

concerning the interpretation of consumer endorsements.

**DATES:** Comments on the proposed rule published January 18, 2007, must be received by June 18, 2007.

**FOR FURTHER INFORMATION CONTACT:** Shira Modell, Attorney, Division of Advertising Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580; (202) 326-3116.

**SUPPLEMENTARY INFORMATION:** On January 16, 2007, the Commission announced that it was seeking public comment in conjunction with its regulatory review of the Guides Concerning Use of Endorsements and Testimonials in Advertising (“the Guides”). See 72 FR 2214 (Jan. 18, 2007). The Commission’s **Federal Register** notice: (1) Solicited comment on the Guides and on two consumer surveys commissioned by the Commission concerning the interpretation of consumer endorsements; and (2) requested empirical evidence on several issues relating to the Guides. The deadline established for the submission of comments was March 19, 2007.

The Electronic Retailing Association (“ERA”) has requested a 90-day extension of the March 19 deadline. ERA states that it needs the additional time to review the two reports put on the public record in January and compile information from its members to submit for the record in this proceeding.

In light of the number and importance of the issues on which it has requested comment, the Commission has decided to extend the filing deadline until June 18, 2007.

By direction of the Commission.

**Donald S. Clark,**  
*Secretary.*

[FR Doc. E7-5039 Filed 3-19-07; 8:45 am]

**BILLING CODE 6750-01-P**

## FEDERAL TRADE COMMISSION

### 16 CFR Part 432

#### Trade Regulation Rule Relating to Power Output Claims for Amplifiers Utilized in Home Entertainment Products

**AGENCY:** Federal Trade Commission.

**ACTION:** Supplemental notice of proposed rulemaking: Termination of rulemaking.

**SUMMARY:** The Federal Trade Commission (“FTC” or “Commission”) has completed its review, pursuant to a

supplemental notice of proposed rulemaking (“SNPR”), of the testing procedures for multichannel “home theater” amplifiers under the Trade Regulation Rule Relating to Power Output Claims for Amplifiers Utilized in Home Entertainment Products (“Rule” or “Amplifier Rule”). The Commission has determined not to amend the Rule at this time and to place the Rule on its regular review schedule for 2008 as part of the Commission’s ongoing systematic review of Federal Trade Commission rules and guides. Until the Commission provides further guidance regarding which channels need be associated for purposes of rating multichannel amplifiers, the Commission will not enforce the association requirement of Section 432.2 of the Rule as it relates to the continuous power output per channel ratings for multichannel amplifiers. The Commission, however, will continue to enforce the other provisions of the Rule with regard to multichannel amplifiers.

**DATES:** This rulemaking is terminated as of March 20, 2007.

**ADDRESSES:** Requests for copies of this notice should be sent to the Consumer Response Center, Room 130, Federal Trade Commission, 600 Pennsylvania Ave., NW., Washington, DC 20580. The notice also is available on the Internet at the Commission’s Web site, <http://www.ftc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Jock Chung, (202) 326-2984, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580. E-mail: [jchung@ftc.gov](mailto:jchung@ftc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The Amplifier Rule, promulgated in 1974, assists consumers in purchasing power amplification equipment for home entertainment purposes by standardizing the measurement and disclosure of various performance characteristics. The Commission issued the Rule in response to sellers making misleading or confusing power distortion and other performance claims based on differing or unrecognized test procedures. The Rule establishes uniform test standards and disclosures so that consumers can make more meaningful comparisons of amplifier performance attributes.

The present regulatory review began on April 7, 1997 (62 FR 16500). On July 9, 1998, the Commission decided to retain the Rule, concluding that it continued to be valuable both to consumers and businesses (63 FR 37234). At the same time, the

Commission issued an advance notice of proposed rulemaking seeking comment on whether the Commission should initiate a rulemaking proceeding to address several technological and marketplace changes raised by industry (63 FR 37238).

On December 22, 2000, the Commission amended the Rule to clarify the testing procedure for self-powered speakers and eliminate or modify certain testing and disclosure requirements that had outlived their usefulness. At the same time, the Commission issued a SNPR soliciting comment on Commission proposals to amend the definition of “associated channels” in connection with the power rating testing of multichannel “home theater” amplifiers. Multichannel amplifiers incorporate five or more discrete or synthesized amplification channels and are designed to decode and/or amplify digitally encoded multichannel movie soundtracks or music program material recorded in various formats, including videocassette tapes or digital video discs (65 FR 80798). Section 432.2(a) of the Rule requires that an amplifier’s continuous power output per channel be “[m]easured with all associated channels fully driven to rated per channel power.”<sup>1</sup> Thus, manufacturers of multichannel audio/video receivers and amplifiers must decide which of the five or more discrete channels of amplification are considered “associated” and, therefore, subject to simultaneous operation at full rated power. In the SNPR, the Commission solicited public comment on three alternative designations of “associated channels” for such audio amplifiers.

The SNPR elicited one comment, submitted by the Consumer Electronics Association (“CEA”). CEA noted that there was no industry consensus on testing, measuring, and specifying the power output of multichannel amplifier products. Consequently, CEA formed an industry working group to establish a voluntary industry standard.

On January 15, 2002, the Commission deferred action on the proposed rule but kept the rulemaking record open to allow time for a self-regulatory approach to develop a consensus procedure for the testing of multichannel amplifiers (67 FR 1915). Although CEA issued a standard, designated CEA-490-A, the Commission’s review has not found widespread adoption of this standard in advertisements or product specifications, and the Commission is

<sup>1</sup> This continuous measurement represents the maximum per-channel power an amplifier can deliver over a five minute period.

faced with the prospect of making regulatory decisions in a dynamic market based on a less than robust, outdated rulemaking record.<sup>2</sup>

The Commission, therefore, has determined that it would be in the public interest not to amend the Rule at this time. Instead, the Commission will place the Rule on its regulatory review schedule for 2008 as part of the Commission's ongoing systematic review of Federal Trade Commission rules and guides. At that time, the Commission will solicit comments to garner a more robust, contemporary record from which to determine what, if any, amendments are appropriate to address associated channels in a multi-channel system as well as to gauge the economic impact of, and the continuing need for, the Rule as a whole.

Until the Commission provides further guidance regarding which channels need be associated for purposes of rating multichannel amplifiers, the Commission will not enforce the association requirement of Section 432.2 of the Rule as it relates to the continuous power output per channel ratings for multichannel amplifiers. The Commission, however, will continue to enforce the other provisions of the Rule with regard to multichannel amplifiers.

## II. Conclusion

For the reasons described above, the Commission has determined not to amend the Rule at this time.

### List of Subjects in 16 CFR Part 432

Amplifiers, Home entertainment products, Trade practices.

**Authority:** 15 U.S.C. 41–58.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. E7–5038 Filed 3–19–07; 8:45 am]

**BILLING CODE 6750–01–P**

---

## SOCIAL SECURITY ADMINISTRATION

### 20 CFR Parts 404 and 416

[Docket No. SSA 2006–0109]

RIN 0960–AG41

### Consultative Examination—Annual Onsite Review of Medical Providers

**AGENCY:** Social Security Administration.

<sup>2</sup> The dynamic nature of this marketplace is evidenced by the rapid disappearance of two multichannel formats cited in the SNPR, videotapes and laser discs, as well as by the increasing popularity of self-powered speakers containing amplifiers that do not share a common power supply.

### **ACTION:** Notice of proposed rulemaking.

**SUMMARY:** We propose to revise the threshold billing amount that triggers annual onsite reviews of medical providers who conduct consultative examinations (CEs) for our disability programs under titles II and XVI of the Social Security Act (the Act). The proposed revision would raise the threshold amount to reflect the increase in billing amounts since we first established the threshold amount in 1991. This proposed revision is intended to restore the level of oversight originally required by our rules.

**DATES:** To be sure that your comments are considered, we must receive them by May 21, 2007.

**ADDRESSES:** You may give us your comments by: Internet through the Federal eRulemaking Portal at <http://www.regulations.gov>; e-mail to [regulations@ssa.gov](mailto:regulations@ssa.gov); telefax to (410) 966–2830; or letter to the Commissioner of Social Security, P.O. Box 17703, Baltimore, MD 21235–7703. You may also deliver them to the Office of Regulations, Social Security Administration, 107 Altmeyer Building, 6401 Security Boulevard, Baltimore, MD 21235–6401, between 8 a.m. and 4:30 p.m. on regular business days. Comments are posted on the Federal eRulemaking Portal, or you may inspect them on regular business days by making arrangements with the contact person shown in this preamble.

**FOR FURTHER INFORMATION CONTACT:** Charles M. Urban, Social Insurance Specialist, Social Security Administration, Office of Disability Programs, 6401 Security Boulevard, Baltimore, MD 21235–6401, (410) 965–9029 or TTY 410–966–5609. For information on eligibility or filing for benefits, call our national toll-free number 1–800–772–1213 or TTY 1–800–325–0778, or visit our Internet site, Social Security Online, at <http://www.socialsecurity.gov>.

### **SUPPLEMENTARY INFORMATION:**

#### **Electronic Version**

The electronic file of this document is available on the date of publication in the **Federal Register** at <http://www.gpoaccess.gov/fr/index.html>.

#### **Why are we proposing to change our rules?**

Since 1991, we have provided in §§ 404.1519s(d) and 416.919s(d) of our regulations that each State agency that makes disability determinations for us is responsible for comprehensive oversight management of its consultative examination program with special

emphasis on key providers. A consultative examination is a medical examination or test that we purchase at our expense when we need additional information to make a disability determination and we cannot obtain that information from existing medical sources. See §§ 404.1517, 404.1519, 416.917, and 416.919 of our regulations.

In §§ 404.1519s(e) and 416.919s(e) of our regulations, we explain that a “key consultative examination provider” is a provider that meets at least one of the following conditions:

(1) Any consultative examination provider with an estimated annual billing to the Social Security disability programs of at least \$100,000; or

(2) Any consultative examination provider with a practice directed primarily towards evaluation examinations rather than the treatment of patients; or

(3) Any consultative examination provider that does not meet the above criteria, but is one of the top five consultative examination providers in the State by dollar volume, as evidenced by prior year data.

We are proposing to change the threshold billing amount that triggers onsite review of medical providers in §§ 404.1519s(e)(1) and 416.919s(e)(1) in order to ensure that we annually review the largest providers of CEs. We have not changed the current threshold amount of \$100,000 in billings since we first published this provision in 1991. However, costs have risen in the more than 15 years since we first published this rule so that now many CE providers who perform relatively few CEs are subject to mandatory onsite reviews. This is contrary to the intent of the provision, which is to ensure that each State agency do periodic onsite reviews of the largest CE providers in its State. We believe that raising the amount to \$150,000 will continue to satisfy the intent to monitor our largest CE providers. We chose this amount by multiplying the \$100,000 threshold established in 1991 by the increase in the consumer price index for urban wage earners and clerical workers from 1991 (134.3) to November 2006 (196.8) and then, for administrative convenience, rounding the resulting amount (\$146,537.60) to \$150,000.

#### **What rules are we proposing to revise?**

We propose to revise §§ 404.1519s(e)(1) and 416.919s(e)(1). The revisions would specify a new threshold billing amount that will trigger the need for annual onsite review of CE providers.