

and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before September 16, 2015. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission ("FTC" or "Commission") has accepted, subject to final approval, a consent agreement applicable to Dale Jarrett Racing Adventure, Inc. ("Dale Jarrett Racing Adventure").

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

This matter concerns alleged false or misleading representations that Dale Jarrett Racing Adventure made to consumers concerning its participation in the Safe Harbor privacy framework agreed upon by the U.S. and the European Union ("EU") ("U.S.-EU Safe Harbor Framework" or "Safe Harbor Framework"). The Safe Harbor Framework allows U.S. companies to transfer data outside the EU consistent with EU law. To join the Safe Harbor Framework, a company must self-certify to the U.S. Department of Commerce ("Commerce") that it complies with a set of principles and related requirements that have been deemed by the European Commission as providing "adequate" privacy protection. These principles include notice, choice, onward transfer, security, data integrity, access, and enforcement. Commerce maintains a public Web site, www.export.gov/safeharbor, where it posts the names of companies that have self-certified to the Safe Harbor Framework. The listing of companies indicates whether their self-certification is "current" or "not current."

Companies are required to re-certify every year in order to retain their status as "current" members of the Safe Harbor Framework.

Dale Jarrett Racing Adventure is a race car driving school that offers consumers

an opportunity to ride in and drive genuine stock cars with professional drivers, and was founded by NASCAR champion Dale Jarrett. According to the Commission's complaint, since at least January 2015, Dale Jarrett Racing Adventure set forth on its Web site, <http://www.racingadventure.com/privacy.html>, privacy policies and statements about its practices, including statements related to its participation in the U.S.-EU Safe Harbor Framework.

The Commission's complaint alleges that Dale Jarrett Racing Adventure falsely represented that it was a participant in the U.S.-EU Safe Harbor Framework when, in fact, Dale Jarrett Racing Adventure was never a participant in the U.S.-EU Safe Harbor Framework. Commerce has never included the company on its public Web site.

Part I of the proposed order prohibits Dale Jarrett Racing Adventure from making misrepresentations about its membership in any privacy or security program sponsored by the government or any other self-regulatory or standard-setting organization, including, but not limited to, the U.S.-EU Safe Harbor Framework and the U.S.-Swiss Safe Harbor Framework.

Parts II through VI of the proposed order are reporting and compliance provisions. Part II requires Dale Jarrett Racing Adventure to retain documents relating to its compliance with the Order for a five-year period. Part III requires dissemination of the order now and in the future to persons with responsibilities relating to the subject matter of the order. Part IV ensures the notification to the FTC of changes in corporate status. Part V mandates that Dale Jarrett Racing Adventure submit an initial compliance report to the FTC, and make available to the FTC subsequent reports. Part VI is a provision "sunsetting" the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the proposed complaint or order or to modify the order's terms in any way.

By direction of the Commission.

April J. Tabor,
Acting Secretary.

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BILLING CODE 6750-01-P

FEDERAL TRADE COMMISSION

SES Performance Review Board

AGENCY: Federal Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given of the appointment of members to the FTC Performance Review Board.

FOR FURTHER INFORMATION CONTACT: Vicki Barber, Chief Human Capital Officer, 600 Pennsylvania Avenue NW., Washington, DC 20580, (202) 326-2700.

SUPPLEMENTARY INFORMATION: Publication of the Performance Review Board (PRB) membership is required by 5 U.S.C. 4314 (c)(4). The PRB reviews and evaluates the initial appraisal of a senior executive's performance by the supervisor, and makes recommendations regarding performance ratings, performance awards, and pay-for-performance pay adjustments to the Chairwoman.

The following individuals have been designated to serve on the Commission's Performance Review Board:

David Robbins, Executive Director, Chairman
Jonathan Nuechterlein, General Counsel
Deborah Feinstein, Director, Bureau of
Competition

Jessica Rich, Director, Bureau of Consumer
Protection

Michael Vita, Deputy Director, Bureau of
Economics

By direction of the Commission.

April J. Tabor,
Acting Secretary.

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FEDERAL TRADE COMMISSION

[File No. 152 3198]

Jhayrmaine Daniels, d/b/a California Skate-Line; Analysis of Proposed Consent Order 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. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint 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 September 16, 2015.

ADDRESSES: Interested parties may file a comment at <https://ftcpublish.commentworks.com/ftc/caliskatelineconsent> online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write "Jhayrmaine Daniels,