

above. Staff conservatively assumes hourly rates of \$75 and \$25, respectively, for lawyers and computer programmers.<sup>7</sup> Based on these inputs, staff further estimates that the associated annual labor costs for new entrants would be \$120,000 [(1,500 hours × \$75/hour for legal) + (300 hours × \$25/hour for technical.)] and \$19,875 for safe harbor applicants [265 hours × \$75/hour for legal × one application per year] for a total labor cost of \$140,000, rounded to the nearest thousand.

*Non-labor costs:* Since Web sites will already be equipped with the computer equipment and software necessary to comply with the Rule's notice requirements, the sole costs incurred by the website are the aforementioned estimated labor costs. Similarly, industry members should already have in place the means to retain and store the records the Rule's safe harbor recordkeeping provisions specify (and that members likely have been keeping independent of the Rule).

**John D. Graubert,**

*Acting General Counsel.*

[FR Doc. 02-5330 Filed 3-5-02; 8:45 am]

**BILLING CODE 6750-01-M**

## FEDERAL TRADE COMMISSION

### Remedial Use of Disgorgement

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

**ACTION:** Notice; extension of public comment period.

**SUMMARY:** The Commission is extending the period for comments on the use of disgorgement as a remedy for violations of the Hart-Scott-Rodino (HSR) Act, FTC Act and Clayton Act.

**DATES:** Comments must be received by March 29, 2002.

<sup>7</sup> Previously, staff's stated estimates for such labor, were \$65.33/hour for legal and \$23.18 for computer programmers, based on adding ten percent to 1996 statistics found in "Occupational Compensation Survey: National Summary 1996," U.S. Department of Labor, Bureau of Labor Statistics. In September 2001, however, the Department of Labor published its "National Compensation Survey: Occupational Wages in the United States 2000," which integrates data from the Occupational Compensation Survey, the Employment Cost Index, and the Employee Benefits Survey. According to this more recent compilation, the mean hourly earnings of lawyers and computer programmers, based on a survey of all 50 states from June 1999 to April 2001, was \$38.70 and \$23.33, respectively. More generally, regarding most other Commission information collection activities that invoke the PRA, Commission staff has estimated lawyer's national average hourly rates to be \$75, which staff will also apply here. The \$25 estimate for computer programmers is merely a rough rounding based on the above-noted data.

**ADDRESSES:** An original and twelve (12) copies of any comments filed in paper form should be directed to: FTC/Office of the Secretary, Room 159-H, 600 Pennsylvania Avenue, NW, Washington, DC 20580. Comments filed in electronic form should be directed to [disgorgementcomment@ftc.gov](mailto:disgorgementcomment@ftc.gov), as described below.

**FOR FURTHER INFORMATION CONTACT:** John Graubert, Office of General Counsel, FTC, 600 Pennsylvania Avenue, NW, Washington, DC 20580, (202) 326-2186, [jgraubert@ftc.gov](mailto:jgraubert@ftc.gov).

**SUPPLEMENTARY INFORMATION:** In a notice published at 66 FR 67254 (Dec. 28, 2001), the Commission solicited public comment on the factors the Commission should consider in applying disgorgement in competition cases and how this remedy should be calculated. In consideration of a request from a potential commentor, the Commission has determined that it would be in the public interest to extend the original deadline of March 1, 2002, so that all interested parties have the fullest opportunity to prepare and submit their comments on the questions set forth in the previously published notice. Accordingly, the Commission invites public comment until March 29, 2002, which may be submitted as specified above in the **ADDRESSES** section of this notice.

Public comments are invited, and may be filed with the Commission in either paper or electronic form. Comments filed in paper form should be directed to: FTC/Office of the Secretary, Room 159-H, 600 Pennsylvania Avenue, NW, Washington, DC 20580. If a comment contains nonpublic information, it must be filed in paper form, and the first page of the document must be clearly labeled "confidential." Comments that do not contain any nonpublic information may instead be filed in electronic form (in ASCII format, WordPerfect, or Microsoft Word) as part of or as an attachment to e-mail messages directed to the following e-mail box: [disgorgementcomment@ftc.gov](mailto:disgorgementcomment@ftc.gov). Such comments will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with Section 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 CFR 4.9(b)(6)(ii).

By Direction of the Commission.

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

[FR Doc. 02-5328 Filed 3-5-02; 8:45 am]

**BILLING CODE 6750-01-P**

## FEDERAL TRADE COMMISSION

### Public Workshop: Consumer Information Security

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

**ACTION:** Notice announcing public workshop and requesting public comment and participation.

**SUMMARY:** The FTC is planning to host a public workshop to explore issues relating to the security of consumers' computers and the personal information stored in them or in company databases.

**DATES:** The workshop will be held on Thursday, May 16, 2002, from 9:00 a.m. to 5:00 p.m., and Friday, May 17, 2002, from 9:00 a.m. to 2:00 p.m., at the Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

*Pre-registration:* The event is open to the public and there is no fee for attendance. However, attendees are strongly encouraged to pre-register, as seating will be limited. To pre-register, please e-mail your name and affiliation by April 29, 2002, to [securityworkshop@ftc.gov](mailto:securityworkshop@ftc.gov).

*Requests to participate as a panelist:* As discussed below, written requests to participate as a panelist in the workshop must be filed on or before April 1, 2002. Persons filing requests to participate as a panelist will be notified on or before April 22, 2002, if they have been selected to participate.

*Written comments:* Whether or not selected to participate, persons may submit written comments on the Questions to be Addressed at the workshop. Such comments must be filed on or before April 29, 2002. For further instructions on submitting comments and requests to participate, please see the "Form and Availability of Comments" and "Requests to Participate as a Panelist in the Workshop" sections below. To read our policy on how we handle the information you may submit, please visit <http://www.ftc.gov/ftc/privacy.htm>.

**ADDRESSES:** Written comments and requests to participate as a panelist in the workshop should be submitted to: Secretary, Federal Trade Commission, Room 159, 600 Pennsylvania Avenue, NW, Washington, DC 20580. Alternatively, they may be e-mailed to [securityworkshop@ftc.gov](mailto:securityworkshop@ftc.gov).

**FOR FURTHER INFORMATION CONTACT:** L. Mark Eichorn, Division of Advertising Practices, 202-326-3053, Ellen Finn, Division of Financial Practices, 202-326-3296, or Laura Berger, Division of Financial Practices, 202-326-2471. The above staff can be reached by mail at:

Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

#### SUPPLEMENTARY INFORMATION:

##### Background and Workshop Goals

The security of consumers' home computers is an issue of growing importance. The terms "virus," "worm," and "Trojan horse" have gained new meanings as "Melissa," "ILOVEYOU," and "Code Red" infected computers across the globe. News of hackers' "exploits" make front page news. At the same time, more and more consumers access the Internet through "always on" DSL or cable Internet connections, which allow quick access to Internet content but also may be vulnerable to attack even when the consumer is not actively using the Internet. As consumers use their computers as repositories for sensitive information such as passwords, financial records, and health information, the potential destruction or disclosure of that information is cause for concern.

Another aspect of consumer security is whether consumers' personal information held by businesses is secure. When consumers interact with businesses—whether to check a bank account balance, register to receive information, or purchase a product or service—those businesses become custodians of consumers' personal information. An employee processing a consumer's payment or a consumer checking his or her account balance may want access to this information, but at the same time businesses face the challenge of securing it from access by external threats such as hackers or even by unauthorized insiders. Should a hacker gain access to a business' customer credit card database, for example, that intrusion may not only have serious consequences for that particular business and the consumer's financial well-being, but may also affect consumers' confidence and willingness to engage in e-commerce generally.

This workshop provides an opportunity for the Commission to explore information security issues that affect consumers. The questions to be addressed at the workshop would include:

##### 1. *The Current State of Information Security*

- What are the security risks facing consumers?
- Are consumers aware of the risks?
- What are the costs to consumers of security measures and of security failures?

- Do consumers accurately assess security risks?
- How does consumers' security affect the network as a whole?

##### 2. *Security Issues Relating to Consumers' Home Information Systems*

- What steps can consumers take to reduce their security risks?
- What information resources or security products are available to help consumers protect themselves?
- If consumers' lack of awareness or technical expertise lead to security vulnerabilities, what steps can be taken to raise awareness or educate consumers?
- What types of awareness and education initiatives are currently being pursued?
- What are the "best practices" being implemented by businesses to assist consumers in safeguarding their home information systems?

##### 3. *Security Issues for Businesses That Maintain Consumers' Personal Information*

- What practical challenges do businesses face in securing their computer systems, and specifically consumers' personal information that is stored on them?
- What are the costs to businesses of security measures and of security failures?
- What measures can businesses, especially smaller businesses, take to secure their computer systems and the consumer information stored on them?
- What information resources are available to help these businesses?
- What are the "best practices" being implemented by businesses to address these issues?

##### 4. *Emerging Business Models, Technologies, and Best Practices*

- What are the existing business models for security, and are they sustainable over the long term?
- What technologies, business models, or initiatives are emerging in the marketplace to address the security of consumers' information?

##### 5. *Revising the OECD Security Guidelines*

Commissioner Orson Swindle is leading the U.S. delegation to the Organization for Economic Cooperation and Development ("OECD") Experts Group reviewing the OECD Guidelines for the Security of Information Systems. These voluntary guidelines contain principles which provide a framework for participants to think about information and network security practices, policies, and procedures. The

guidelines discuss cultivating a "culture of security" and contain nine policy principles for the security of information systems and networks, as well as principles relating to the life cycle of information systems and networks. The guidelines specifically address: raising awareness of security risks; responsibility for the security of information systems; designing security into system architecture; and risk management, assessment, and monitoring. Because the principles provide a helpful framework for thinking about security issues, the Commission plans to present a panel discussion on the Security Guidelines.

##### Form and Availability of Comments

The FTC requests that interested parties submit written comments on the above questions to facilitate greater understanding of the issues. Of particular interest are any studies, surveys, research, and empirical data. Comments should indicate the number(s) of the specific question(s) being answered, provide responses to questions in numerical order, and use a separate page for each question answered. Comments should be captioned "Consumer Information Security Workshop—Comment, P024512," and must be filed on or before April 29, 2002.

Parties sending written comments should submit an original and two copies of each document. To enable prompt review and public access, paper submissions should include a version on diskette in PDF, ASCII, WordPerfect, or Microsoft Word format. Diskettes should be labeled with the name of the party, and the name and version of the word processing program used to create the document. Alternatively, comments may be e-mailed to [securityworkshop@ftc.gov](mailto:securityworkshop@ftc.gov).

Written comments will be available for public inspection in accordance with the Freedom of Information Act, 5 U.S.C. 552, and FTC regulations, 16 CFR 4.9, Monday through Friday between the hours of 8:30 a.m. and 5:00 p.m. at the Public Reference Room 130, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580. This notice and, to the extent technologically possible, all comments will also be posted on the FTC Web site at [www.ftc.gov/securityworkshop](http://www.ftc.gov/securityworkshop).

##### Registration Information

The workshop will be open to the public and there is no fee for attendance. As discussed above, pre-registration is strongly encouraged, as seating will be limited. To pre-register, please e-mail your name and affiliation

to [securityworkshop@ftc.gov](mailto:securityworkshop@ftc.gov) by April 29, 2002. A detailed agenda and additional information on the workshop will be posted on the FTC's Web site at [www.ftc.gov/securityworkshop](http://www.ftc.gov/securityworkshop) before May 16, 2002.

### Requests to Participate as a Panelist in the Workshop

Those parties who wish to participate as panelists in the workshop must notify the FTC in writing of their interest in participating on or before April 1, 2002, either by mail to the Secretary of the FTC or by e-mail to [securityworkshop@ftc.gov](mailto:securityworkshop@ftc.gov). Requests to participate as a panelist should be captioned "Consumer Information Security Workshop—Request to Participate, P024512." Parties are asked to include in their requests a statement setting forth their expertise in or knowledge of the issues on which the workshop will focus and their contact information, including a telephone number, facsimile number, and e-mail address (if available), to enable the FTC to notify them if they are selected. An original and two copies of each document should be submitted. Panelists will be notified on or before April 22, 2002 whether they have been selected.

Using the following criteria, FTC staff will select a limited number of panelists to participate in the workshop. The number of parties selected will not be so large as to inhibit effective discussion among them.

1. The party has expertise in or knowledge of the issues that are the focus of the workshop.
2. The party's participation would promote a balance of interests being represented at the workshop.
3. The party has been designated by one or more interested parties (who timely file requests to participate) as a party who shares group interests with the designator(s). In addition, there will be time during the workshop for those not serving as panelists to ask questions.

By Direction of the Commission.

**Donald S. Clark,**  
Secretary.

[FR Doc. 02-5327 Filed 3-5-02; 8:45 am]

BILLING CODE 6750-01-P

## FEDERAL TRADE COMMISSION

[File No. 022 3070]

### Kris A. Pletschke d/b/a/ Raw Health; Analysis To Aid Public Comment

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed consent agreement, final complaint and decision and order.

**SUMMARY:** The consent agreement in this matter settles alleged violations of federal law prohibition unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the complaint that accompanies the consent agreement and the terms of the consent order—embodied in the consent agreement—that would settle these allegations. The Commission has simultaneously issued the complaint and the consent order in final form.

**DATES:** Comments must be received on or before March 29, 2002.

**ADDRESSES:** Comments filed in paper form should be directed to: FTC/Office of the Secretary, Room 159-H, 600 Pennsylvania Avenue, NW, Washington, DC 20580. Comments filed in electronic form should be directed to: [consentagreement@ftc.gov](mailto:consentagreement@ftc.gov), as prescribed below.

**FOR FURTHER INFORMATION CONTACT:** Heather Hipsley or Richard Cleland, Bureau of Consumer Protection, 600 Pennsylvania Avenue, NW, Washington, DC 20580, (202) 326-3285 or 326-3088 and Andrea Foster or James Rohrer, Federal Trade Commission, Southeast Regional Office, 225 Peachtree St., NE, Suite 1500, Atlanta, GA 30303, (404) 656-1356 or 656-1361.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46(f), and Section 2.34 of the Commission's Rules of Practice, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with an accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for February 27, 2002), on the World Wide Web, at <http://www.ftc.gov/os/2002/02/index.htm>. A paper copy can be obtained from the FTC Public Reference Room 130-H, 600 Pennsylvania Avenue, NW, Washington, DC 20580, either in person or by calling (202) 326-2222.

Public comments are invited, and may be filed with the Commission in either paper or electronic form. Comments filed in paper form should be directed to: FTC/Office of the Secretary, Room 159-H, 600 Pennsylvania Avenue, NW, Washington, DC 20580. If a comment

contains nonpublic information, it must be filed in paper form, and the first page of the document must be clearly labeled "confidential." Comments that do not contain any nonpublic information may instead be filed in electronic form (in ASCII format, WordPerfect, or Microsoft Word) as part of or as an attachment to e-mail messages directed to the following e-mail box:

[consentagreement@ftc.gov](mailto:consentagreement@ftc.gov). Such comments will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with Section 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 CFR 4.9(b)(6)(iii).

### Analysis of Consent Order To Aid Public Comment

The Federal Trade Commission has accepted an agreement to a consent order from Kris A Pletschke, d/b/a Raw Health ("respondent"), and has issued a Complaint and the Decision and Order ("Order") contained in the Consent Agreement. Respondent marketed "Colloidal Silver," a dietary supplement allegedly containing submicroscopic particles of silver that was intended to be taken orally and in other manners for the cure and treatment of more than 650 diseases.

The Commission's complaint charges that respondent made false claims that his Colloidal Silver product (1) is effective in treating or curing 650 diseases; (2) eliminates all pathogens in the human body in six minutes or less; and (3) has been medically proven to kill every destructive bacterial, viral and fungal organism in the body, including anthrax, Ebola, Hunta, and "flesh-eating bacteria." The Commission's complaint also charges that respondent failed to have a reasonable basis for claims he made that his colloidal Silver product (1) is effective in treating 650 diseases and health-related conditions, including AIDS, allergies, anthrax, arthritis, blood poisoning, boils, wounds of the cornea, chronic fatigue, cerebral spinal meningitis, candida, cholera, colitis, cystitis, dental plaque, diabetes, diphtheria, dysentery, enlarged prostate, gonorrhea, herpes, hepatitis, infantile diseases, lesions, leukemia, lupus, Lyme disease, parasites, rheumatism, ringworm shingles, skin cancer, staph and strep infections, stomach flu, thyroid conditions, tonsillitis, toxemia, stomach uclers and whooping cough; (2) kills the HIV virus and can be used as an antibiotic for all acquired diseases of active AIDS; (3) is superior to antibiotics in killing disease-causing organisms and the treatment of burns; (4) protects and strengthens the immune system; (5) can safely be used on open wounds, sprayed