

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

5 CFR Part 1651

Aged Beneficiary Designation Forms

AGENCY: Federal Retirement Thrift Investment Board.

ACTION: Proposed rule with request for comments.

SUMMARY: The Federal Retirement Thrift Investment Board (Agency) proposes to amend its regulations to provide that a beneficiary designation form is valid only if it is received by the TSP record-keeper not more than one year after date of the participant's signature.

DATES: Comments must be received on or before October 21, 2013.

ADDRESSES: You may submit comments using one of the following methods:

- *Mail:* Office of General Counsel, James B. Petrick, Federal Retirement Thrift Investment Board, 77 K Street NE., Washington, DC 20002.
- *Hand Delivery/Courier:* The address for sending comments by hand delivery or courier is the same as that for submitting comments by mail.
- *Facsimile:* Comments may be submitted by facsimile at (202) 942-1676.

FOR FURTHER INFORMATION CONTACT: Laurissa Stokes at 202-942-1645.

SUPPLEMENTARY INFORMATION: The Agency administers the Thrift Savings Plan (TSP), which was established by the Federal Employees' Retirement System Act of 1986 (FERSA), Public Law 99-335, 100 Stat. 514. The TSP provisions of FERSA are codified, as amended, largely at 5 U.S.C. 8351 and 8401-79. The TSP is a tax-deferred retirement savings plan for Federal civilian employees and members of the uniformed services. The TSP is similar to cash or deferred arrangements established for private-sector employees under section 401(k) of the Internal Revenue Code (26 U.S.C. 401(k)).

Background

Prior to 1995, active Federal employees submitted TSP beneficiary designation forms to the personnel office at their employing agency. Upon a participant's death or separation from service, the employing agency would forward the participant's beneficiary designation form to the TSP record-keeper.

Beginning on January 1, 1995, the Agency required all TSP participants to mail or fax beneficiary designation forms directly to the TSP record-keeper. In addition to requiring all participants to submit beneficiary designation forms directly to the TSP record-keeper, the new policy of direct receipt by the TSP record-keeper required employing agencies to search their personnel records and forward all beneficiary designation forms then in their possession to the TSP record-keeper immediately. The TSP communicated the new policy in two bulletins sent to agency representatives and in three separate mailings sent directly to participants.

The TSP codified the policy of direct receipt by the TSP record-keeper in regulations on June 13, 1997 (62 FR 32426). All beneficiary designation forms in an employing agency's possession should have been forwarded to the TSP record-keeper before June 13, 1997. Nevertheless, employing agencies continue to forward to the TSP record-keeper beneficiary designation forms that are sometimes decades old.

These aged forms often do not reflect the participant's current intent. Under the current regulations, if otherwise valid, the Agency must honor these aged forms, and when the Agency processes these forms, participants often become confused and believe their accounts have been accessed fraudulently. Further, if a participant passes away after the Agency has received an aged beneficiary designation form but prior to clarifying his/her current intent, the Agency must honor the old form even though it does not reflect the participant's intent.

The Agency, therefore, proposes to amend its regulations to provide that a beneficiary designation form is valid only if it is received by the TSP record-keeper not more than 365 calendar days after the date of the participant's signature on the form.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities. This regulation will affect Federal employees and members of the uniformed services who participate in the Thrift Savings Plan, which is a Federal defined contribution retirement savings plan created under the Federal Employees' Retirement System Act of 1986 (FERSA), Public Law 99-335, 100 Stat. 514, and which is administered by the Agency.

Paperwork Reduction Act

I certify that these regulations do not require additional reporting under the criteria of the Paperwork Reduction Act.

Unfunded Mandates Reform Act of 1995

Pursuant to the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 602, 632, 653, 1501-1571, the effects of this regulation on state, local, and tribal governments and the private sector have been assessed. This regulation will not compel the expenditure in any one year of \$100 million or more by state, local, and tribal governments, in the aggregate, or by the private sector. Therefore, a statement under section 1532 is not required.

List of Subjects in 5 CFR Part 1651

Claims, Government employees, Pensions, Retirement.

Gregory T. Long,

Executive Director, Federal Retirement Thrift Investment Board.

For the reasons stated in the preamble, the Agency proposes to amend 5 CFR chapter VI as follows:

PART 1651—DEATH BENEFITS

- 1. The authority citation for part 1651 continues to read as follows:

Authority: 5 U.S.C. 8424(d), 8432d, 8432(j), 8433(e), 8435(c)(2), 8474(b)(5) and 8474(c)(1).

- 2. Amend § 1651.3 by amending paragraph (c)(6) to remove “and”, by amending paragraph (c)(7) to remove the period and add “; and”, by amending paragraph (c)(8) to remove the period and add “; and”, and by adding paragraph (c)(9) to read as follows:

§ 1651.3 Designation of beneficiary.

* * * * *
(c) * * *

(9) Be received by the TSP record-keeper not more than 365 calendar days after the date of the participant's signature.

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[FR Doc. 2013-22894 Filed 9-19-13; 8:45 am]

BILLING CODE 6760-01-P

FEDERAL TRADE COMMISSION

16 CFR Part 300

RIN 3084-AB29

Rules and Regulations Under the Wool Products Labeling Act of 1939

AGENCY: Federal Trade Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: Based on comments received in response to its Advance Notice of Proposed Rulemaking, the Federal Trade Commission (the "Commission" or "FTC") proposes amending its rules and regulations under the Wool Products Labeling Act of 1939 ("Wool Rules" or "Rules") to: conform to the requirements of the Wool Suit Fabric Labeling Fairness and International Standards Conforming Act, which revised the labeling requirements for cashmere and certain other wool products; and align with the proposed amended rules and regulations under the Textile Fiber Products Identification Act ("Textile Rules"). The Commission seeks comment on these proposals and several other issues.

DATES: Written comments must be received on or before November 25, 2013.

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 "Wool Rules, 16 CFR Part 300, Project No. P124201" on your comment, and file your comment online at <https://ftcpublic.commentworks.com/ftc/woolrulesnprm> by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H-113 (Annex Q), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Robert M. Frisby, Attorney, (202) 326-2098, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

I. Introduction

The Wool Products Labeling Act of 1939 ("Wool Act")¹ and Rules² require marketers to, among other things, attach a label to each covered wool product disclosing: (1) The percentages by weight of the wool, recycled wool, and other fibers accounting for 5% or more of the product, and the aggregate of all other fibers; (2) the maximum percentage of the total weight of the wool product of any non-fibrous matter; (3) the name under which the manufacturer or other responsible company does business or, in lieu thereof, the registered identification number ("RN number") of such company;³ and (4) the name of the country where the wool product was processed or manufactured.⁴ As part of its ongoing regulatory review program, the Commission published an Advance Notice of Proposed Rulemaking and Request for Public Comment ("ANPR") in January 2012⁵ seeking comment on the economic impact of, and the continuing need for, the Wool Rules. The ANPR sought comment generally on the Rules' benefits to consumers and burdens on businesses. It also asked about specific issues, including how to modify the Rules to implement the Wool Suit Fabric Labeling Fairness and International Standards Conforming Act ("Conforming Act"),⁶ and the costs and benefits of certain provisions of the Wool Act.

This Notice of Proposed Rulemaking ("NPRM") summarizes the comments received and explains the Commission's decision to retain the Wool Rules. It also explains why the Commission proposes certain amendments and why it declines to propose others. Additionally, it poses questions soliciting comment. Finally, the NPRM sets forth the Commission's regulatory analyses under the

¹ 15 U.S.C. 68-68j.

² Commission's Rules and Regulations under the Wool Products Labeling Act, 16 CFR part 300, which implement the Wool Act.

³ Prior to issuing this NPRM, the Commission's staff provided guidance stating that a business located outside the United States can comply with the business name label disclosure requirement by disclosing the business name of the wool product manufacturer or the RN number or business name of a company in the United States that is directly involved with importing, distributing, or selling the product. For clarity, the Commission notes here that a business located outside the United States that engages in commerce subject to the Act (e.g., an exporter engaged in the sale, offering for sale, advertising, delivery, or transportation of a covered wool product in the United States) may also comply with this requirement by disclosing its own business name on the label. See 15 U.S.C. 68a and 68b(a)(2)(C) and 16 CFR 300.3.

⁴ 15 U.S.C. 68b(a).

⁵ 77 FR 4498 (January 30, 2012).

⁶ Public Law 109-428, 120 Stat. 2913.

Regulatory Flexibility and Paperwork Reduction Acts, as well as the text of the proposed amendments.

II. Summary of Comments

The Commission received six comments⁷ in response to its ANPR: three from individuals;⁸ one from the Bureau Veritas CPS;⁹ one from the American Apparel & Footwear Association ("AAFA");¹⁰ and a Joint Comment from five textile industry associations ("Joint Comment").¹¹ In addition, the Commission has decided to consider a comment filed in the ongoing Textile Rulemaking because it raises issues relevant to the Wool Rules.¹²

A. General Comments

A number of commenters expressed general support for the Rules, citing their benefits or identifying deceptive practices that they address.¹³ For example, the Joint Comment noted a Cashmere and Camel Hair Manufacturers Institute study finding that, between 2004 and 2009, false labeling of cashmere and other superfine wool had decreased.¹⁴

Several commenters, however, urged modification of the Rules. One suggested that the Commission remind firms "that they are responsible for carrying out all necessary tests concerning the raw material and its processing if they want to be sure of the quality, correct labeling, and compliance with the Rules."¹⁵ Another advocated facilitating greater use of multi-lingual labeling without proposing any specific amendments.¹⁶

Two commenters favored harmonizing the regulation of wool and other textile products. One noted that having separate Textile and Wool Acts "leads to confusion and redundancy for U.S. companies."¹⁷ Another advocated

⁷ The comments are posted at <http://www.ftc.gov/os/comments/woolanpr/index.shtml>. The Commission has assigned each comment a number appearing after the name of the commenter and the date of submission. This notice cites comments using the last name of the individual submitter or the name of the organization, followed by the number assigned by the Commission.

⁸ Anderson (6), Miller (7), Slavitt (4).

⁹ Hargrave, Bureau Veritas (2).

¹⁰ American Apparel & Footwear Association (5).

¹¹ American Manufacturing Trade Action Coalition, American Sheep Industry Association, Cashmere and Camel Hair Manufacturers Institute, the National Council of Textile Organizations, and the National Textile Association (3).

¹² Varley (3), available at <http://www.ftc.gov/os/comments/textilerulesanpr/index.shtml>.

¹³ AAFA (5), Anderson (6); Joint Comment (3).

¹⁴ Joint Comment (3).

¹⁵ *Id.*

¹⁶ Miller (7).

¹⁷ AAFA (5).