB operations, and are equipped with existing training ranges that can support CAB training. Each location is currently the home station of three or more ground maneuver Brigade Combat Teams (BCTs), which allows the Army to maximize integrated air/ground training. Joint Base Lewis-McChord and Fort Carson are the only major installations that have three or more BCTs but no CAB dedicated to provide aviation support for training. Additionally, Joint Base Lewis-McChord has many of the existing garrison facilities to accommodate CAB units while Fort Carson has space available to construct additional CAB facilities.

ADDRESSES: Written comments may be sent to: Public Affairs Office, U.S. Army Environmental Command, Attention: IMPA-AE, 5179 Hoadley Road, Aberdeen Proving Ground, MD 21010-5401; fax (410) 436-1693; or e-mail at APGR-USAECNEPA@conus.army.mil.

FOR FURTHER INFORMATION CONTACT: Public Affairs Office at (410) 436-2556.

SUPPLEMENTARY INFORMATION: A CAB consists of approximately 120 helicopters, 600 wheeled vehicles, and 2,700 Soldiers. The CAB is organized into five battalions and a headquarters unit. CAB units include combat, reconnaissance, and logistics support aircraft.

The National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. *et seq.*) and Federal Regulations (40 CFR part 1500 *et seq.* and 32 CFR part 651) require the Army to consider the environmental impact of its actions and alternatives and to solicit the views of the public in order to make a final decision on how to proceed.

The PEIS will assess, consider, and compare the direct, indirect, and cumulative environmental effects of proposed CAB growth and realignment for each alternative. The primary environmental issues to be analyzed include (but are not limited to) impacts to air quality, soil, airspace, cultural resources, natural resources, noise. In addition, the Army will consider those issues identified by the public and other organizations as part of the process.

Predicted environmental impacts associated with the implementation of the proposed action at Fort Carson and Joint Base Lewis-McChord will be analyzed to include increases in aviation activity, potential for wildlife disturbance, as well as additional impacts to soils, biological resources, surface water, and vegetation. Additional vehicle traffic and growth in school population associated with an increase in Soldier populations will also be analyzed. At YTC, there is increased potential for vegetation and habitat degradation associated with aviation training. At PCMS, cumulative impacts to soils are predicted to be manageable with current dust control mitigation techniques.

Members of the public, including native communities and federally recognized Native American Tribes, and federal, state, and local agencies are invited to submit written comments on environmental issues, concerns and opportunities to be analyzed in the PEIS. Written comments will be accepted for 30 days following publication of the Notice of Intent in the **Federal Register**.

Dated: September 2, 2010.

Hershell E. Wolfe,

Acting Deputy Assistant Secretary of the Army (Environment, Safety, and Occupational Health).

[FR Doc. 2010-22658 Filed 9-9-10; 8:45 am]

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