

FEDERAL TRADE COMMISSION**Children's Online Privacy Protection Safe Harbor Proposed Self-Regulatory Guidelines; Children's Advertising Review Unit of the Council of Better Business Bureaus, Inc.**

AGENCY: Federal Trade Commission.

ACTION: Notice of proposed "safe harbor" guidelines and request for public comment.

SUMMARY: The Federal Trade Commission publishes this notice and request for public comment concerning proposed self-regulatory guidelines submitted by the Children's Advertising Review Unit ("CARU") of the Council of Better Business Bureaus, Inc. under the safe harbor provision of the Children's Online Privacy Protection Rule, 16 CFR § 312.10.

DATES: Written comments must be submitted on or before May 30, 2000. Comments will be posted on the Commission's website: <http://www.ftc.gov>.

ADDRESSES: Written comments should be submitted to: Secretary, Federal Trade Commission, Room H-159, 600 Pennsylvania Avenue, N.W., Washington, DC 20580. The Commission requests that commenters submit the original plus five copies, if feasible. To enable prompt review and public access, comments also should be submitted, if possible, in electronic form, on either a 5¼ or a 3½ inch computer disk, with a disk label stating the name of the commenter and the name and version of the word processing program used to create the document. (Programs based on DOS or Windows are preferred. Files from other operating systems should be submitted in ASCII text format.) Alternatively, the Commission will accept comments submitted to the following e-mail address, safeharbor@ftc.gov. Individual members of the public filing comments need not submit multiple copies or comments in electronic form. All submissions should be captioned: "CARU Safe Harbor Proposal—Comment, P004504."

FOR FURTHER INFORMATION CONTACT: Loren G. Thompson, (202) 326-2049, Abbe Goldstein, (202) 326-3423, or Karen J. Mandel, (202) 326-2491, Division of Advertising Practices, Bureau of Consumer Protection, Federal Trade Commission, 601 Pennsylvania Ave., NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION:**Section A. Background**

On October 20, 1999, the Commission issued its final Rule¹ pursuant to the Children's Online Privacy Protection Act, 15 U.S.C. 6501, *et seq.* The Rule requires certain web site operators to post privacy policies, provide notice, and obtain parental consent prior to collecting, using, or disseminating personal information from children. The Rule contains a "safe harbor" provision enabling industry groups or others to submit self-regulatory guidelines that would implement the protections of the Rule to the Commission for approval.²

Pursuant to Section 312.10 of the Rule, CARU has submitted proposed self-regulatory guidelines to the Commission for approval. The full text of the proposed guidelines is available on the Commission's website, www.ftc.gov.

Section B. Questions on the Proposed Guidelines

The Commission is seeking comment on various aspects of the proposed guidelines, and is particularly interested in receiving comment on the questions that follow. These questions are designed to assist the public and should not be construed as a limitation on the issues on which public comment may be submitted. Responses to these questions should cite the number and subsection of the questions being answered. For all comments submitted, please provide any relevant data, statistics, or any other evidence, upon which those comments are based.

1. Please provide comment on any or all of the provisions in the proposed guidelines. For each provision commented on please describe (a) The impact of the provision(s) (including any benefits and costs), if any, and (b) what alternatives, if any, CARU should consider, as well as the costs and benefits of those alternatives.

2. Do the provisions of the proposed guidelines governing operators' information practices provide "the same or greater protections for children" as those contained in Sections 312.2-312.8 of the Rule?³ Where possible, please cite the relevant sections of both the Rule and the proposed guidelines.

3. Are the mechanisms used to assess operators' compliance with the guidelines effective?⁴ If not, please describe (a) How the proposed guidelines could be modified to satisfy the Rule's requirements, and (b) the

costs and benefits of those modifications.

4. Are the incentives for operators' compliance with the guidelines effective?⁵ If not, please describe (a) How the proposed guidelines could be modified to satisfy the Rule's requirements, and (b) the costs and benefits of those modifications.

5. Do the guidelines provide adequate means for resolving consumer complaints? If not, please describe (a) How the proposed guidelines could be modified to resolve consumer complaints adequately, and (b) the costs and benefits of those modifications.

or
By direction of the Commission.

Donald S. Clark,

Secretary.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES**Office of the Secretary****Agency Information Collection Activities: Submission for OMB Review; Comment Request**

The Department of Health and Human Services, Office of the Secretary publishes a list of information collections it has submitted to the Office of Management and Budget (OMB) for clearance in compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) and 5 CFR 1320.5. The following are those information collections recently submitted to OMB.

1. HHS Acquisition Regulations—HHSAR Subpart 315 Solicitation and Receipt of Proposals and Quotations—0990-0139—Extension with no change—Subpart 315.4 is needed to ensure consistency in all Departmental solicitations and to ensure that all solicitations describe all of the information which an offeror would need to submit an acceptable proposal. Respondents: State or local governments, Businesses or other for profit organizations, non-profit institutions, small businesses; Total Number of Respondents: 6,645; Frequency of Response: one time; Average Burden per Response: 2 hours; Estimated Annual Burden: 13,290 hours.

OMB Desk Officer. Allison Eydt.

Copies of the information collection packages listed above can be obtained by calling the OS Reports Clearance Officer on (202) 690-6207. Written

¹ 64 Fed. Reg. 59888 (1999).

² See 16 CFR § 312.10; 64 Fed. Reg. at 59906-59908, 59915.

³ See 16 CFR § 312.10(b)(1); 64 Fed. Reg. at 59915.

⁴ See 16 CFR § 312.10(b)(2); 64 Fed. Reg. at 59915.

⁵ See 16 CFR § 312.10(b)(3); 64 Fed. Reg. at 59915.