

germane to the current public notice and comment process. We have referred M/M. Kerz's comment to the FTC's Consumer Response Center for entry into the Consumer Sentinel Network of complaints and related inquiries.

The second commenter, Thomas Dickinson, also filed a comment that is non-germane to the current public notice and comment process. Mr. Dickinson asks the FTC to apply a "monitor" to individuals' home phones that identifies violations of the Do-Not-Call Rule and allows the FTC to take appropriate punitive actions. We have also referred Mr. Dickinson's complaint to the FTC's Consumer Response Center for entry into the Consumer Sentinel Network.

The third commenter, Dave Root, commented that "due process and . . . [his] . . . privacy . . . [would] . . . be harmed by open access to sharing . . . [his] . . . personal info between all government agencies as outlined in this notice." Mr. Root asked if there are "any safeguards against 'political weaponization' without any accountability, by any federal, state or local governmental agency having access to this information." Mr. Root asked for "'teeth' in the rule for anyone . . . that purposefully uses this information incorrectly . . . [meaning] . . . seriously enforced jail time for anyone who fails to act in the investigation and prosecution process."

The revised routine use would not provide "open access" to "all government agencies" but would require that the FTC receive a request from another Federal agency or Federal entity that provides enough supporting information such that the FTC can determine that information from an FTC Privacy Act system or systems is reasonably necessary to assist the recipient agency or entity in (a) responding to a suspected or confirmed breach or (b) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

The Privacy Act specifically provides civil remedies, 5 U.S.C. 552a(g), including damages, and criminal penalties, 5 U.S.C. 552a(i), for violations of the Act. In addition, an individual may be fined up to \$5,000 for knowingly and willfully requesting or gaining access to a record about an individual under false pretenses. 5 U.S.C. 552a(i)(3).

As stated in the **Federal Register** Notice dated May 3, 2018, the FTC

believes that the modified and bifurcated routine use on data breaches is compatible with the collection of information pertaining to individuals affected by a breach, and that the disclosure of such records will help prevent, minimize or remedy a data breach or compromise that may affect such individuals. By contrast, the FTC believes that failure to take reasonable steps to help prevent, minimize or remedy the harm that may result from such a breach or compromise would jeopardize, rather than promote, the privacy of such individuals.

The FTC provided a public comment period and notice to OMB and Congress as required by the Privacy Act and implementing OMB guidelines.<sup>1</sup>

Accordingly, the FTC hereby amends Appendix I of its Privacy Act system notices, as published at 73 FR 33591, by revising item number (22), adding new item number (23), and re-designating the former item number (23) as (24) (without any other change) at the end of the existing routine uses set forth in that Appendix:

\* \* \* \* \*

(22) To appropriate agencies, entities, and persons when (a) the FTC suspects or has confirmed that there has been a breach of the system of records; (b) the FTC has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the FTC (including its information systems, programs, and operations), the Federal Government, or national security; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the FTC's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

(23) To another Federal agency or Federal entity, when the FTC determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (a) responding to a suspected or confirmed breach or (b) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

(24) May be disclosed to FTC contractors, volunteers, interns or other authorized individuals who have a need for the record in order to perform their officially assigned or designated duties for or on behalf of the FTC.

<sup>1</sup> See U.S.C. 552a(e)(11) and 552a(r); OMB Circular A-108 (2016).

#### HISTORY

73 FR 33591-33634 (June 12, 2008).

By direction of the Commission.

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

[FR Doc. 2018-16935 Filed 8-7-18; 8:45 am]

**BILLING CODE 6750-01-P**

#### FEDERAL TRADE COMMISSION

##### Agency Information Collection Activities; Proposed Collection; Comment Request

**AGENCY:** Federal Trade Commission ("FTC" or "Commission").

**ACTION:** Notice.

**SUMMARY:** The FTC intends to ask the Office of Management and Budget ("OMB") to extend for an additional three years the current Paperwork Reduction Act ("PRA") clearance for the information collection requirements in the FTC Red Flags, Card Issuers, and Address Discrepancies Rules<sup>1</sup> ("Rules"). That clearance expires on November 30, 2018.

**DATES:** Comments must be submitted by October 9, 2018.

**ADDRESSES:** Interested parties may file a comment online or on paper by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write "Red Flags Rule, PRA Comment, Project No. P095406" on your comment. File your comment online at <https://ftcpublish.commentworks.com/ftc/RedFlagsPRA> by following the instructions on the web-based form. If you prefer to file your comment on paper, mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC-5610 (Annex J), 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 J), Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be addressed to Mark Eichorn, Assistant Director, Division of Privacy and Identity Protection, Bureau of Consumer Protection, (202) 326-3053, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580.

<sup>1</sup> 16 CFR 681.1 (Duties regarding the detection, prevention, and mitigation of identity theft); 16 CFR 681.2 (Duties of card issuers regarding changes of address); 16 CFR 641.1 (Duties of users of consumer reports regarding address discrepancies).

**SUPPLEMENTARY INFORMATION:****I. Overview of the Rules**

The Red Flags Rule requires financial institutions and certain creditors to develop and implement written Identity Theft Prevention Programs (“Program”). The Card Issuers Rule requires credit and debit card issuers (“card issuers”) to assess the validity of notifications of address changes under certain circumstances. The Address Discrepancy Rule provides guidance on what users of consumer reports must do when they receive a notice of address discrepancy from a nationwide consumer reporting agency (“CRA”). Collectively, these three anti-identity theft provisions are intended to prevent impostors from misusing another person’s personal information for a fraudulent purpose.

The Rules implement sections 114 and 315 of the FACT Act, Public Law 108–159, which amended the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. 1681 *et seq.*, to require businesses to undertake measures to prevent identity theft and increase the accuracy of consumer reports.

Since promulgation of the original Rule, President Obama signed the Red Flag Program Clarification Act of 2010 (“Clarification Act”), which narrowed the definition of “creditor” for purposes of the Red Flags Rule. Specifically, the Clarification Act limits application of the Red Flags Rule to creditors that regularly and in the ordinary course of business: (1) Obtain or use consumer reports, directly or indirectly, in connection with a credit transaction; (2) furnish information to consumer reporting agencies in connection with a credit transaction; or (3) advance funds to or on behalf of a person, based on an obligation of the person to repay the funds or to make repayment from specific property pledged by or on behalf of the person. This third prong does not include a creditor that advances funds on behalf of a person for expenses incidental to a service provided by the creditor to that person.

**II. Description of Collection of Information****A. FACT Act Section 114**

The FTC Red Flags and Card Issuers Rules implement requirements under Section 114 of the FACT Act. The Red Flags Rule requires financial institutions and covered creditors to develop and implement a written Program to detect, prevent, and mitigate identity theft in connection with existing accounts or the opening of new accounts. Under the Rule, financial institutions and certain

creditors must conduct a periodic risk assessment to determine if they maintain “covered accounts.” The Rule defines the term “covered account” as either: (1) A consumer account that is designed to permit multiple payments or transactions, or (2) any other account for which there is a reasonably foreseeable risk of identity theft. Each financial institution and covered creditor that has covered accounts must create a written Program that contains reasonable policies and procedures to identify relevant indicators of the possible existence of identity theft (“red flags”); detect red flags that have been incorporated into the Program; respond appropriately to any red flags that are detected to prevent and mitigate identity theft; and update the Program periodically to ensure it reflects change in risks to customers.

The Red Flags Rule also requires financial institutions and covered creditors to: (1) Obtain approval of the initial written Program by the board of directors; a committee thereof; or, if there is no board, an appropriate senior employee; (2) ensure oversight of the development, implementation, and administration of the Program; and (3) exercise appropriate and effective oversight of service provider arrangements.

In addition, the Card Issuers Rule requires that card issuers generally must assess the validity of change of address notifications. Specifically, if the card issuer receives a notice of change of address for an existing account and, within a short period of time (during at least the first 30 days), receives a request for an additional or replacement card for the same account, the issuer must follow reasonable policies and procedures to assess the validity of the change of address.

**B. FACT Act Section 315**

In implementing section 315 of the FACT Act, the Address Discrepancies Rule requires each user of consumer reports to have reasonable policies and procedures in place to employ when the user receives a notice of address discrepancy from a CRA. Specifically, each user must develop reasonable policies and procedures to: (1) Enable the user to form a reasonable belief that a consumer report relates to the consumer about whom it has requested the report; and (2) in certain circumstances, provide to the CRA from which it received the notice an address for the consumer that the user has reasonably confirmed is accurate.

**II. Burden Estimates**

Under the PRA, 44 U.S.C. 3501–3521, Federal agencies must get OMB approval for each collection of information they conduct or sponsor. “Collection of information” includes agency requests or requirements to submit reports, keep records, or provide information to a third party. 44 U.S.C. 3502(3); 5 CFR 1320.3(c). The figures below reflect FTC staff’s estimates of the hours burden and labor costs to complete the tasks described above that fall within reporting, disclosure, or recordkeeping requirements. FTC staff believes that the Rules impose negligible capital or other non-labor costs, as the affected entities are likely to have the necessary supplies and/or equipment already (*e.g.* offices and computers) for the information collection described herein.

Overall estimated burden hours regarding sections 114 and 315, combined, total 2,296,863 hours and the associated estimated labor costs are \$92,465,982.

**A. FACT Act Section 114****1. Estimated Hours Burden—Red Flags Rule**

As noted above, the Rule requires financial institutions and certain creditors with covered accounts to develop and implement a written Program. Under the FCRA, financial institutions over which the FTC has jurisdiction include state chartered credit unions and certain insurance companies, among other entities.

Although narrowed by the Clarification Act, the definition of “creditor” still covers a broad array of entities, and application of the Rule depends upon an entity’s course of conduct, not its status as a particular type of business. For these reasons, it is difficult to determine precisely the number of creditors subject to the FTC’s jurisdiction. There are numerous small businesses under the FTC’s jurisdiction that may qualify as “creditors,” and there is no formal way to track them. Nonetheless, FTC staff estimates that the Rule’s requirement to have a written Program affects 6,278 financial institutions<sup>2</sup> and 157,585 creditors.<sup>3</sup>

<sup>2</sup> The total number of financial institutions is derived from an analysis of state credit unions and insurers within the FTC’s jurisdiction using 2015 Census data (“County Business Patterns,” U.S.) and other online industry data.

<sup>3</sup> The total number of creditors (157,585) is derived mostly from an analysis of 2015 Census data and industry data for businesses or organizations that market goods and services to consumers or other businesses or organizations subject to the FTC’s jurisdiction, reduced by (1)

To estimate burden hours for the Red Flags Rule under section 114, FTC staff divided affected entities into two categories, based on the nature of their business: (1) Entities that are subject to high risk of identity theft, and (2) entities that are subject to a low risk of identity theft, but have covered accounts that will require them to have a written Program.

#### a. High-Risk Entities

FTC staff estimates that high-risk entities<sup>4</sup> will each require 25 hours to create and implement a written Program, with an annual recurring burden of one hour. FTC staff anticipates that these entities will incorporate into their Program policies and procedures that they likely already have in place. Further, FTC staff estimates that preparation for an annual report will require each high-risk entity four hours initially, with an annual recurring burden of one hour. Finally, FTC staff believes that many of the high-risk entities, as part of their usual and customary business practice, already take steps to minimize losses due to fraud, including conducting employee training. Accordingly, only relevant staff need be trained to implement the Program: for example, staff already trained as part of a covered entity's anti-fraud prevention efforts do not need to be re-trained. FTC staff estimates that training connected with the implementation of a Program of a high-risk entity will require four hours, and annual training thereafter will require one hour.

Thus, estimated hours for high-risk entities are as follows:

- 94,052 high-risk entities subject to the FTC's jurisdiction at an average annual burden of 13 hours per entity [average annual burden over 3-year clearance period for creation and implementation of a Program ((25 + 1 + 1) hours/3), plus average annual burden over 3-year clearance period for staff training ((4 + 1 + 1) hours/3), plus average annual burden over 3-year clearance period for preparing an annual report ((4 + 1 + 1) hours/3)], for a total of 1,222,676 hours.

entities not likely to obtain credit reports, report credit transactions, or advance loans; and (2) entities not likely to have covered accounts under the Rule.

<sup>4</sup> High-risk entities include, for example, financial institutions within the FTC's jurisdiction and utilities, motor vehicle dealerships, telecommunications firms, colleges and universities, and hospitals.

#### b. Low-Risk Entities

Entities that have a minimal risk of identity theft,<sup>5</sup> but that have covered accounts, must develop a Program; however, they likely will only need a streamlined Program. FTC staff estimates that such entities will require one hour to create such a Program, with an annual recurring burden of five minutes. Training staff of low-risk entities to be attentive to future risks of identity theft should require no more than 10 minutes in an initial year, with an annual recurring burden of five minutes. FTC staff further estimates that these entities will require, initially, 10 minutes to prepare an annual report, with an annual recurring burden of five minutes.

Thus, the estimated hours burden for low-risk entities is as follows:

- 63,533 low risk entities that have covered account subject to the FTC's jurisdiction at an average annual burden of approximately 37 minutes per entity [average annual burden over 3-year clearance period for creation and implementation of streamlined Program ((60 + 5 + 5) minutes/3), plus average annual burden over 3-year clearance period for staff training ((10 + 5 + 5) minutes/3), plus average annual burden over 3-year clearance period for preparing annual report ((10 + 5 + 5) minutes/3)], for a total of 39,179 hours.

#### 2. Estimated Hours Burden—Card Issuers Rule

As noted above, section 114 also requires financial institutions and covered creditors that issue credit or debit cards to establish policies and procedures to assess the validity of a change of address request, including notifying the cardholder or using another means of assessing the validity of the change of address.

- FTC staff estimates that the Rule affects as many as 16,742<sup>6</sup> card issuers within the FTC's jurisdiction. FTC staff believes that most of these card issuers already have automated the process of notifying the cardholder or are using another means to assess the validity of the change of address, such that implementation will pose no further burden. Nevertheless, taking a conservative approach, FTC staff estimates that it will take each card

<sup>5</sup> Low-risk entities include, for example, public warehouse and storage firms, nursing and residential care facilities, automotive equipment rental and leasing firms, office supplies and stationery stores, fuel dealers, and financial transaction processing firms.

<sup>6</sup> Card issuers within the FTC's jurisdiction include, for example, state credit unions, general retail merchandise stores, colleges and universities, and telecoms.

issuer 4 hours to develop and implement policy and procedures to assess the validity of a change of address request for a total burden of 66,968 hours.

Thus, the total average annual estimated burden for Section 114 is 1,328,823 hours.

#### 3. Estimated Cost Burden—Red Flags and Card Issuers Rules

The FTC staff estimates labor costs by applying appropriate estimated hourly cost figures to the burden hours described above. It is difficult to calculate with precision the labor costs associated with compliance with the Rule, as they entail varying compensation levels of management (e.g., administrative services, computer and information systems, training and development) and/or technical staff (e.g., computer support specialists, systems analysts, network and computer systems administrators) among companies of different sizes. FTC staff assumes that for all entities, professional technical personnel and/or management personnel will create and implement the Program, prepare the annual report, and train employees, at an hourly rate of \$49.<sup>7</sup>

Based on the above estimates and assumptions, the total annual labor costs for all categories of covered entities under the Red Flags and Card Issuers Rules for Section 114 is \$65,112,327 (1,328,823 hours × \$49).

#### B. FACT Act Section 315—The Address Discrepancy Rule

As discussed above, the Rule's implementation of Section 315 provides guidance on reasonable policies and procedures that a user of consumer reports must employ when a user receives a notice of address discrepancy from a CRA. Given the broad scope of users of consumer reports, it is difficult to determine with precision the number of users of consumer reports that are subject to the FTC's jurisdiction. As noted above, there are numerous small businesses under the FTC's jurisdiction, and there is no formal way to track them; moreover, as a whole, the entities under the FTC's jurisdiction are so

<sup>7</sup> This estimate is based on mean hourly wages found at <http://www.bls.gov/news.release/ocwage.t01.htm>, "Occupational Employment and Wages Summary—May 2017," U.S. Department of Labor, Table 1, released March 30, 2018 ("National employment and wage data from the Occupational Employment Statistics survey by occupation, May 2017") for the various managerial and technical staff support exemplified above (administrative service managers, computer & information systems managers, training & development managers, computer systems analysts, network & computer systems administrators, and computer support specialists).

varied that there are no general sources that provide a record of their existence. Nonetheless, FTC staff estimates that the Rule's implementation of section 315 affects approximately 1,967,161 users of consumer reports subject to the FTC's jurisdiction.<sup>8</sup> Commission staff estimates that approximately 10,000 of these users will receive notice of a discrepancy, in the course of their usual and customary business practices, and thereby have to furnish to CRAs an address confirmation.<sup>9</sup>

For section 315, as detailed below, FTC staff estimates that the average annual burden during the three-year period for which OMB clearance is sought will be 919,678 hours with an associated labor cost of \$17,473,882.

#### 1. Estimated Hours Burden

Prior to enactment of the Address Discrepancy Rule, users of consumer reports could compare the address on a consumer report to the address provided by the consumer and discern for themselves any discrepancy. As a result, FTC staff believes that many users of consumer reports have developed methods of reconciling address discrepancies, and the following estimates represent the incremental amount of time users of consumer reports may require to develop and comply with the policies and procedures for when they receive a notice of address discrepancy.

##### a. Customer Verification

Given the varied nature of the entities under the FTC's jurisdiction, it is difficult to determine precisely the appropriate burden estimates. Nonetheless, FTC staff estimates that it would require an infrequent user of consumer reports no more than 16 minutes to develop and comply with the policies and procedures that it will employ when it receives a notice of address discrepancy, while a frequent user might require one hour. Similarly, FTC staff estimates that, during the remaining two years of clearance, it may take an infrequent user no more than one minute to comply with the policies and procedures it will employ when it receives a notice of address discrepancy, while a frequent user might require 45

minutes. Taking into account these extremes, FTC staff estimates that, during the first year, it will take users of consumer reports under the FTC's jurisdiction an average of 38 minutes [the midrange between 16 minutes and 60 minutes] to develop and comply with the policies and procedures that they will employ when they receive a notice of address discrepancy. FTC staff also estimates that the average recurring burden for users of consumer reports to comply with the Rule will be 23 minutes [the midrange between one minute and 45 minutes].

Thus, for these 1,967,167 entities, the average annual burden for each of them to perform these collective tasks will be 28 minutes  $[(38 + 23 + 23) \div 3]$ ; cumulatively, 918,011 hours.

##### b. Address Verification

For the estimated 10,000 users of consumer reports that will additionally have to furnish to CRAs an address confirmation upon notice of a discrepancy, staff estimates that these entities will require, initially, 30 minutes to develop related policies and procedures. But, these 10,000 affected entities likely will have automated the process of furnishing the correct address in the first year of a three-year PRA clearance cycle. Thus, allowing for 30 minutes in the first year, with no annual recurring burden in the second and third years of clearance, yields an average annual burden of 10 minutes per entity to furnish a correct address to a CRA, for a total of 1,667 hours.

#### 2. Estimated Cost Burden

FTC staff assumes that the policies and procedures for compliance with the address discrepancy part of the Rule will be set up by administrative support personnel at an hourly rate of \$19.<sup>10</sup> Based on the above estimates and assumptions, the total annual labor cost for the two categories of burden under section 315 is \$17,473,882.

#### C. Burden Totals for FACT Act Sections 114 and 315

Cumulatively, then, estimated burden is 2,246,834 hours (1,328,823 hours for section 114 and 918,011 hours for section 315) and \$82,586,209 (\$65,112,327 and \$17,473,882) in associated labor costs.

#### IV. Request for Comment

Pursuant to Section 3506(c)(2)(A) of the PRA, the FTC invites comments on: (1) Whether the disclosure requirements are necessary, including whether the information will be practically useful; (2) the accuracy of our burden estimates, including whether the methodology and assumptions used are useful; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of providing the required information to consumers.

You can file a comment online or on paper. For the FTC to consider your comment, we must receive it on or before October 9, 2018. Write: "Red Flags Rule, PRA Comment, Project No. P095406" on your comment. 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 website, at <http://www.ftc.gov/os/publiccomments.shtm>. As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission website.

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://ftcpublic.commentworks.com/ftc/RedFlagsPRA> 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 website.

If you file your comment on paper, write "Red Flags Rule PRA, Project No. P095406" on your comment and on the envelope, and mail it to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC-5610 (Annex J), 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 J), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Because your comment will be placed on the publicly accessible FTC website at <https://www.ftc.gov/>, you are solely responsible for making sure that your

<sup>8</sup> This estimate is derived from an analysis of Census databases of U.S. businesses based on NAICS codes for businesses in industries that typically use consumer reports from CRAs described in the Rule, which total 1,967,161 users of consumer reports subject to the FTC's jurisdiction.

<sup>9</sup> Report to Congress Under Sections 318 and 319 of the Fair and Accurate Credit Transactions of 2003, Federal Trade Commission, 80 (Dec. 2004) available at <http://www.ftc.gov/reports/facta/041209factrpt.pdf>.

<sup>10</sup> This estimate—rounded to the nearest dollar—is based on mean hourly wages for all management occupations found within the "Bureau of Labor Statistics, Economic News Release," March 30, 2018, Table 1, "National employment and wage data from the Occupational Employment Statistics survey by occupation, May 2017." <http://www.bls.gov/news.release/ocwage.t01.htm>.

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 website—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment from the FTC website, 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.

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 October 9, 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>.

**Heather Hipsley,**

*Acting Principal Deputy General Counsel.*

[FR Doc. 2018-16936 Filed 8-7-18; 8:45 am]

**BILLING CODE 6750-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

[30Day-18-1072]

#### Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled Enhanced STD surveillance Network (SSuN) to the Office of Management and Budget (OMB) for review and approval. CDC previously published a "Proposed Data Collection Submitted for Public Comment and Recommendations" notice on March, 15, 2018 to obtain comments from the public and affected agencies. CDC received 37 comments related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy

of the information collection plan and instruments, call (404) 639-7570 or send an email to [omb@cdc.gov](mailto:omb@cdc.gov). Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395-5806. Provide written comments within 30 days of notice publication.

#### Proposed Project

Enhanced STD surveillance Network (SSuN)—Reinstatement with Change—Division of STD Prevention (DSTDP), National Center for HIV/AIDS, Viral Hepatitis, STD, and TB prevention (NCHHSTP), Centers for Disease Control and Prevention (CDC).

#### Background and Brief Description

The Enhanced STD surveillance network project was created to provide enhanced behavioral, demographic, and clinical information on gonorrhea cases reported to state and local health departments, to provide information on patients presenting for care in STD clinical settings, and to provide an infrastructure for identifying emerging sequelae of STDs.

Enhanced SSuN continues to be a collaboration between different branches of the CDC Division of STD Prevention and selected state/local public health departments and their associated STD specialty care clinics in the US. Data from enhanced SSuN data is used to (1) provide a dataset of supplemental information on gonorrhea case reports; (2) provide geographic information on case reports of STDs of interest for investigating social determinants of STDs, (3) monitor STD screening, incidence, prevalence, epidemiologic and health care access trends in populations of interest, (4) monitor STD treatment and prevention service practices, and (5) monitor selected adverse health outcomes of STDs, including neuro/ocular syphilis.

This project will continue to utilize two distinct surveillance strategies to collect information. The first strategy employs facility-based sentinel surveillance, which will abstract routine standardized data from existing electronic medical records for all patient visits to participating STD clinics during the project period. For the facility-based component of enhanced SSuN, participating sites have developed common protocols stipulating data elements to be collected, including patient demographics, clinical, risk and sexual behaviors. The specified data elements are abstracted by clinic staff from