

whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Persons wishing to comment on this information collection should submit comments on or before February 16, 1999. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Les Smith, Federal Communications Commissions, Room A1804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to [lesmith@fcc.gov](mailto:lesmith@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collections contact Les Smith at (202) 418-0217 or via the Internet at [lesmith@fcc.gov](mailto:lesmith@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0600.

*Title:* Application to Participate in an FCC Auction.

*Form Numbers:* FCC 175 and FCC 175-S.

*Type of Review:* Extension of an existing collection.

*Respondents:* Business or other for-profit entities; Not-for-profit institutions; State, Local or Tribal Governments.

*Number of Respondents:* 12,400.

*Estimated Time per Response:* 45 mins. for Form 175; 15 mins. for Form 175-S.

*Frequency of Response:* On occasion reporting requirements.

*Total Annual Burden:* 15,600 hours.

*Total Annual Costs:* \$3,120,000.

*Needs and Uses:* The information will be used by the Commission to determine if the applicant is legally, technically, and financially qualified to participate in an FCC auction. The rules and requirements are designed to ensure that the competitive bidding process is limited to serious qualified applicants and to deter possible abuse of the bidding and licensing process. The Commission plans to use this form for all upcoming auctions and reactions.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

[FR Doc. 98-33227 Filed 12-15-98; 8:45 am]

BILLING CODE 6712-01-P

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## FEDERAL MARITIME COMMISSION

### Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarders, Federal Maritime Commission, Washington, DC. 20573.

J.B.R. Marine Inc., 1930 S. Brea Canyon Road, Suite #C-240, Diamond Bar, CA 91765, Officer: Xiuji Zhang, President  
Tropical Transfer Inc., 5701 Biscayne Boulevard, No. 901, Miami, FL 33137-2602, Officers: Julia Danvers, President; Alan Danvers, Treasurer  
Lion Cargo Brokers, Inc., 8055 N.W. 77th Court, Suite 5, Miami, FL 33166, Officers: Gary M. Goldfarb, Vice President; Ramon A. Purtu, Vice President

Dated: December 10, 1998.

**Joseph C. Polking,**

*Secretary.*

[FR Doc. 98-33229 Filed 12-15-98; 8:45 am]

BILLING CODE 6730-01-M

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## FEDERAL TRADE COMMISSION

### Public Workshop: U.S. Perspectives on Consumer Protection in the Global Electronic Marketplace

**AGENCY:** Federal Trade Commission.

**ACTION:** Initial Notice Requesting Academic Papers and Public Comment and Announcing Public Workshop.

**SUMMARY:** The Federal Trade Commission plans to hold a public workshop to examine U.S. perspectives on consumer protection in the global electronic marketplace, and seeks academic papers and public comment to inform this examination.

**DATES:** Papers and written comments are requested to be submitted on or before February 26, 1999. The workshop will be held during the spring of 1999.

**ADDRESSES:** Six hard copies of each paper and written comment should be

submitted to: Secretary, Federal Trade Commission, Room H-159, 600 Pennsylvania Ave., N.W., Washington, D.C., 20580. Comments should be captioned "U.S. Perspectives on Consumer Protection in the Global Electronic Marketplace—Comment, P994312."

*Form and Availability of Comments:*

To enable prompt review and accessibility to the public, papers and comments also should be submitted, if possible, in electronic form, on either one 5-1/4 or one 3-1/2 inch computer disk, with a disk label stating the name of the submitter 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.)

Papers and written comments will be available for public inspection in accordance with the Freedom of Information Act, 5 U.S.C. § 552, and Commission regulations, 16 C.F.R. Part 4.9, on normal business days between the hours of 8:30 a.m. and 5:00 p.m. at Room 130, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580. The Commission will make this notice and, to the extent possible, all papers or comments received in response to this notice available to the public through the Internet at the following address: <http://www.ftc.gov>.

**FOR FURTHER INFORMATION CONTACT:** The exact dates, location, and information about public participation in the workshop will be announced later by **Federal Register** notice. For questions about this request for academic papers and comments, contact either: Lisa Rosenthal, Legal Advisor for International Consumer Protection, Division of Planning and Information, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580, telephone 202-326-2249, e-mail [lrosenthal@ftc.gov](mailto:lrosenthal@ftc.gov); or Jonathan Smollen, Attorney, Division of Financial Practices, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580, telephone 202-326-3457, e-mail [jsmollen@ftc.gov](mailto:jsmollen@ftc.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The number of direct, international business-to-consumer transactions involving electronic commerce is expected to increase significantly in the future. Global networks have the potential to offer consumers substantial

benefits, including convenience and access to a wide range of goods, services, and information at lower cost. But these benefits cannot be realized fully until consumers develop confidence in commercial activities conducted over global networks and businesses are assured of a stable and predictable commercial environment. Accordingly, the present challenge is to encourage the development of a global marketplace that offers safety, transparency, and legal certainty. The Federal Trade Commission, by seeking public comment and holding a public workshop, aims to facilitate an ongoing dialogue on how government, industry, and consumers can work together to meet this important challenge.

#### Invitation to Comment

Interested parties, including academics, industry members, consumer advocates, and government representatives, are requested to submit academic papers or written comments on any issue of fact, law, or policy that may inform the Commission's examination of U.S. perspectives on consumer protection in the global electronic marketplace. Because U.S. perspectives on these issues should be informed by international approaches, comments should not be limited to examinations of domestic laws or policies. Please provide copies of any studies, surveys, research, or other empirical data referenced in responses.

The questions set forth below are intended only as examples of the issues relevant to the Commission's examination. Submitters are invited to comment on any relevant issue, regardless of whether it is identified below.

#### General

1. What current protections exist for consumers engaged in electronic commerce with foreign businesses?

a. To what extent do current protections vary by sector or context?  
b. To what extent do protections for consumers in the traditional marketplace apply to consumer transactions in the global electronic marketplace?

2. To what extent do existing laws, conventions, treaties, or practices provide effective protection for consumers engaged in electronic commerce with foreign businesses? To what extent do they need to be modified?

3. To the extent that existing laws, conventions, treaties, or practices need to be modified to provide effective protection for consumers engaged in electronic commerce with foreign businesses:

a. How should such modifications vary according to industry sector or context?

b. How would such modifications affect law enforcement actions by government agencies?

c. How would such modifications affect business-to-business transactions?

d. How would such modifications affect the development of the global electronic marketplace as a whole?

4. What efforts to examine consumer protection in the global electronic marketplace are already underway by private or public entities at the international, national, state, or local levels? What is the status of such efforts?

#### Conflicts of Law

5. When a consumer engages in electronic commerce with a foreign business, which laws govern the transaction?

a. How is that determined?

b. Which choice of law would best facilitate commerce and provide effective consumer protection?

c. Under what circumstances should a consumer and a foreign business be able to contractually agree on the governing law?

d. To what extent do existing laws, conventions, treaties, or practices affecting choice of law need to be modified?

6. When a consumer engages in electronic commerce with a foreign business, which court system or systems may adjudicate disputes arising from the transaction?

a. How is that determined?

b. Which forum choice would best facilitate commerce and provide effective consumer protection?

c. Under what circumstances should a consumer and a foreign business be able to contractually agree on the adjudicating court system?

d. To what extent do existing laws, conventions, treaties, or practices affecting jurisdiction need to be modified?

7. If a consumer were to obtain a judgment against a foreign business, under what circumstances would that judgment be recognized by a court system in another country?

a. Under what circumstances would the judgment be recognized if it had been obtained by a government agency acting on behalf of wronged consumers?

b. To what extent do existing laws, conventions, treaties, or practices affecting judgment recognition need to be modified?

8. To what extent do existing U.S. federal and state laws need to be reconciled with each other and with laws in other countries to provide effective protection for consumers

engaged in electronic commerce with foreign businesses?

#### Electronic Contracts

9. To what extent do existing laws, conventions, treaties, or practices governing contracts provide effective protection for consumers engaged in electronic commerce with foreign businesses? To what extent do they need to be modified?

10. Given that electronic communications do not allow for traditional written signatures, under what circumstances should electronic signatures (or other technological means for a party to express intent to be bound) be legally recognized and binding?

11. How should the burden of proof and risk of loss be allocated with respect to potentially fraudulent uses of electronic signatures?

#### International Requirements

12. What are the minimum protections that should be available to consumers in the global electronic marketplace?

a. To what extent are businesses required to provide disclosures to consumers? To what extent should they be?

b. To what extent are mechanisms in place that enable consumers to complain about the practices of foreign businesses? To what extent should there be?

c. To what extent is there a time period during which consumers can rescind agreements entered into with foreign businesses (also referred to as a "cooling-off period")? To what extent should there be?

d. To what extent are there mechanisms in place that enable harmed consumers to obtain redress from foreign businesses? To what extent should there be?

e. Under what circumstances and to what extent are consumers using electronic payment methods, i.e. credit, debit, or stored-value cards, entitled to have their accounts credited (also referred to as "charge-backs")? To what extent should they be?

f. To what extent is there a need for uniform consumer protection requirements or harmonized consumer protection laws?

13. To what extent is there a need for international dispute resolution procedures or tribunals for consumers engaged in electronic commerce with foreign businesses?

#### Law Enforcement Agencies

14. What is the proper role for law enforcement agencies in providing

effective protection for consumers engaged in global electronic commerce?

15. To what extent do private actions provide effective protection for consumers engaged in electronic commerce with foreign businesses?

16. To what extent do existing laws, conventions, treaties, or practices with respect to the sharing of information among law enforcement agencies in different countries provide effective protection for consumers engaged in global electronic commerce? To what extent do they need to be modified?

17. To what extent do existing laws, conventions, treaties, or practices with respect to the coordination of law enforcement activities between different countries provide effective protection for consumers engaged in global electronic commerce? To what extent do they need to be modified?

18. To what extent is there a need for international dispute resolution procedures or tribunals for law enforcement agencies seeking to protect consumers engaged in electronic commerce with foreign businesses?

#### *Consumer and Business Education*

19. What steps have been, and should be, taken to educate consumers about the global electronic marketplace?

20. What steps have been, and should be, taken to educate business about consumer protection in the global electronic marketplace?

#### *Industry Members*

21. How does the provision of effective protection for consumers in the global electronic marketplace benefit industry members?

22. How does the provision of effective protection for consumers in the global electronic marketplace present challenges to industry members?

23. To what extent do/will the benefits and challenges industry members experience with respect to consumer protection in the global electronic marketplace differ from those experienced in the traditional marketplace?

24. To what extent do/will industry-led self-regulatory programs provide effective protection for consumers in the global electronic marketplace?

#### *Development of the Global Electronic Marketplace*

25. How much and how quickly will electronic commerce grow over the next five years?

a. What developments will spur its growth?

b. What developments will hinder its growth?

26. How will electronic commerce change over the next five years?

a. What will be the demographics of consumers and businesses engaged in electronic commerce?

b. What types of products and services will be sold electronically?

27. To what extent do/will new marketing techniques made possible by technological developments affect consumer protection?

28. To what extent do/will technological developments enable consumers to protect themselves?

#### *Workshop*

29. What should be the primary focus and scope of the Commission's initial public workshop on "U.S. Perspectives on Consumer Protection in the Global Electronic Marketplace?"

30. Which interests should be represented at the Commission's initial public workshop on "U.S. Perspectives on Consumer Protection in the Global Electronic Marketplace?"

**Authority:** 15 U.S.C. 41 *et seq.*

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 98-33281 Filed 12-15-98; 8:45 am]

BILLING CODE 6750-01-P

## FEDERAL TRADE COMMISSION

[File No. 9623147]

### **American College for Advancement in Medicine; Analysis to Aid Public Comment**

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed Consent Agreement.

**SUMMARY:** The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint that accompanies the consent agreement and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

**DATES:** Comments must be received on or before February 16, 1999.

**ADDRESSES:** Comments should be directed to: FTC/Office of the Secretary, Room 159, 600 Pa. Ave., NW., Washington, DC 20580.

**FOR FURTHER INFORMATION CONTACT:** Dean Graybill, FTC/H-200, Washington, D.C. 20580. (202) 326-3284 or Richard Cleland, FTC/H-200, Washington, D.C. 20580. (202) 326-3088.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 6(f) of the Federal Trade

Commission Act, 38 Stat. 721, 15 U.S.C. 46 and Section 2.34 of the Commission's Rules of Practice (16 CFR 2.34), notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for December 8, 1998), on the World Wide Web, at "http://www.ftc.gov/os/actions97.htm." A paper copy can be obtained from the FTC Public Reference Room, Room H-130, 600 Pennsylvania Avenue, NW., Washington, D.C. 20580, either in person or by calling (202) 326-3627. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with Section 4.9(b)(6)(ii) of the Commission's Rules of Practice (16 CFR 4.9(b)(6)(ii)).

### **Analysis of Proposed Consent Order To Aid Public Comment**

The Federal Trade Commission has accepted an agreement to a proposed consent order from the American College for Advancement in Medicine ("ACAM" or the "proposed respondent"). ACAM is an incorporated non-profit professional association comprised principally of physicians. The Commission has alleged that ACAM promotes EDTA chelation therapy to the public as an effective treatment for atherosclerosis, *i.e.*, blocked arteries. Chelation therapy consists of the intravenous injection into the body of a chemical substance (ethylene diamine tetraacetic acid, ("EDTA")), which, after bonding with metals and minerals in the bloodstream, is expelled through the body's excretory functions. ACAM promotes this service to consumers through print materials and a Web site.

The proposed consent order has been placed on the public record for sixty (60) days for reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

The Commission has alleged that proposed respondent has made false and unsubstantiated claims in its