

Directorate for Health Sciences, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; email: khatlelid@cpsc.gov.

SUPPLEMENTARY INFORMATION: Under section 101(a) of the CPSIA, consumer products designed or intended primarily for children 12 years old and younger that contain lead content in excess of 100 ppm are considered to be banned hazardous substances under the Federal Hazardous Substances Act ("FHSA").

Section 101(b)(1) of the CPSIA provides for a functional purpose exception from lead content limits under certain circumstances. The exception allows us, on our own initiative, or upon petition by an interested party, to exclude a specific product, class of product, material, or component part from the lead limits established for children's products under the CPSIA if, after notice and a hearing, we determine that: (i) The product, class of product, material, or component part requires the inclusion of lead because it is not practicable or not technologically feasible to manufacture such product, class of product, material, or component part, as the case may be, in accordance with section 101(a) of the CPSIA by removing the excessive lead or by making the lead inaccessible; (ii) the product, class of product, material, or component part is not likely to be placed in the mouth or ingested, taking into account normal and reasonably foreseeable use and abuse of such product, class of product, material, or component part by a child; and (iii) an exception for the product, class of product, material, or component part will have no measurable adverse effect on public health or safety, taking into account normal and reasonably foreseeable use and abuse. Under section 101(b)(1)(B) of the CPSIA, there is no measurable adverse effect on public health or safety if the exception will result in no measurable increase in blood lead levels of a child. Given the highly technical nature of the information sought, including data on the lead content of the product and test methods used to obtain those data, we believe that the notice and solicitation for written comments would provide the most efficient process for obtaining the necessary information, as well as provide adequate opportunity for all interested parties to participate in the proceedings. However, we would have the option to hold a public hearing or public meeting, if appropriate, to determine whether a petition for a functional purpose exception should be granted.

On September 29, 2011, Joseph L. Ertl, Inc., Corporate office of divisions: Scale Models and Dyersville Die Cast ("petitioner"), submitted a petition requesting an exception from the lead content limit of 100 ppm under section 101(b) of the CPSIA for its die-cast ride-on pedal tractors, scaled for children ages 3–10. The petitioner states that the components of its pedal tractors are made of aluminum metal die castings, which are the best alloy of choice for pedal tractor production, based on weight, cost, structural properties, surface finish and coatings, corrosion resistance, and bearing properties and wear resistance. The pedal tractor components are manufactured via the aluminum die-casting process. Although the petitioner states that it is able to meet the lead content requirements of 300 ppm for its pedal tractor components, it is unable to meet consistently the 100 ppm lead content limits, due to alloys used in the aluminum die-cast process. Accordingly, the petitioner requests an exception from the 100 ppm lead content limit to continue to manufacture its pedal tractors with components up to the 300 ppm lead content limit.

Through this notice, we invite written comments on the petition. Interested parties may view a copy of the petition under supporting and related materials identified by Docket No. CPSC–2011–0087, through <http://www.regulations.gov> or on the CPSC Web site at: <http://www.cpsc.gov/library/foia/foia12/brief/ertlpetition.pdf>. Interested parties also may obtain a copy of the petition by writing or calling the Office of the Secretary, Consumer Product Safety Commission, Bethesda, MD 20814; telephone (301) 504–7923.

Dated: November 9, 2011.

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

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DOD–2011–OS–0125]

Proposed Collection; Comment Request

AGENCY: Defense Security Service, DoD.

ACTION: Notice.

SUMMARY: In compliance with Section 3506 (c) (2) (A) of the Paperwork Reduction Act of 1995, the Defense Security Service (DSS) announces the

proposed extension of a public information collection and seeks public comments on the provision thereof. Comments are invited on: (a) Whether the proposed collection is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the information to be collected; and (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by January 17, 2012.

ADDRESS: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal Rule Making Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, 2nd Floor, East Tower, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include agency name, docket number and title for this **Federal Register** document. The general policy of comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contract information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed data collection or obtain a copy of the proposal and associated collection instrument, please write to Defense Security Service, OCIO, Attn: Mr. Prakash Kollaram, Russell-Knox Building, 27130 Telegraph Road, Quantico, VA 22134–2253, or call Defense Security Service at (571) 305–6445.

Title, Associated Form, and OMB Number: "Department of Defense Security Agreement," "Appendage to Department of Defense Security Agreement," "Certificate Pertaining to Foreign Interests;" DD Forms, 441, 441–1 and SF 328; OMB No. 0704–0194.

Needs and Uses: Executive Order (EO) 12829, "National Industrial Security Program (NISIP)," stipulates that the Secretary of Defense shall serve as the Executive Agent for inspecting and monitoring the contractors, licensees, and grantees who require or will require access to or, who store or will store

classified information; and for determining the eligibility for access to classified information of contractors, licensees, and grantees and their respective employees. The specific requirements necessary to protect classified information released to private industry are set forth in DoD 5220.22-M, "National Industrial Security Program Operating Manual (NISPOM)," dated February 28, 2006. Respondents must execute DD Form 441, "Department of Defense Security Agreement," which is the initial agreement between the contractor and the government regarding security requirements necessary to protect classified information associated with the contract. This legally binding document details the responsibility of both parties and obligates the contractor to fulfill the requirements outlined in DoD 5220.22-M. The DD Form 441-1, "Appendage to Department of Defense Security Agreement," is used to extend the agreement to branch offices of the contractor. The SF Form 328, "Certificate Pertaining to Foreign Interests," must be submitted to provide certification regarding elements of Foreign Ownership, Control or Influence (FOCI) as stipulated in paragraph 2-302 of the NISPOM.

DSS proposes to make changes to the DD Form 441 and SF 328. The requirement for execution of the corporate "Certificate" section and the use of a corporate seal is being deleted. Currently the government does not require all corporations to execute the corporate Certificate portion of the Forms. Only those corporations who are in possession of a seal were being required to execute the Certificate. Corporations that do not have a seal and other types of businesses structures such as limited liability companies, partnership and sole proprietors are only required to have the signing of the agreement witnessed. DSS proposes that a witness is sufficient for all companies whether or not they are a corporation.

Affected Public: Business, or other profit and non-profit organizations under Department of Defense Security Cognizance.

Total Annual Burden Hours: 12,246.

Number of Respondents: 4,128.

Responses per Respondent: 2.

Average Burden Hours per

Respondent: 1.5.

Frequency: One time and/or on occasion (e.g. initial facility clearance processing, when the respondent changes: Name, organizational structure, or address; or there is a material change pertaining to its Foreign Ownership, Control or Influence, etc.).

SUPPLEMENTARY INFORMATION:

Summary of Information Collection

The execution of the DD Form 441, 441-1 and SF 328 is a factor in making a determination as to whether a contractor is eligible to have a facility security clearance. It is also a legal basis for imposing NISP security requirements on eligible contractors. These requirements are necessary in order to preserve and maintain the security of the United States through establishing standards to prevent the improper disclosure of classified information.

Dated: November 10, 2011.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2011-29531 Filed 11-15-11; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD-2011-OS-0126]

Proposed Collection; Comment Request

AGENCY: Defense Security Service, DoD.

ACTION: Notice.

SUMMARY: In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, DSS announces the proposed extension of a public information collection and seeks public comments on the provision thereof. Comments are invited on: (a) Whether the proposed collection is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the information to be collected; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by January 17, 2012.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- **Federal Rule Making Portal:** <http://www.regulations.gov>

Follow the instructions for submitting comments

- **Mail:** Federal Docket Management System Office, 4800 Mark Center Drive, 2nd Floor, East Tower, Suite 02G09, Alexandria, VA 22350-3100.

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FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or obtain a copy of the proposal and associated collection instrument, please write to: Defense Security Service, OCIO, ATTN: Mr. Prakash Kollaram, Russell-Knox Building, 27130 Telegraph Road, Quantico, VA 22134-2253, or call Defense Security Service at (571) 305-6445.

Title and OMB Number: "Defense Security Service Industrial Security Review Data" and "Defense Security Service Industrial Security Facility Clearance Survey Data," OMB No. 0704-0427.

Needs and Uses: The conduct of an Industrial Security Review and/or Industrial Security Facility Security Survey assists in determining whether a contractor is eligible to establish its facility security clearance and/or retain its participation in the National Industrial Security Program (NISP). It is also the basis for verifying whether contractors are appropriately implementing NISP security requirements. These requirements are necessary in order to preserve and maintain the security of the United States through establishing standards to prevent the improper disclosure of classified information.

In accordance with Department of Defense (DoD), 5220.22-R, "Industrial Security Regulation," DSS is required to maintain a record of the results of surveys and security reviews. Documentation for each survey and/or security review will be compiled addressing areas applicable to the contractor's security program. Portions of the data collected will be stored in databases. All data collected will be handled and marked "For Official Use Only."

Affected Public: Businesses, universities, partnerships, or other profit and non-profit organizations under DoD security cognizance

Respondent burden:

Industrial security review data:

Total annual burden hours: 41,536 hours.

Total number of respondents: 13,140.