

**FOR FURTHER INFORMATION CONTACT:** For questions about this RFC contact: Adam Sedgewick, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230, telephone (202) 482-0788, email [Adam.Sedgewick@nist.gov](mailto:Adam.Sedgewick@nist.gov). Please direct media inquiries to NIST's Office of Public Affairs at (301) 975-2762.

**SUPPLEMENTARY INFORMATION:** The national and economic security of the United States depends on the reliable functioning of critical infrastructure,<sup>2</sup> which has become increasingly dependent on information technology. Cyber attacks and publicized weaknesses reinforce the need for improved capabilities for defending against malicious cyber activity. This is a long-term challenge.

The Secretary of Commerce was tasked to direct the Director of NIST to lead the development of a voluntary framework to reduce cyber risks to critical infrastructure (the "Framework").<sup>3</sup> The Framework consists of standards, methodologies, procedures and processes that align policy, business, and technological approaches to address cyber risks. The Framework was developed by NIST using information collected through the Request for Information (RFI) that was published in the **Federal Register** on February 25, 2013 (78 FR 13024), a series of open public workshops, and a 45-day public comment period announced in the **Federal Register** on October 29, 2013 (78 FR 64478). It was published on February 12, 2014, after a year-long, open process involving private and public sector organizations, including extensive input and public comments, and announced in the **Federal Register** on February 18, 2014 (79 FR 9167). Responses to subsequent RFIs, as announced through the **Federal Register** (79 FR 50891 and 80 FR 76934), and workshops encouraged NIST to update the Framework.

The Cybersecurity Framework incorporates voluntary consensus standards and industry best practices to the fullest extent possible and is consistent with voluntary international

consensus-based standards when such international standards advance the objectives of the Cybersecurity Enhancement Act of 2014. The Framework is designed for compatibility with existing regulatory authorities and regulations, although it is intended for voluntary adoption.

Given the diversity of sectors in the Nation's critical infrastructure, the Framework development process was designed to build on cross-sector security standards and guidelines that are immediately applicable or likely to be applicable to critical infrastructure. The process also was intended to increase visibility and use of those standards and guidelines, and to find potential areas for improvement (e.g., where standards/guidelines are nonexistent) that need to be addressed through future collaboration with industry and industry-led standards bodies.

While the focus of the Framework is on the Nation's critical infrastructure, it was developed in a manner to promote wide adoption of practices to increase risk management-based cybersecurity across all industry sectors and by all types of organizations.

NIST has worked closely with industry groups, associations, non-profits, government agencies, and international standards bodies to increase awareness of the Framework. NIST has promoted the use of the Framework as a basic, flexible, and adaptable tool for managing and reducing cybersecurity risks. The Framework was designed as a communication tool. It is applicable for leaders at all levels of an organization. For these reasons, NIST has engaged a wide diversity of stakeholders in Framework education. NIST has also issued several RFIs, held workshops, and encouraged direct communication with potential and current users of the Framework.

Based on the information received from the public via these channels and the work that it has carried out on cybersecurity—including its collaborative efforts with the private sector—NIST has developed a draft update of the Framework (termed "Version 1.1" or "V1.1"), available at <http://www.nist.gov/cyberframework>. This draft update seeks to clarify, refine, and enhance the Framework, and make it easier to use, while retaining its flexible, voluntary, and cost-effective nature. The update also will be fully compatible with the February 2014 version of the Framework in that either version may be used by organizations without degrading communication or functionality.

## Request for Comments

NIST is soliciting public comments on this proposed update. Specifically, NIST is interested in comments that address updated features of the Framework. These features seek to:

- Clarify Implementation Tier use and relationship to Profiles,
- Enhance guidance for applying the Framework for supply chain risk management,
- Provide guidance on metrics and measurements using the Framework,
- Update the FAQs to support understanding and use of Framework, and
- Update the Informative References.

NIST also will consider comments on other aspects of the Framework update. All comments will be made available to the public. These comments will be analyzed and will be one focus of a public workshop to be held in May 2017. Details about that workshop, which also will feature user experiences with the Framework, will be announced on the NIST Cybersecurity Framework Web site at: <https://www.nist.gov/cyberframework>. To receive notice about the workshop, please contact: [cyberframework@nist.gov](mailto:cyberframework@nist.gov).

After the May 2017 workshop and considering the comments received on this draft update, NIST intends to issue a final version of Framework V1.1 along with an updated Roadmap<sup>4</sup> document that describes recommended activities in work areas that are related and complimentary to the Framework.

**Kevin Kimball,**

*NIST Chief of Staff.*

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## CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC-2010-0055]

### Agency Information Collection Activities; Proposed Collection; 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 (CPSC, or

<sup>2</sup> For the purposes of this RFC the term "critical infrastructure" has the meaning given the term in 42 U.S.C. 5195c(e): "systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters."

<sup>3</sup> See Executive Order 13636, *Improving Critical Infrastructure Cybersecurity* (Feb. 12, 2013), <https://www.gpo.gov/fdsys/pkg/FR-2013-02-19/pdf/2013-03915.pdf>. The Cybersecurity Framework may be found at: <https://www.nist.gov/sites/default/files/documents/cyberframework/cybersecurity-framework-021214.pdf>.

<sup>4</sup> The Cybersecurity Framework Roadmap may be found at: <https://www.nist.gov/sites/default/files/documents/cyberframework/roadmap-021214.pdf>.

Commission) requests comments on a proposed extension of approval of a collection of information from manufacturers and importers of mattresses and mattress pads. The collection of information is set forth in the Standard for the Flammability of Mattresses and Mattress Pads, 16 CFR part 1632 and the Standard for the Flammability (Open Flame) of Mattress Sets, 16 CFR part 1633. These regulations establish testing and recordkeeping requirements for manufacturers and importers subject to the standards. The Commission will consider all comments received in response to this notice, before requesting an extension of approval of this collection of information from the Office of Management and Budget (OMB).

**DATES:** The Office of the Secretary must receive comments not later than March 27, 2017.

**ADDRESSES:** You may submit comments, identified by Docket No. CPSC–2010–0055, by any of the following methods:

*Electronic Submissions:* Submit electronic comments to the Federal eRulemaking Portal at: <http://www.regulations.gov>. Follow the instructions for submitting comments. The Commission does not accept comments submitted by electronic mail (email), except through [www.regulations.gov](http://www.regulations.gov). The Commission encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

*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, 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 docket number for this notice. 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 that you do not want to be available to the public. If furnished at all, 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>, and insert the docket number, CPSC–2010–0055, into

the “Search” box, and follow the prompts.

**FOR FURTHER INFORMATION CONTACT:** For further information contact: Robert H. Squibb, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; (301) 504–7815, or by email to: [rsquibb@cpsc.gov](mailto:rsquibb@cpsc.gov).

**SUPPLEMENTARY INFORMATION:**

**A. Background**

Approximately 358 firms produce mattresses.<sup>1</sup> The Standard for the Flammability of Mattresses and Mattress Pads, 16 CFR part 1632 (part 1632 standard), was promulgated 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.

The Commission also 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 April 30, 2017. The information collection requirements under the part 1632 standard do not duplicate the testing and recordkeeping requirements under the part 1633 standard.

**B. Burden Hours**

*16 CFR 1632:* Staff estimates that there are 358 respondents. It is estimated that each respondent will spend 26 hours for testing and record keeping annually for a total of 9,308 hours (358 firms × 26 hours = 9,308). The hourly compensation for the time required for record keeping is \$66.19 (U.S. Bureau of Labor Statistics, “Employer Costs for Employee Compensation,” June 2016, Table 9, total compensation of all management, professional, and related occupations in goods-producing industries: <http://www.bls.gov/ncs>). The annualized cost to respondents would be approximately \$616,097 (9,308 hours × \$66.19).

*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 358 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 annual recordkeeping time cost to all mattress producers of 33,867 hours (94.6 hours × 358 firms). The hourly compensation for the time required for record keeping is \$66.19 (U.S. Bureau of Labor Statistics, “Employer Costs for Employee Compensation,” June 2016, Table 9, total compensation of all management, professional, and related occupations in

<sup>1</sup> In the previous information collection, CPSC used the census data for the North American Industry Classification System (NAICS) code to count the number of establishments that produce mattresses. However, firms may have multiple establishments associated with them. Accordingly, CPSC uses the number of firms rather than the number of establishments.

goods-producing industries: <http://www.bls.gov/ncs>). The annual total estimated costs for recordkeeping are approximately \$2,241,657 (33,867 hours × \$66.19).

The total estimated cost to the 358 firms for the burden hours associated with both 16 CFR part 1632 and 16 CFR part 1633 is approximately \$2.86 million annually.

### C. Request for Comments

The Commission solicits written comments from all interested persons about the proposed collection of information. The Commission specifically solicits information relevant to the following topics:

- Whether the collection of information described above is necessary for the proper performance of the Commission's functions, including whether the information would have practical utility;
- Whether the estimated burden of the proposed collection of information is accurate;
- Whether the quality, utility, and clarity of the information to be collected could be enhanced; and
- Whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological collection techniques, or other forms of information technology.

Dated: January 18, 2017.

**Todd A. Stevenson,**

Secretary, Consumer Product Safety Commission.

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## CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC-2009-0092]

### Proposed Extension of Approval of Information Collection; Comment Request—Clothing Textiles, Vinyl Plastic Film

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995, the Consumer Product Safety Commission (CPSC or Commission) requests comments on a proposed request for extension of approval of a collection of information from manufacturers and importers of clothing, textiles and related materials intended for use in clothing under the Standard for the Flammability of Clothing Textiles (16 CFR part 1610)

and the Standard for the Flammability of Vinyl Plastic Film (16 CFR part 1611). These regulations establish requirements for testing and recordkeeping for manufacturers and importers who furnish guaranties for products subject to these standards. The Office of Management and Budget (OMB) previously approved the collection of information under control number 3041-0024. OMB's most recent extension of approval will expire on April 30, 2017. The Commission will consider all comments received in response to this notice before requesting an extension of approval of this collection of information from OMB.

**DATES:** The Office of the Secretary must receive comments not later than March 27, 2017.

**ADDRESSES:** You may submit comments, identified by Docket No. CPSC-2009-0092, by any of the following methods:

*Electronic Submissions:* Submit electronic comments to the Federal eRulemaking Portal at: <http://www.regulations.gov>. Follow the instructions for submitting comments. The Commission does not accept comments submitted by electronic mail (email), except through [www.regulations.gov](http://www.regulations.gov). The Commission encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

*Written Submissions:* Submit written submissions by mail/hand delivery/courier to: Office of the Secretary, 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 docket number for this notice. 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 that you do not want to be available to the public. If furnished at all, 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>, and insert the docket number CPSC-2009-0092, into the "Search" box, and follow the prompts.

**FOR FURTHER INFORMATION CONTACT:** For further information contact: Robert H. Squibb, Consumer Product Safety Commission, 4330 East West Highway,

Bethesda, MD 20814; (301) 504-7815, or by email to: [rsquibb@cpsc.gov](mailto:rsquibb@cpsc.gov).

### SUPPLEMENTARY INFORMATION:

#### A. Background

The Commission has promulgated several standards under section 4 of the 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 Commission 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 Commission 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.

#### B. Burden

The Commission estimates that approximately 1,000 firms issue guaranties. Although the Commission's records indicate that approximately 675 firms have filed continuing guaranties at the CPSC, staff believes additional