

Flammable Fabrics Act (FFA), 15 U.S.C. 1193, to prohibit the use of dangerously flammable textiles and related materials in wearing apparel. Clothing and fabrics intended for use in clothing (except children's sleepwear in sizes 0 through 14) are subject to the Standard for the Flammability of Clothing Textiles (16 CFR part 1610). Clothing made from vinyl plastic film and vinyl plastic film intended for use in clothing (except children's sleepwear in sizes 0 through 14) are subject to the Standard for the Flammability of Vinyl Plastic Film (16 CFR part 1611). These standards prescribe a test to ensure that articles of wearing apparel, and fabrics and film intended for use in wearing apparel, are not dangerously flammable because of rapid and intense burning. (Children's sleepwear and fabrics and related materials intended for use in children's sleepwear in sizes 0 through 14 are subject to other, more stringent flammability standards codified at 16 CFR parts 1615 and 1616).

Section 8 of the FFA (15 U.S.C. 1197) provides that a person who receives a guaranty in good faith that a product complies with an applicable flammability standard is not subject to criminal prosecution for a violation of the FFA resulting from the sale of any product covered by the guaranty. The CPSC uses the information compiled and maintained by firms that issue these guaranties to help protect the public from risks of injury or death associated with flammable clothing and fabrics and vinyl film intended for use in clothing. In addition, the information helps the CPSC arrange corrective actions if any products covered by a guaranty fail to comply with the applicable standard in a manner that creates a substantial risk of injury or death to the public. Section 8 of the FFA requires that a guaranty must be based on "reasonable and representative tests." The testing and recordkeeping requirements by firms that issue guaranties are set forth under 16 CFR part 1610, subpart B, and 16 CFR part 1611, subpart B.

On March 13, 2020, the CPSC published a notice in the **Federal Register** (85 FR 14654), to announce the agency's intention to seek extension of approval of the collection of information. The Commission received no comments. Therefore, by publication of this notice, the Commission announces that CPSC has submitted to the OMB a request for extension of approval of that collection of information, without change.

### B. Burden

The CPSC estimates that approximately 1,000 firms issue

guaranties. Although the CPSC's past records indicate that approximately 675 firms have filed continuing guaranties at the CPSC, staff believes additional guaranties may be issued that are not filed with the Commission.

Accordingly, staff has estimated the number of firms upwards to account for those guaranties to 1,000 firms. Staff estimated the burden hours based on an estimate of the time for each firm to conduct testing, issue guaranties, and to establish and maintain associated records.

- **Burden Hours per Firm**—An estimated 5 hours for testing per firm, using either the test and conditioning procedures in the regulations or alternate methods. Although many firms are exempt from testing to support guaranties under 16 CFR 1610.1(d), CPSC staff does not know the proportion of those firms that are testing vs. those that are exempt. Thus, staff has included testing for all firms in the burden estimates.

- **Guaranties Issued per Firm**—On average, 20 new guaranties are issued per firm per year for new fabrics or garments.

- **Estimated Annual Testing Time per Firm**—100 hours per firm (5 hours for testing × 20 guaranties issued = 100 hours per firm).

- **Estimated Annual Recordkeeping per Firm**—1 hour to create, record, and enter test data into a computerized dataset; 20 minutes (= 0.3 hours) for annual review/removal of records; 20 minutes (= 0.3 hours) to respond to one CPSC records request per year; for a total of 1.6 recordkeeping hours per firm (1 hour + .3 hours + .3 hours = 1.6 hours per firm).

- **Total Estimated Annual Burden Hours per Firm**—100 hours estimated annual testing time per firm + 1.6 estimated annual recordkeeping hours per firm = 101.6 hours per firm.

- **Total Estimated Annual Industry Burden Hours**—101.6 hours per firm × 1,000 firms issuing guaranties = 101,600 industry burden hours. The total annual industry burden imposed by the flammability standards for clothing textiles and vinyl plastic film and enforcement regulations on manufacturers and importers of garments, fabrics, and related materials is estimated to be about 101,600 hours (101.6 hours per firm × 1,000 firms).

- **Total Annual Industry Cost**—The hourly wage for the testing and recordkeeping required by the standards is approximately \$70.17 (for management, professional, and related occupations in goods-producing industries, Bureau of Labor Statistics, September, 2019), for an estimated

annual cost to the industry of approximately \$7.1 million (101,600 × \$70.17 = \$7,129,272).

**Alberta E. Mills,**

*Secretary, Consumer Product Safety Commission.*

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## CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2010–0055]

### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Standard for the Flammability of Mattresses and Mattress Pads and Standard for the Flammability (Open Flame) of Mattress Sets

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995, the Consumer Product Safety Commission (Commission or CPSC) announces that the Commission has submitted to the Office of Management and Budget (OMB) a request for extension of approval of a collection of information associated with the Standard for the Flammability of Mattresses and Mattress Pads, and the Standard for the Flammability (Open Flame) of Mattress Sets, approved previously under OMB Control No. 3041–0014. On March 13, 2020, the CPSC published a notice in the **Federal Register** to announce the agency's intention to seek extension of approval of the collection of information. The Commission received no comments. Therefore, by publication of this notice, the Commission announces that CPSC has submitted to the OMB a request for extension of approval of that collection of information, without change.

**DATES:** Written comments on this request for extension of approval of information collection requirements should be submitted by June 25, 2020.

**ADDRESSES:** Submit comments about this request by email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) or fax: 202–395–6881. Comments by mail should be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the CPSC, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503. In addition, written comments that are sent to OMB also should be submitted electronically at <http://>

[www.regulations.gov](http://www.regulations.gov), under Docket No. CPSC–2010–0055.

**FOR FURTHER INFORMATION CONTACT:**

Cynthia Gillham, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; (301) 504–7791, or by email to: [cgillham@cpsc.gov](mailto:cgillham@cpsc.gov).

**SUPPLEMENTARY INFORMATION:**

**A. Background**

Approximately 344 establishments produce mattresses. The Commission promulgated the Standard for the Flammability of Mattresses and Mattress Pads, 16 CFR part 1632 (part 1632 standard), under section 4 of the Flammable Fabrics Act (FFA), 15 U.S.C. 1193, to reduce unreasonable risks of burn injuries and deaths from fires associated with mattresses and mattress pads. The part 1632 standard prescribes requirements to test whether a mattress or mattress pad will resist ignition from a smoldering cigarette. The part 1632 standard also requires manufacturers to perform prototype tests of each combination of materials and construction methods used to produce mattresses or mattress pads and to obtain acceptable results from such testing. Manufacturers and importers must maintain the records and test results specified under the standard.

In addition, the Commission promulgated the Standard for the Flammability (Open Flame) of Mattress Sets, 16 CFR part 1633 (part 1633 standard), under section 4 of the FFA to reduce deaths and injuries related to mattress fires, particularly those ignited by open-flame sources, such as lighters, candles, and matches. The part 1633 standard requires manufacturers to maintain certain records to document compliance with the standard, including maintaining records concerning prototype testing, pooling, and confirmation testing, and quality assurance procedures and any associated testing. The required records must be maintained for as long as mattress sets based on the prototype are in production and must be retained for 3 years thereafter. Although some larger manufacturers may produce mattresses based on more than 100 prototypes, most mattress manufacturers base their complying production on 15 to 20 prototypes. OMB previously approved the collection of information for 16 CFR parts 1632 and 1633, under control number 3041–0014, with an expiration date of June 30, 2020. The information collection requirements under the part 1632 standard are separate from the testing and recordkeeping requirements under the part 1633 standard.

On March 13, 2020, the CPSC published a notice in the **Federal Register** (85 FR 14655), to announce the agency's intention to seek extension of approval of the collection of information. The Commission received no comments. Therefore, by publication of this notice, the Commission announces that CPSC has submitted to the OMB a request for extension of approval of that collection of information, without change.

**B. Burden Hours**

*16 CFR 1632:* Staff estimates that there are 344 respondents. It is estimated that each respondent will spend 26 hours for testing and record keeping annually for a total of 8,944 hours (344 establishments × 26 hours = 8,944). The hourly compensation for the time required for record keeping is \$70.17 (for management, professional, and related occupations in goods-producing industries, Bureau of Labor Statistics, September, 2019). The annualized cost to respondents would be approximately \$627,600 (8,944 hours × \$70.17).

*16 CFR 1633:* The standard requires detailed documentation of prototype identification and testing records, model and prototype specifications, inputs used, name and location of suppliers, and confirmation of test records, if establishments choose to pool a prototype. This documentation is in addition to documentation already conducted by mattress manufacturers in their efforts to meet 16 CFR part 1632. Staff estimates that there are 344 respondents. Based on staff estimates, the recordkeeping requirements are expected to require about 4 hours and 44 minutes per establishment, per qualified prototype. Although some larger manufacturers reportedly are producing mattresses based on more than 100 prototypes, most mattress manufacturers probably base their complying production on 15 to 20 prototypes, according to an industry representative contacted by staff. Assuming that establishments qualify their production with an average of 20 different qualified prototypes, recordkeeping time is about 94.6 hours (4.73 hours × 20 prototypes) per establishment, per year. (Note that pooling among establishments or using a prototype qualification for longer than 1 year will reduce this estimate). This translates to an estimated annual recordkeeping time cost to all mattress producers of 32,542 hours (94.6 hours × 344 establishments). The hourly compensation for the time required for record keeping is \$70.17 (for management, professional, and related

occupations in goods-producing industries, Bureau of Labor Statistics, September, 2019). The annual total estimated costs for recordkeeping are approximately \$2,283,500 (32,542 hours × \$70.17).

The total estimated annual cost to the 344 establishments for the burden hours associated with both 16 CFR part 1632 and 16 CFR part 1633 is approximately \$2.8 million.

**Alberta E. Mills,**

*Secretary, Consumer Product Safety Commission.*

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**DEPARTMENT OF EDUCATION**

**Extension of the Application Deadline Date; Applications for New Awards; Magnet Schools Assistance Program**

**AGENCY:** Office of Elementary and Secondary Education, Department of Education.

**ACTION:** Notice.

**SUMMARY:** On March 10, 2020, we published in the **Federal Register** (85 FR 13878) a notice inviting applications (NIA) for the fiscal year (FY) 2020 Magnet Schools Assistance Program competition, Catalog of Federal Domestic Assistance (CFDA) number 84.165A. The NIA established a deadline date of May 26, 2020 for the transmittal of applications. This notice extends the deadline date for transmittal of applications until June 30, 2020 and extends the date of intergovernmental review until August 28, 2020. It also extends the date for proof of approval of all modifications to court-ordered desegregation plans to July 28, 2020.

**DATES:**

*Deadline for Transmittal of Applications:* June 30, 2020.

*Deadline for Intergovernmental Review:* August 28, 2020.

**FOR FURTHER INFORMATION CONTACT:**

Gillian Cohen-Boyer Telephone: 202–401–1259. Email: [MSAP.team@ed.gov](mailto:MSAP.team@ed.gov).

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

**SUPPLEMENTARY INFORMATION:** On March 10, 2020 we published the NIA<sup>1</sup> for the FY 2020 Magnet Schools Assistance Program competition in the **Federal Register** (85 FR 13878). We are

<sup>1</sup> <https://www.federalregister.gov/documents/2020/03/10/2020-04885/applications-for-new-awards-magnet-schools-assistance-program>.