

**FEDERAL TRADE COMMISSION**

**16 CFR Chapter I**

**Regulatory Review Schedule**

**AGENCY:** Federal Trade Commission.

**ACTION:** Notification of intent to request public comments.

**SUMMARY:** As part of its ongoing, systematic review of all Federal Trade Commission rules and guides, the Commission announces a modified ten-year regulatory review schedule. No Commission determination on the need for, or the substance of, the rules and guides listed below should be inferred from this notification.

**DATES:** July 2, 2021.

**ADDRESSES:** Copies of this document are available on the Commission’s website, [www.ftc.gov](http://www.ftc.gov).

**FOR FURTHER INFORMATION CONTACT:**

Further details about particular rules or guides may be obtained from the contact person listed below for the rule or guide. For information about this document, please contact Jock Chung (202–326–2984), Federal Trade Commission, Bureau of Consumer Protection, Division of Enforcement, 600 Pennsylvania Avenue NW, Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** To ensure its rules and industry guides remain relevant and not unduly burdensome, the Commission reviews them on a ten-year schedule. Each year the Commission publishes its review schedule, with adjustments made in response to public input, changes in the marketplace, and resource demands.

When the Commission reviews a rule or guide, it publishes a notice in the **Federal Register** seeking public comment on the continuing need for the rule or guide, as well as the rule’s or guide’s costs and benefits to consumers and businesses. Based on this feedback, the Commission may modify or repeal the rule or guide to address public concerns or changed conditions, or to reduce undue regulatory burden.

The Commission posts information about its review schedule on its website<sup>1</sup> to facilitate comment. This website contains an updated review schedule, a list of rules and guides previously eliminated in the regulatory review process, and the Commission’s regulatory review plan.

**Modified Ten-Year Schedule for Review of FTC Rules and Guides**

For 2021, the Commission intends to initiate a review of, and solicit public comments on, the following rule:

*Business Opportunity Rule, 16 CFR part 437.* Agency Contact: Christine Todaro (202–326–3711), Attorney, Federal Trade Commission, Bureau of Consumer Protection, Division of Marketing Practices, 600 Pennsylvania Ave. NW, Washington, DC 20580.

The Commission is currently reviewing 23 of the 62 rules and guides within its jurisdiction. During 2020 and 2021, it completed reviews of 16 CFR 315, Contact Lens Rule; and 16 CFR 317, Prohibition of Energy Market Manipulation Rule. The Commission has appended a copy of its modified regulatory review schedule, indicating initiation dates for reviews through 2031. The Commission, in its discretion, may modify or reorder the schedule in the future to incorporate new rules, or to respond to external factors (such as changes in the law) or other considerations.

**Authority:** 15 U.S.C. 41–58.

By direction of the Commission.

**April J. Tabor,**  
*Secretary.*

**Appendix**

**REGULATORY REVIEW MODIFIED TEN-YEAR SCHEDULE**

16 CFR part	Topic	Year to initiate review
24	Guides for Select Leather and Imitation Leather Products	Currently Under Review.
255	Guides Concerning Use of Endorsements and Testimonials in Advertising	Currently Under Review.
308	Trade Regulation Rule Pursuant to the Telephone Disclosure and Dispute Resolution Act of 1992 [Pay Per Call Rule].	Currently Under Review.
310	Telemarketing Sales Rule	Currently Under Review.
312	Children’s Online Privacy Protection Rule	Currently Under Review.
313	Privacy of Consumer Financial Information	Currently Under Review.
314	Standards for Safeguarding Customer Information	Currently Under Review.
318	Health Breach Notification Rule	Currently Under Review.
423	Care Labeling of Textile Wearing Apparel and Certain Piece Goods	Currently Under Review.
432	Power Output Claims for Amplifiers Utilized in Home Entertainment Products	Currently Under Review.
436	Disclosure Requirements and Prohibitions Concerning Franchising	Currently Under Review.
453	Funeral Industry Practices	Currently Under Review.
456	Ophthalmic Practice Rules (Eyeglass Rule)	Currently Under Review.
640	Duties of Creditors Regarding Risk-Based Pricing	Currently Under Review.
641	Duties of Users of Consumer Reports Regarding Address Discrepancies	Currently Under Review.
642	Prescreen Opt-Out Notice	Currently Under Review.
660	Duties of Furnishers of Information to Consumer Reporting Agencies	Currently Under Review.
680	Affiliate Marketing	Currently Under Review.
681	Identity Theft [Red Flag] Rules	Currently Under Review.
698	Model Forms and Disclosures	Currently Under Review.
801	[Hart-Scott-Rodino Antitrust Improvements Act] Coverage Rules	Currently Under Review.
802	[Hart-Scott-Rodino Antitrust Improvements Act] Exemption Rules	Currently Under Review.
803	[Hart-Scott-Rodino Antitrust Improvements Act] Transmittal Rules	Currently Under Review.
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.

<sup>1</sup> <https://www.ftc.gov/enforcement/rules/retrospective-review-ftc-rules-guides>.

REGULATORY REVIEW MODIFIED TEN-YEAR SCHEDULE—Continued

16 CFR part	Topic	Year to initiate review
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.
315	Contact Lens Rule	2030.
317	Prohibition of Energy Market Manipulation Rule	2031.

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 100**

[Docket Number USCG-2021-0426]

RIN 1625-AA00

**Special Local Regulation; Swim for Special Operations Forces; San Diego Bay, San Diego, CA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard is proposing to amend its special local regulations for recurring marine parades, regattas, and other events in Southern California Annual Marine Events for the San Diego Captain of the Port Zone. This proposed rule would add one new recurring special local regulation. This action is necessary to provide for the safety of life on the navigable waters during the event. This proposed rulemaking would restrict vessel traffic in the designated

areas during the events unless authorized by the Captain of the Port San Diego or a designated representative. We invite your comments on this proposed rulemaking. **DATES:** Comments and related material must be received by the Coast Guard on or before August 2, 2021.

**ADDRESSES:** You may submit comments identified by docket number USCG-2021-0426 using the Federal eRulemaking Portal at <https://www.regulations.gov>. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this proposed rulemaking, call or email Lieutenant Commander John Santorum, Waterways Management, U.S. Coast Guard; telephone 619-278-7656, email [MarineEventsSD@uscg.mil](mailto:MarineEventsSD@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
 DHS Department of Homeland Security  
 FR Federal Register  
 NPRM Notice of proposed rulemaking

§ Section  
 U.S.C. United States Code

**II. Background, Purpose, and Legal Basis**

The Coast Guard proposes to amend 33 CFR 100.1101 by adding a new reoccurring marine event to the Table 1 of Section § 100.1101 for a swim race in San Diego Bay, CA.

The Honor Foundation notified the Coast Guard that it will be hosting the Honor Foundation Swim for Special Operations Forces (SOF) annually on a Saturday during the month of September. The regulated area would cover all navigable waters of the San Diego Bay, beginning at Glorietta Bay, continuing to Tidelands Park before proceeding north along the Coronado shoreline, crossing the federal navigable channel at Bayview Park, and finishing at the USS MIDWAY Museum.

The proposed annually reoccurring special local regulation is necessary to provide for the safety of life on navigable waters during the event. Based on the nature of this marine event, the large number of participants, and event location, the COTP has determined that the event listed in this proposed rule could pose a risk to participants or waterways users if the