

(202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

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600 Pennsylvania Avenue, NW,
Washington, DC 20580, (202) 326-2252.

E E A F A 1: On October 15, 2009, the Commission published an NPRM¹ pursuant to the authority granted to it in Section 205 of the Credit CARD Act of 2009 (“the Act”)² to prevent deceptive marketing of “free credit reports.” In the NPRM, the Commission solicited comment on amendments to the Free Annual File Disclosure Rule (“Free Reports Rule” or “Rule”) that would require prominent disclosures for “free credit report” offers that are not the federally mandated free annual file disclosures. Section 205 of the Act requires the Commission to issue a final rule within 9 months of the enactment of the Act, or by February 22, 2010. The NPRM set a deadline of November 30, 2009 for filing public comments.

In a letter dated November 13, 2009, the Illinois Office of the Attorney General, Consumer Protection Division, on behalf of interested states (“States”), requested that the Commission extend the comment deadline in the NPRM proceeding until December 14, 2009. In the request, the States explain that they may need additional time to compile data and file comprehensive comments responsive to the NPRM.

The Commission recognizes that its proposal raises significant issues and believes that extending the comment period will facilitate the creation of a more complete record. In light of the statutory deadline for the issuance of the final rule, however, the Commission believes that a seven-day extension of the comment period is reasonable. The additional time should enable the States and other commenters to finalize and submit comments in response to the NPRM. Accordingly, the Commission has determined to extend the comment period set forth in the NPRM to December 7, 2009.

Interested parties are invited to submit written comments electronically or in paper form. Comments should refer to “Free Annual File Disclosures, Rule No. R411005” to facilitate the organization of comments. Please note that your comment – including your name and your state – will be placed on the public record of this proceeding, including on the publicly accessible

FTC website, at (:// . / /).

Because comments will be made public, they should not include any sensitive personal information, such as any individual’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. Comments also should not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, comments should not include any “[t]rade secret or any commercial or financial information which is obtained

¹ FTC, , 74 FR 52915 (Oct. 15, 2009). The NPRM was announced in a press release on October 7, 2009, available at (:// . / , /2009/ 10/).

² Pub. L. No. 111-24, 123 Stat. 1734 (May 22, 2009).

³ The comment must be accompanied by an explicit request for confidential treatment, including the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. The request will be granted or denied by the Commission’s General Counsel, consistent with applicable law and the public interest. FTC Rule 4.9(c), 16 CFR 4.9(c).