

airports/airtraffic/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except federal holidays at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, Georgia 30337.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points

The Proposal

The FAA is considering an amendment to title 14, Code of Federal Regulations (14 CFR) part 71 to amend Class E surface airspace and Class E airspace extending upward from 700 feet above the surface at Massena International-Richards Field Airport, Massena, NY. The segment within 1.8 miles each side of the Massena VORTAC 286° radial extending from the 4-mile radius to the VORTAC would be removed in Class E surface airspace; and the segment within 2.7 miles each side of the Massena VORTAC 106° radial extending from the 7.4-mile radius to 7 miles east of the VORTAC would be removed in Class E airspace extending upward from 700 feet above the surface, due to the decommissioning of the Massena VORTAC, and cancellation of associated approaches. This action would enhance the safety and management of IFR operations at the airport. The geographic coordinates of the airport also would be adjusted to coincide with the FAAs aeronautical database.

Class E airspace designations are published in Paragraphs 6002 and 6005 respectively, of FAA Order 7400.11B, dated August 3, 2017, and effective September 15, 2017, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation

listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal would be subject to an environmental analysis in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

- 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

- 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, effective September 15, 2017, is amended as follows:

Paragraph 6002 Class E Surface Area Airspace.

* * * * *

AEA NY E2 Massena, NY [Amended]
Massena International-Richards Field
Airport, NY

(Lat. 44°56'11" N., long. 74°50'42" W.)

Within a 4-mile radius of the Massena International-Richards Field Airport, excluding the airspace within Canada.

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

AEA NY E5 Massena, NY [Amended]

Massena International-Richards Field
Airport, NY

(Lat. 44°56'11" N., long. 74°50'42" W.)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of Massena International-Richards Field Airport, excluding the airspace within Canada.

Issued in College Park, Georgia, on
November 29, 2017.

Ryan W. Almasy,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2017–26423 Filed 12–7–17; 8:45 am]

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FEDERAL TRADE COMMISSION

16 CFR Part 315

Public Workshop Examining Contact Lens Marketplace and Analyzing Proposed Changes to the Contact Lens Rule

AGENCY: Federal Trade Commission.

ACTION: Public workshop and request for public comment.

SUMMARY: The Federal Trade Commission (“FTC” or “Commission”) is holding a public workshop relating to its December 7, 2016 Notice of Proposed Rulemaking (“NPRM”) announcing proposed changes to the Contact Lens Rule. The workshop will explore issues relating to competition in the contact lens marketplace, consumer access to contact lenses, prescription release and portability, and other issues raised in comments received in response to the NPRM.

DATES: The public workshop will be held on March 7, 2018, from 9:00 a.m. until 5:00 p.m., at the Constitution Center Conference Center, located at 400 7th Street SW., Washington, DC. Requests to participate as a panelist must be received by January 5, 2018. Any written comments related to the agenda topics or the issues discussed by the panelists at the workshop must be received by April 6, 2018.

ADDRESSES: Interested parties may file a comment or a request to participate as a panelist online or on paper, by following the instructions in the Filing Comments and Requests to Participate

as a Panelist part of the **SUPPLEMENTARY INFORMATION** section below. Write “Contact Lens Rule, 16 CFR part 315, Comment, Project No. R511995” on your comment and “Contact Lens Rule, 16 CFR part 315, Request to Participate, Project No. R511995” on your request to participate as a panelist. File your comment online at <https://ftcpublish.commentworks.com/ftc/contactlensworkshop> by following the instructions on the web-based form. File your request to participate as a panelist by email to: contactlensworkshop2018@ftc.gov. If you prefer to file your comment or request to participate on paper, mail your comment or request to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC-5610 (Annex F), or deliver your comment or request to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex F), Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Elizabeth Delaney, Attorney, 202-326-2903, or Alys Bernstein, Attorney, 202-326-3289, Federal Trade Commission, Division of Advertising Practices, Bureau of Consumer Protection, 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

I. Introduction

In 2003, Congress enacted the Fairness to Contact Lens Consumers Act.¹ Pursuant to the Act, the Commission promulgated the Contact Lens Rule (“Rule”), which went into effect on August 2, 2004.² The Rule promotes competition in retail sales of contact lenses by facilitating consumers’ ability to comparison shop for contact lenses. When a prescriber completes a contact lens fitting, the Rule requires that the prescriber provide the patient with a copy of her prescription. The Rule also requires that the prescriber verify or provide such prescriptions to authorized third parties, such as contact lens sellers.

In addition, the Rule places certain requirements on sellers. It mandates that sellers dispense contact lenses only in accordance with a valid prescription that is either presented to the seller or verified by direct communication with the prescriber.³ Sellers may not alter a prescription, but for private label contact lenses, may substitute identical contact lenses that the same company

manufactures and sells under a different name.⁴

As part of its ongoing regulatory review program, the Commission published a Request for Comment in September 2015 seeking comment on: The economic impact of, and the continuing need for, the Rule; the benefits of the Rule to consumers; the burdens the Rule places on entities subject to its requirements; the impact the Rule has had on the flow of information to consumers; the degree of industry compliance with the Rule; the need for any modifications to increase its benefits or reduce its burdens or to account for changes in relevant technology; and any overlap or conflict with the Rule and other federal, state, or local laws or regulations.⁵ The comment period closed on October 26, 2015, and the Commission received 660 comments.⁶ Virtually all commenters agreed that there is a continuing need for the Rule and that it benefits consumers and competition. The majority of commenters recommended some modifications to the Rule in order to maximize the benefits to consumers and competition, decrease the burden on businesses, protect consumers’ eye health, or improve overall compliance with the Rule’s existing requirements.

After reviewing the comments, the Commission published a Notice of Proposed Rulemaking (“NPRM”) proposing to amend the Rule to require that prescribers obtain a signed acknowledgment after releasing a contact lens prescription to a patient, and maintain each such acknowledgment for a period of not less than three years.⁷ The Commission also proposed to strike the words “private label” from Section 315.5(e) of the Rule to conform the language of the Rule to that of the Act. The Commission sought public comment on these proposed amendments as well as several other issues, including: The use of patient portals to provide prescriptions; the provision of additional copies of a prescription to a patient; the amount of time required for a prescriber to respond to a request for a copy of a prescription; and additional information on possible modifications to the Rule that could address issues raised about automated telephone calls. The Commission

⁴ 16 CFR 315.5(e).

⁵ Contact Lens Rule, Request for Comment, 80 FR 53272 (Sept. 3, 2015).

⁶ The comments are posted at: <https://www.ftc.gov/policy/public-comments/initiative-621>.

⁷ Contact Lens Rule, Notice of Proposed Rulemaking, Request for Comment, 81 FR 88526 (Dec. 7, 2016).

received over 4,100 comments in response.⁸

II. Issues for Discussion at the Workshop

As part of the Contact Lens Rule rulemaking, the FTC is hosting a public workshop to explore issues relating to competition in the contact lens marketplace, consumer access to contact lenses, prescription release and portability, and other issues raised in comments to the NPRM. The workshop will cover topics including: (1) Consumers’ ability to comparison shop for contact lenses; (2) the use of electronic health records, patient portals, and other technology to improve prescription portability; (3) the interaction between the Contact Lens Rule and emerging telehealth business models; (4) the potential for new technology to improve the prescription verification process; and (5) modifications to the Contact Lens Rule to foster competition and maximize consumer benefits, including benefits to eye health.

A more detailed agenda will be published at a later date, in advance of the scheduled workshop.

III. Public Participation Information

A. Workshop Attendance

The workshop is free and open to the public, and will be held at the Constitution Center, 400 7th Street SW., Washington, DC. It will be webcast live on the FTC’s Web site. For admittance to the Constitution Center, all attendees must show valid government-issued photo identification, such as a driver’s license. Please arrive early enough to allow adequate time for this process.

This event may be photographed, videotaped, webcast, or otherwise recorded. By participating in this event, you are agreeing that your image—and anything you say or submit—may be posted indefinitely at www.ftc.gov or on one of the Commission’s publicly available social media sites.

B. Requests To Participate as a Panelist

The workshop will be organized into panels, which will address the designated topics. Panelists will be selected by FTC staff. Other attendees will have an opportunity to comment and ask questions. The Commission will place a transcript of the proceeding on the public record. Requests to participate as a panelist must be received on or before January 5, 2018, as explained in Section IV below. Persons

⁸ The comments are posted at: <https://www.ftc.gov/policy/public-comments/2016/10/initiative-677>.

¹ 15 U.S.C. 7601-7610 (Pub. L. 108-164).

² Contact Lens Rule, 16 CFR 315.

³ 16 CFR 315.5(a).

selected as panelists will be notified on or before January 19, 2018.

Disclosing funding sources promotes transparency, ensures objectivity, and maintains the public's trust. If chosen, prospective panelists will be required to disclose the source of any support they received in connection with participation at the workshop. This information will be included in the published panelist bios as part of the workshop record.

C. Electronic and Paper Comments

The submission of comments is not required for participation in the workshop. If a person wishes to submit paper or electronic comments related to the agenda topics or the issues discussed by the panelists at the workshop, such comments should be filed as prescribed in Section IV, and must be received on or before April 6, 2018.

IV. Filing Comments and Requests To Participate as a Panelist

You can file a comment, or request to participate as a panelist, online or on paper. For the Commission to consider your comment, we must receive it on or before April 6, 2018. For the Commission to consider your request to participate as panelist, we must receive it by January 5, 2018. Write "Contact Lens Rule, 16 CFR part 315, Comment, Project No. R511995" on your comment and "Contact Lens Rule, 16 CFR part 315, Request to Participate, Project No. R511995" on your request to participate. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at http://www.ftc.gov/os/public_comments.shtm.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online, or to send them to the Commission by courier or overnight service. To make sure that the Commission considers your online comment, you must file it at <https://ftcpublish.commentworks.com/ftc/contactlensworkshop>, by following the instructions on the web based form. When this Notice appears at <http://www.regulations.gov#!/home>, you also may file a comment through that Web site.

Because your comment will be placed on the publicly accessible FTC Web site at <https://www.ftc.gov>, you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In

particular, your comment should not include any sensitive personal information, such as your or anyone else's Social Security number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any "trade secret or any commercial or financial information which . . . is privileged or confidential"—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled "Confidential," and must comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted on the public FTC Web site—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment from the FTC Web site, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

Requests to participate as a panelist at the workshop should be submitted electronically to contactlensworkshop2018@ftc.gov, or, if mailed, should be submitted in the manner detailed below. Parties are asked to include in their requests a brief statement setting forth their expertise in or knowledge of the issues on which the workshop will focus as well as their contact information, including a telephone number and email address (if available), to enable the FTC to notify them if they are selected.

If you file your comment or request on paper, write "Contact Lens Rule, 16 CFR part 315, Comment, Project No. R511995" on your comment and on the

envelope and "Contact Lens Rule, 16 CFR part 315, Request to Participate, Project No. R511995," on your request and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC-5610 (Annex F), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex F). If possible, submit your paper comment or request to the Commission by courier or overnight service.

Visit the Commission Web site at <http://www.ftc.gov> to read this Notice 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 April 6, 2018. The Commission will consider all timely requests to participate as a panelist in the workshop that it receives by January 5, 2018. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see <https://www.ftc.gov/site-information/privacy-policy>.

V. Communications by Outside Parties to Commissioners or Their Advisors

Written communications and summaries or transcripts of oral communications respecting the merits of this proceeding, from any outside party to any Commissioner or Commissioner's advisor will be placed on the public record. See 16 CFR 1.26(b)(5).

By direction of the Commission.

Donald S. Clark,
Secretary.

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