

# 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 TRADE COMMISSION

### 16 CFR Part 312

RIN 3084-AB20

#### Children's Online Privacy Protection Rule Proposed Parental Consent Method; Jest8 Limited, Trading as Riyo, Application for Approval of Parental Consent Method

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

**ACTION:** Request for public comment.

**SUMMARY:** The Federal Trade Commission requests public comment concerning the proposed parental consent method submitted by Jest8 Limited, trading as Riyo ("Riyo"), under the Voluntary Commission Approval Processes provision of the Children's Online Privacy Protection Rule.

**DATES:** Written comments must be received on or before September 3, 2015.

**ADDRESSES:** Interested parties may file a comment at <http://ftcpublic.commentworks.com/ftc/riyocoppaconsent> online or on paper, by following the instructions in the Request for Comment part of the

**SUPPLEMENTARY INFORMATION** section below. Write "Jest8 Limited (Trading as Riyo) Application for Parental Consent Method, Project No. P-155405" on your comment, and file your comment online at <http://ftcpublic.commentworks.com/ftc/riyocoppaconsent> by following the instructions on the web-based form. If you prefer to file your comment on paper, write "Jest8 Limited (Trading as Riyo) Application for Parental Consent Method, Project No. P-155405" on your comment 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 E), 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 E), Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Miry Kim, Attorney, (202) 326-3622, or Peder Magee, Attorney, (202) 326-3538, Division of Privacy and Identity Protection, Federal Trade Commission, Washington, DC 20580.

#### SUPPLEMENTARY INFORMATION:

##### Section A. Background

On October 20, 1999, the Commission issued its final Rule<sup>1</sup> pursuant to the Children's Online Privacy Protection Act, 15 U.S.C. 6501 *et seq.*, which became effective on April 21, 2000.<sup>2</sup> On December 19, 2012, the Commission amended the Rule, and these amendments became effective on July 1, 2013.<sup>3</sup> The Rule requires certain Web site operators to post privacy policies and provide notice, and to obtain verifiable parental consent, prior to collecting, using, or disclosing personal information from children under the age of 13. The Rule enumerates methods for obtaining verifiable parental consent, while also allowing an interested party to file a written request for Commission approval of parental consent methods not currently enumerated.<sup>4</sup> To be considered, the party must submit a detailed description of the proposed parental consent method, together with an analysis of how the method meets the requirements for parental consent described in 16 CFR 312.5(b)(1).

Pursuant to Section 312.12(a) of the Rule, Riyo has submitted a proposed parental consent method to the Commission for approval. The full text of its application is available on the Commission's Web site at [www.ftc.gov](http://www.ftc.gov).

##### Section B. Questions on the Parental Consent Method

The Commission is seeking comment on the proposed parental consent method, and is particularly interested in receiving comment on the questions that follow. These questions are designed to assist the Commission's consideration of the petition and should not be construed as a limitation on the issues on which public comment may be submitted. Responses to these questions should cite the number of the question being answered. For all comments

<sup>1</sup> 64 FR 59888 (1999).

<sup>2</sup> 16 CFR part 312.

<sup>3</sup> 78 FR 3972 (2013).

<sup>4</sup> 16 CFR 312.12(a); 78 FR at 3991-3992, 4013.

submitted, please provide any relevant data, statistics, or any other evidence, upon which those comments are based.

1. Is this method, both with respect to the process for obtaining consent for an initial operator and any subsequent operators, already covered by existing methods enumerated in Section 312.5(b)(2) of the Rule?

2. If this is a new method, provide comments on whether the proposed parental consent method, both with respect to an initial operator and any subsequent operators, meets the requirements for parental consent laid out in 16 CFR 312.5(b)(1). Specifically, the Commission is looking for comments on whether the proposed parental consent method is reasonably calculated, in light of available technology, to ensure that the person providing consent is the child's parent.

3. Does this proposed method pose a risk to consumers' personal information? If so, is that risk outweighed by the benefit to consumers and businesses of using this method?

##### Section C. Invitation to Comment

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before September 3, 2015. Write "Jest8 Limited (Trading as Riyo)" Application for Parental Consent Method, Project No. P-155405" 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 Commission Web site, 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 Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone'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, including medical records or other individually identifiable health information. In addition, do not include

any “[t]rade secret or any commercial or financial information which is . . . privileged or confidential,” as discussed in 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). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).<sup>5</sup> Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

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. To make sure that the Commission considers your online comment, you must file it at <http://ftcpublishcommentworks.com/ftc/riyocoppaconsent>, by following the instructions on the web-based form. If this Notice appears at <http://www.regulations.gov/#!/home>, you also may file a comment through that Web site.

If you file your comment on paper, write “Jest8 Limited (Trading as Riyo) Application for Parental Consent Method, Project No. P-155405” on your comment 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 E), 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 E), Washington, DC 20024. If possible, submit your paper comment 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

<sup>5</sup>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), 16 CFR 4.9(c).

public comments that it receives on or before September 3, 2015. For information on the Commission’s privacy policy, including routine uses permitted by the Privacy Act, see <http://www.ftc.gov/ftc/privacy.htm>.

By direction of the Commission.

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

[FR Doc. 2015-19425 Filed 8-6-15; 8:45 am]

**BILLING CODE 6750-01-P**

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Parts 1, 25, 26, and 301

[REG-102837-15]

RIN 1545-BM68

#### Guidance Under Section 529A: Qualifies ABLE Programs; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to a notice of proposed rulemaking and notice of public hearing.

**SUMMARY:** This document contains corrections to a notice of proposed rulemaking and notice of public hearing (REG-102837-15) that was published in the *Federal Register* on Monday, June 22, 2015 (80 FR 35602). The proposed regulations under section 529A of the Internal Revenue Code that provide guidance regarding programs under The Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014.

**DATES:** Written or electronic comments and request for a public hearing for the notice of proposed rulemaking at 80 FR 35602, June 22, 2015, are still being accepted and must be received by September 21, 2015.

**FOR FURTHER INFORMATION CONTACT:** Taina Edlund or Terri Harris at (202) 317-4541, or Sean Barnett (202) 317-5800, or Theresa Melchiorre (202) 317-4643 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

##### Background

The notice of proposed rulemaking that is subject of this document is under section 529A of the Internal Revenue Code.

##### Need for Correction

As published, the notice of proposed rulemaking and notice of public hearing (REG-102837-15) contains errors that may prove to be misleading and are in need of clarification.

## Correction of Publication

Accordingly, the notice of proposed rulemaking and notice of public hearing (REG-102837-15) that are subject to FR Doc. 2015-15280 are corrected as follows:

1. On page 35603, in the preamble, second column, twelfth line, the language “Section 529(d)(2) provides that the” is corrected to read “Section 529A(d)(2) provides that the.”

2. On page 35603, in the preamble, second column, nineteenth line, the language “529(d)(3) requires qualified ABLE” is corrected to read “529A(d)(3) requires qualified ABLE.”

3. On page 35606, in the preamble, first column, second line from the bottom of the first paragraph, the language “meaning of § 1.529A-1(b)(9)(A) or” is corrected to read “meaning of § 1.529A-1 (b)(9)(i).”

#### § 1.529A-1 [Corrected]

4. On page 35612, second column, second and third line from the bottom of paragraph (b)(16), the language “within the meaning of § 1.529-1(b)(9)(A) or § 1.529-2(e)(1)(i) are not qualified” is corrected to read “within the meaning of § 1.529A-1(b)(9)(i) or § 1.529A-2(e)(1)(i) are not qualified.”

#### § 1.529A-7 [Corrected]

5. On page 35619, third column, paragraph (a)(5)(iii) the language “furnished though a Web site posting and” is corrected to read “furnished through a Web site posting and.”

**Martin V. Franks,**

*Chief, Publications and Regulations Branch,  
Legal Processing Division, Associate Chief  
Counsel (Procedure and Administration).*

[FR Doc. 2015-19369 Filed 8-6-15; 8:45 am]

**BILLING CODE 4830-01-P**

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## ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Parts 123, 131, 233, 501

[EPA-HQ-OW-2014-0461; FRL-9930-57-OW]

#### Revised Interpretation of Clean Water Act Tribal Provision

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed interpretive rule; request for comments.

**SUMMARY:** Waters on the majority of Indian reservations do not have water quality standards under the Clean Water Act to protect human health and the environment. Only 40 of over 300 federally recognized tribes with