

## REGULATORY REVIEW MODIFIED TEN-YEAR SCHEDULE—Continued

| 16 CFR part | Topic  | Year to initiate review |
|-------------|--|-------------------------|
| 318         | Health Breach Notification Rule  | 2020.                   |
| 432         | Power Output Claims for Amplifiers Utilized in Home Entertainment Products                           | 2020.                   |
| 640         | Duties of Creditors Regarding Risk-Based Pricing   | 2020.                   |
| 641         | Duties of Users of Consumer Reports Regarding Address Discrepancies                                  | 2020.                   |
| 642         | Prescreen Opt-Out Notice   | 2020.                   |
| 660         | Duties of Furnishers of Information to Consumer Reporting Agencies                                   | 2020.                   |
| 680         | Affiliate Marketing  | 2020.                   |
| 698         | Model Forms and Disclosures  | 2020.                   |
| 801         | [Hart-Scott-Rodino Antitrust Improvements Act] Coverage Rules  | 2020.                   |
| 802         | [Hart-Scott-Rodino Antitrust Improvements Act] Exemption Rules                                       | 2020.                   |
| 803         | [Hart-Scott-Rodino Antitrust Improvements Act] Transmittal Rules                                     | 2020.                   |
| 437         | Business Opportunity Rule  | 2021.                   |
| 233         | Guides Against Deceptive Pricing   | 2022.                   |
| 238         | Guides Against Bait Advertising  | 2022.                   |
| 251         | Guide Concerning Use of the Word “Free” and Similar Representations                                  | 2022.                   |
| 260         | Guides for the Use of Environmental Marketing Claims   | 2022.                   |
| 254         | Guides for Private Vocational and Distance Education Schools   | 2023.                   |
| 309         | Labeling Requirements for Alternative Fuels and Alternative Fueled Vehicles                          | 2023.                   |
| 429         | Rule Concerning Cooling-Off Period for Sales Made at Homes or at Certain Other Locations             | 2023.                   |
| 20          | Guides for the Rebuilt, Reconditioned, and Other Used Automobile Parts Industry                      | 2024.                   |
| 240         | Guides for Advertising Allowances and Other Merchandising Payments and Services [Fred Meyer Guides]. | 2024.                   |
| 300         | Rules and Regulations under the Wool Products Labeling Act of 1939                                   | 2024.                   |
| 301         | Rules and Regulations under Fur Products Labeling Act  | 2024.                   |
| 303         | Rules and Regulations under the Textile Fiber Products Identification Act                            | 2024.                   |
| 425         | Use of Prenotification Negative Option Plans   | 2024.                   |
| 435         | Mail, Internet, or Telephone Order Merchandise   | 2024.                   |
| 424         | Retail Food Store Advertising and Marketing Practices [Unavailability Rule]                          | 2024.                   |
| 239         | Guides for the Advertising of Warranties and Guarantees  | 2025.                   |
| 306         | Automotive Fuel Ratings, Certification and Posting   | 2025.                   |
| 305         | Energy Labeling Rule   | 2025.                   |
| 444         | Credit Practices   | 2025.                   |
| 500         | Regulations under Section 4 of the Fair Packaging and Labeling Act                                   | 2025.                   |
| 501         | Exemptions from Requirements and Prohibitions under Part 500   | 2025.                   |
| 502         | Regulations under Section 5(c) of the Fair Packaging and Labeling Act                                | 2025.                   |
| 503         | Statements of General Policy or Interpretation [under the Fair Packaging and Labeling Act]           | 2025.                   |
| 700         | Interpretations of Magnuson-Moss Warranty Act  | 2025.                   |
| 701         | Disclosure of Written Consumer Product Warranty Terms and Conditions                                 | 2025.                   |
| 702         | Pre-Sale Availability of Written Warranty Terms  | 2025.                   |
| 703         | Informal Dispute Settlement Procedures   | 2025.                   |
| 304         | Rules and Regulations under the Hobby Protection Act   | 2026.                   |
| 455         | Used Motor Vehicle Trade Regulation Rule   | 2026.                   |
| 259         | Guide Concerning Fuel Economy Advertising for New Automobiles  | 2027.                   |
| 682         | Disposal of Consumer Report Information and Records  | 2027.                   |
| 23          | Guides for the Jewelry, Precious Metals, and Pewter Industries                                       | 2028.                   |
| 311         | Test Procedures and Labeling Standards for Recycled Oil  | 2028.                   |
| 460         | Labeling and Advertising of Home Insulation  | 2028.                   |
| 316         | CAN-SPAM Rule  | 2029.                   |
| 433         | Preservation of Consumers’ Claims and Defenses [Holder in Due Course Rule]                           | 2029.                   |

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 133**

[Docket No. FDA-2008-P-0086]

**Cheeses and Related Cheese Products; Proposal To Permit the Use of Ultrafiltered Milk; Reopening the Comment Period****AGENCY:** Food and Drug Administration, HHS.**ACTION:** Proposed rule; reopening of the comment period.

**SUMMARY:** The Food and Drug Administration (FDA or we) is reopening the comment period for the proposed rule, published in the **Federal Register** of October 19, 2005, entitled “Cheeses and Related Cheese Products; Proposal to Permit the Use of Ultrafiltered Milk.” The proposed rule would amend our regulations to provide for the use of fluid ultrafiltered (UF) milk in the manufacture of standardized cheeses and related cheese products. FDA is reopening the comment period to update comments and to receive any new information.

**DATES:** FDA is reopening the comment period on the proposed rule published on October 19, 2005 (70 FR 60751), for

which we had reopened the comment period as recently as December 30, 2019 (84 FR 71834). The reopened comment period ended on March 30, 2020.

Through this document, we are reopening the comment period again. Submit either electronic or written comments by August 13, 2020.

**ADDRESSES:** You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before August 13, 2020. The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of August 13, 2020. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

#### Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see "Written/Paper Submissions" and "Instructions").

#### Written/Paper Submissions

Submit written/paper submissions as follows:

- **Mail/Hand delivery/Courier (for written/paper submissions):** Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and

identified, as confidential, if submitted as detailed in "Instructions."

**Instructions:** All submissions received must include the Docket No. FDA-2008-P-0086 for "Cheeses and Related Cheese Products; Proposal to Permit the Use of Ultrafiltered Milk." Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as "Confidential Submissions," publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states "THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION." We will review this copy, including the claimed confidential information, in our consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as "confidential." Any information marked as "confidential" will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

**Docket:** For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Jessie Zhao, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-2371.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of October 19, 2005, we proposed to amend our regulations to provide for the use of fluid UF milk in the manufacture of standardized cheeses and related cheese products. Specifically, the proposed rule, if finalized, for standardized cheeses and related cheese products, would: (1) Amend the definitions of "milk" and "nonfat milk" in § 133.3 (21 CFR 133.3) to provide for ultrafiltration of milk and nonfat milk and (2) define ultrafiltered milk and ultrafiltered nonfat milk in § 133.3 as raw or pasteurized milk or nonfat milk that is passed over one or more semipermeable membranes to partially remove water, lactose, minerals, and water-soluble vitamins without altering the casein-to-whey protein ratio of the milk or nonfat milk and resulting in a liquid product. FDA also proposed that the name of such treated milk be "ultrafiltered milk" or "ultrafiltered nonfat milk," as appropriate. Consequently, when this type of milk is used, it would be declared in the ingredient statement of the finished food as "ultrafiltered milk" or "ultrafiltered nonfat milk."

This proposal was issued in response to citizen petitions from the American Dairy Products Institute and the National Cheese Institute, the Grocery Manufacturers of America, Inc., and the National Food Processors Association. Interested persons were originally given until January 17, 2006, to comment. We subsequently reopened the comment period to seek further comment on two specific issues raised by the comments concerning the proposed ingredient declaration (72 FR 70251, December 11, 2007); the reopened comment period was scheduled to end on February 11, 2008. In the **Federal Register** of February 11, 2008 (73 FR 7692), we extended the comment period until April 11, 2008.

In the **Federal Register** of August 14, 2017 (82 FR 37815), we announced the availability of a guidance for industry entitled "Ultrafiltered Milk in the Production of Standardized Cheeses and Related Cheese Products." In the guidance, we notified manufacturers who wish to use UF milk or UF nonfat milk in the production of standardized cheeses and related cheese products of our intent to exercise enforcement discretion regarding the use of fluid UF milk and fluid UF nonfat milk in the production of standardized cheeses and related cheese products, provided that the physical, chemical, and organoleptic properties of the cheese or cheese product are not affected. We also stated our intent to exercise enforcement discretion with respect to the labeling of

fluid UF milk and fluid UF nonfat milk in recognition of the costs and logistics involved in label changes; however, we encouraged industry to identify these ingredients as “ultrafiltered milk” and “ultrafiltered nonfat milk” to the extent feasible and appropriate. We further explained that we intend to exercise enforcement discretion until we have completed a rulemaking process amending our regulations with respect to the issues covered by the guidance or announced our determination not to proceed with such a rulemaking.

In the **Federal Register** of December 30, 2019, we announced another reopening of the comment period to receive information and further comment on current industry practices regarding the use of fluid UF milk and fluid UF nonfat milk in the manufacture of standardized cheeses and related cheese products, and the declaration of fluid UF milk and fluid UF nonfat milk when used as ingredients in standardized cheeses and related cheese products. The reopened comment period ended on March 30, 2020.

Following publication of the December 30, 2019, document reopening the comment period for the proposed rule, we received requests to allow interested persons additional time to comment. In conjunction with the requests, we are providing an additional 120 days for persons to respond fully to FDA’s specific requests for comments and to allow potential respondents to thoroughly evaluate and address pertinent issues. Therefore, we are reopening the comment period until August 13, 2020.

Dated: April 7, 2020.

**Lowell J. Schiller,**

*Principal Associate Commissioner for Policy.*

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 68

[Docket No. DOD-2019-OS-0076]

RIN 0790-AJ95

#### Voluntary Education Programs

**AGENCY:** Office of the Under Secretary of Defense for Personnel and Readiness, DoD.

**ACTION:** Proposed rule; amendment.

**SUMMARY:** To ensure equity of student counseling options available to educational institutions, the Department

of Defense (DoD) is proposing to amend its Voluntary Education Programs regulation to cite current law and to remove the requirement that an educational institution must have a DoD installation student population of at least 20 military students before it can be authorized access on a DoD installation that is not overseas.

**DATES:** Comments must be received on or before May 15, 2020.

**ADDRESSES:** You may submit comments, identified by docket number and/or Regulatory Information Number (RIN) number and title, by any of the following methods:

- *Federal Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Chief Management Officer, Directorate for Oversight and Compliance, 4800 Mark Center Drive, Mailbox #24, Suite 08D09, Alexandria, VA 22350-1700.

*Instructions:* All submissions received must include the agency name and docket number or RIN for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** Gary Schaub, 703-614-6414.

#### **SUPPLEMENTARY INFORMATION:**

##### **Executive Summary**

##### **Purpose of the Rule**

The Office of the Under Secretary of Defense for Personnel and Readiness provides policy and oversight of DoD’s Voluntary Education (VolEd) Program, including the Tuition Assistance (TA) program. The VolEd program is authorized in 10 U.S.C. 2006a and 2007, and DoD policy is in DoD Instruction 1322.25, “Voluntary Education Programs” (last updated on July 7, 2014 and available at <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/132225p.pdf>). The requirements for educational institutions, that each institution must sign, are provided in the companion DoD VolEd Partnership Memorandum of Understanding (MOU) (available in DoD Instruction 1322.25, Appendix to Enclosure 3; further information available at <https://www.dodmou.com/>). For the purposes of this part, an educational institution is defined as “a college, university, or other institution of higher education.”

In accordance with the current regulation and DoD MOU, educational institutions must have a domestic DoD installation student population of at least 20 military students to request permission for access to a DoD installation that is not overseas. The policy does not apply to overseas DoD installations. Numerous institutions, using both private and public forums, have contacted the Office of the Deputy Assistant Secretary of Defense for Force Education and Training to communicate their concern over this policy inequity. The specific inequity is that currently all participating educational institutions do not have face-to-face counseling access. DoD determined that action was needed to rectify this policy inequity so that DoD policy is consistent and equitable, regardless of the type of educational institution or student population size.

Currently, 1,339 institutions of the approximately 2,700 DoD MOU educational institutions have between 1 and 19 students, meaning that they have no options for face-to-face counseling on military installations. Most institutions operating under this MOU manage their student counseling by virtual means. Removal of the 20-student requirement will ensure equity of student counseling options for all DoD MOU educational institutions. Adding a face-to-face option could change institutional processes to reflect travel or setting up local offices. However, any such process change would be entirely optional on the part of the educational institution. Acknowledging that the size of the military installation may directly impact the number of students enrolled with a given educational institution, this change will also ensure that educational institutions have the opportunity to provide equal services to all Service members, including those assigned to smaller or more remote military installations.

Accordingly, this rule proposes to amend 32 CFR part 68 (last updated on May 15, 2014 at 79 FR 27737) to remove the 20 student requirement and allow educational institutions to provide academic services at DoD installations, regardless of the number of military students enrolled at that installation.

The number of additional schools availing themselves of on-base access as a result of the proposed change is predicted to be small, as more than 80 percent of Service members receiving TA attend the 25 largest DoD MOU schools, many of which are already afforded access to military installations under the current rule. This policy change ensures that every DoD MOU educational institution is treated