

occur for approximately 69 days. Furthermore, San Francisco Bay is a highly industrialized area, so animals are likely tolerant or habituated to anthropogenic disturbance, including low level vibratory pile driving operations, and noise from other anthropogenic sources (such as vessels) may mask construction related sounds. There is no anticipated effect on annual rates of recruitment or survival of affected marine mammals.

Based on the analysis contained in this notice, the proposed IHA notice (76 FR 66274, October 26, 2011), and the IHA application, and taking into consideration the implementation of the mitigation and monitoring measures, NMFS has determined that the Port's proposed pile driving activities will result in the incidental take of small numbers of marine mammals, by Level B harassment only, and that the total taking from will have a negligible impact on the affected species or stocks.

#### **Impact on Availability of Affected Species for Taking for Subsistence Uses**

There are no relevant subsistence uses of marine mammals implicated by this action.

#### **Endangered Species Act (ESA)**

No marine mammal species listed under the ESA are anticipated to occur within the action area. Therefore, section 7 consultation under the ESA is not required.

#### **National Environmental Policy Act (NEPA)**

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), as implemented by the regulations published by the Council on Environmental Quality (40 CFR parts 1500–1508), and NOAA Administrative Order 216–6, NMFS prepared an Environmental Assessment (EA) to consider the direct, indirect, and cumulative effects to marine mammals and other applicable environmental resources resulting from issuance of a one-year IHA and the potential issuance of future authorizations for incidental harassment for the ongoing project. NMFS made a finding of no significant impact (FONSI) and the EA and FONSI are available on the NMFS Web site listed in the beginning of this document (see **ADDRESSES**).

Dated: March 29, 2012.

**James H. Lecky,**  
Director, Office of Protected Resources,  
National Marine Fisheries Service.

[FR Doc. 2012–8105 Filed 4–3–12; 8:45 am]

**BILLING CODE 3510–22–P**

## **DEPARTMENT OF COMMERCE**

### **National Telecommunications and Information Administration**

#### **Proposed Information Collection; Comment Request; Computer and Internet Use Supplement to the Census Bureau's Current Population Survey**

**AGENCY:** National Telecommunications and Information Administration, Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Submit comments on or before June 4, 2012.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, (202) 482–0336, Department of Commerce, Room 6612, 14th Street and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at [JJessup@doc.gov](mailto:JJessup@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the proposed information collection instrument and instructions should be directed to Rafi Goldberg, Telecommunications Policy Analyst, Office of Policy Analysis and Development, NTIA, at (202) 482–1880 or [RGoldberg@ntia.doc.gov](mailto:RGoldberg@ntia.doc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Abstract**

The National Telecommunications and Information Administration (NTIA) proposes to add 12 questions to the U.S. Census Bureau's October 2012 Current Population Survey (CPS) in order to gather reliable data on broadband (also known as high-speed Internet) use by U.S. households. President Obama has established a national goal of universal, affordable broadband access for all Americans.<sup>1</sup> To that end, the Administration is working with Congress, the Federal Communications Commission (FCC), and other stakeholders to develop and advance economic and regulatory policies that foster broadband deployment and adoption. Collecting current, systematic, and comprehensive information on broadband use and non-use by U.S.

households is critical to allow policymakers not only to gauge progress made to date, but also to identify problem areas with a specificity that permits carefully targeted and cost-effective responses.

The Census Bureau ("the Bureau") is widely regarded as a superior collector of data based on its centuries of experience and its scientific methods. Collection of NTIA's requested broadband usage data, moreover, will occur in conjunction with the Bureau's scheduled October 2012 Current Population Survey (CPS), thereby significantly reducing the potential burdens on the Bureau and on surveyed households. Questions on broadband and Internet use have been included in ten previous CPS surveys.

The U.S. government has an increasingly pressing need for comprehensive broadband data. The General Accountability Office (GAO), NTIA, and the FCC have issued reports noting the lack of useful broadband adoption data for policymakers, and Congress passed legislation—the Broadband Data Improvement Act in 2008 and the American Recovery and Reinvestment Act in 2009—wholly or partly in response to such criticisms. The Organisation for Economic Co-operation and Development (OECD) looks to Census Bureau data as an important input into their inter-country benchmark analyses. Modifying the October CPS to include NTIA's requested broadband data will allow the Commerce Department and NTIA to respond to congressional concerns and directives, and to work with the OECD on its broadband methodologies with more recent data. The change to this reinstatement will be a revised set of computer and Internet usage survey questions.

##### **II. Method of Collection**

Personal visits and telephone interviews, using computer-assisted telephone interviewing and computer-assisted personal interviewing.

##### **III. Data**

*OMB Control Number:* 0660–0021.  
*Form Number(s):* None.

*Type of Review:* Regular submission (Reinstatement with change of a previously approved collection).

*Affected Public:* Individuals and households.

*Estimated Number of Respondents:* 54,000.

*Estimated Time per Response:* 3 minutes.

*Estimated Total Annual Burden Hours:* 2,700.

<sup>1</sup> See <http://www.whitehouse.gov/sites/default/files/20091217-recovery-act-investments-broadband.pdf> (last viewed January 30, 2012).

*Estimated Total Annual Cost to Public:* \$0.

#### IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information 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 (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will be a matter of public record.

Dated: March 30, 2012.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 2012-8103 Filed 4-3-12; 8:45 am]

**BILLING CODE 3510-06-P**

## CONSUMER PRODUCT SAFETY COMMISSION

### Petition for Classification of "BeeSafe System" as an Anti-Entrapment System Under the Virginia Graeme Baker Pool and Spa Safety Act ("VGB Act")

**AGENCY:** U.S. Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** The U.S. Consumer Product Safety Commission ("Commission" or "We") has received a petition (CP 12-1) requesting that the Commission initiate rulemaking to determine that the "BeeSafe System" is equally effective as, or better than, the systems designed to prevent entrapment listed in the Virginia Graeme Baker Pool and Spa Safety Act ("VGB Act"). We invite written comments concerning the petition.<sup>1</sup>

**DATES:** The Office of the Secretary must receive comments on the petition by June 4, 2012.

<sup>1</sup> The Commission voted 3-0-1 to publish this Federal Register notice. Chairman Tenenbaum abstained from voting.

**ADDRESSES:** You may submit comments, identified by Docket No. CPSC-2012-0020, by any of the following methods:

#### Electronic Submissions

Submit electronic comments in the following way:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

To ensure timely processing of comments, the Commission is no longer accepting comments submitted by electronic mail (email), except through [www.regulations.gov](http://www.regulations.gov).

#### Written Submissions

Submit written submissions in the following way:

Mail/Hand delivery/Courier (for paper, disk, or CD-ROM submissions), preferably in five copies, to: Office of the Secretary, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923.

Instructions: All submissions received must include the agency name and petition number for this rulemaking. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: <http://www.regulations.gov>. Do not submit confidential business information, trade secret information, or other sensitive or protected information electronically. Such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to: <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Rockelle Hammond, Office of the Secretary, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-6833.

**SUPPLEMENTARY INFORMATION:** Section 1404(c)(1)(A)(ii) of the VGB Act requires that each public pool and spa in the United States with a single main drain other than an unblockable drain be equipped, at a minimum, with one or more of the following anti-entrapment devices or systems: (I) Safety vacuum release system; (II) Suction-limiting vent system; (III) Gravity drainage system; (IV) Automatic pump shut-off system; (V) Drain disablement; or (VI) any other system determined by the Commission to be equally effective as, or better than, these systems at preventing or eliminating the risk of injury or death associated with pool drainage systems. 15 U.S.C. 8003(c)(1)(A)(ii). The Commission has received

correspondence from Bonnie Snow and Teri Snow ("petitioners"), dated February 13, 2012, requesting that the Commission initiate rulemaking to determine that the "BeeSafe System" is equally effective as, or better than, systems designed to prevent entrapment listed in 1406(c)(1)(A)(ii)(I)-(V) of the VGB Act. We are docketing this request as a petition under the Consumer Product Safety Act. 15 U.S.C. 2056 and 2058.

Petitioners offer information in support of their claim that the BeeSafe System is equally effective as, or better than, the systems designed to prevent entrapment listed in the VGB Act. They assert that the most defining feature of their system is the presence of long tubes, which they claim empty if they become blocked. For this reason, petitioners state, the "BeeSafe System is better alone than with an SVRS [suction vacuum release system] or back-up breaker." Petitioners also describe that through the design of the BeeSafe system, they have eliminated the possibility of the entire cover going missing. They state that if the smaller, winterizing lid were to go missing, any tubes that became blocked would empty the water into the built-in sump and any suction at the surface would be released when this happened. They compare this action to a hydraulic switch, claiming that the action is "as fast or faster than any of the breaker secondary systems currently on the market."

By this notice, the Commission seeks comments concerning this petition. Interested parties may obtain a copy of the petition and submission on the Commission's Web site at <http://www.cpsc.gov/library/foia/foia12/petition/beesafe.pdf>, by writing or calling the Office of the Secretary, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923. Copies of the petition are also available for inspection from 8:30 a.m. to 5 p.m., Monday through Friday, in the Commission's Public Reading Room, Room 419, 4330 East West Highway, Bethesda, MD, or from the Commission's Web site at: [www.cpsc.gov](http://www.cpsc.gov).

Dated: March 29, 2012.

**Todd A. Stevenson,**

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

[FR Doc. 2012-8005 Filed 4-3-12; 8:45 am]

**BILLING CODE 6355-01-P**