

This docket will remain open indefinitely. Copies of the transcripts of the public hearings, written comments, technical reference materials mentioned in the Advanced Notice of Proposed Rulemaking, and any other docket material received may be read and copied at the DOE Freedom of Information Reading Room, U.S. Department of Energy, Room 1E-190, 1000 Independence Avenue, S.W., Washington, D.C. 20585, telephone (202) 586-6020 between the hours of 8:30 a.m. and 4:00 p.m. Monday through Friday except Federal holidays. For further information on this rulemaking you should contact Ken Katz at 202-586-6116.

FOR FURTHER INFORMATION CONTACT: Kenneth Katz, 202-586-6116.

SUPPLEMENTARY INFORMATION: EPACT authorizes DOE to pursue a rulemaking concerning alternative fueled vehicle acquisition requirements for private and local government fleets on two distinct schedules. First, section 507(b) provides for an early rulemaking concerning such requirement which must be completed by December 15, 1996. As part of that rulemaking, section 507(a)(3) of EPACT, Pub. L. 102-486, requires DOE to publish an Advance Notice of Proposed Rulemaking (ANOPR) to begin a rulemaking to determine whether alternative fueled vehicle (AFV) acquisition requirements for private and local government fleets are necessary to achieve EPACT's energy security and other goals. If no rule is promulgated by December 15, 1996, then section 507(b)(3), (c), and (e) requires a later rulemaking (beginning no later than April 1998) to determine by January 1, 2000, whether vehicle acquisition requirements are "necessary" in light of then current circumstances. 42 U.S.C. 13256(b)(3), (c) and (e). EPACT provides that if a final rule to implement an early mandate is not promulgated by December 15, 1996, DOE must proceed to the later rulemaking. 42 U.S.C. 13256(b).

DOE published an ANOPR for the purposes described in section 507(a) and (b) on August 7, 1996. 61 FR 41032. This notice was intended to stimulate comments to assist DOE in making decisions concerning future rulemaking actions and non-regulatory initiatives to promote alternative fuels and alternative fueled vehicles. Three hearings were held to receive oral comments on the ANOPR on September 17, 1996, in Dallas, Texas; on September 25, 1996, in Sacramento, California; and on October 9, 1996, in Washington, D.C. A total of 70 persons spoke at the three hearings

and 105 written comments were received by November 5, 1996.

Based on the comments received, DOE intends to continue to investigate the full array of measures that could be available and effective to help meet the EPACT goals, focussing on incentives and voluntary measures, as suggested by a great majority of commenters. A number of commenters urged DOE to convene a forum for bringing together all stakeholders of AFV programs with the aim of reaching a consensus on desirable measures and strategies for achieving substantial use of replacement fuels and AFVs. DOE intends to fully explore the possibilities for convening such a process in the near future.

DOE will not implement private and local government fleet AFV acquisition requirements under the early schedule of section 507(a). Consistent with the above-described statutory limitations on early rulemaking under section 507 (a), DOE is terminating this rulemaking without prejudice to initiating the later rulemaking authorized by section 507 (e) and (g).

Issued in Washington, DC, on April 11, 1997.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

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NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Chapter VII

Federal Credit Union Bylaws

AGENCY: National Credit Union Administration (NCUA).

ACTION: Request for comments; extension of comment period.

SUMMARY: On March 13, 1997 (62 FR 11778), the National Credit Union Administration (NCUA) published for public comment a request for comments regarding the Federal Credit Union Bylaws. The comment period for the request for comments was to have expired on May 12, 1997. At the request of a trade association and to encourage additional comments, the NCUA Board has decided to extend the comment period on the request for comments. The extended comment period now expires June 12, 1997.

DATE: The comment period has been extended and now expires June 12, 1997. Comments must be received on or before June 12, 1997.

ADDRESSES: Comments should be directed to Becky Baker, Secretary of the

Board. Mail or hand-deliver comments to: National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428. Fax comments to (703) 518-6319. E-mail comments to boardmail@ncua.gov. Please send comments by one method only.

FOR FURTHER INFORMATION CONTACT:

Mary F. Rupp, Staff Attorney, Office of General Counsel, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428 or telephone: (703) 518-6540.

By the National Credit Union Administration Board on April 15, 1997.

Becky Baker,

Secretary of the Board.

[FR Doc. 97-10483 Filed 4-22-97; 8:45 am]

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NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Parts 701, 712 and 740

Organization and Operations of Federal Credit Unions; Credit Union Service Organizations; Advertising

AGENCY: National Credit Union Administration (NCUA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: On March 13, 1997 (62 FR 11779), the National Credit Union Administration (NCUA) published for public comment a proposed rule regarding credit union service organizations (CUSOs) of federal credit unions (FCUs). The comment period for this proposed rule was to have expired on May 12, 1997. At the request of a national trade association and to encourage additional comments, the NCUA Board has decided to extend the comment period on the proposed rule one more time. The extended comment period now expires June 12, 1997.

DATES: The comment period has been extended and now expires June 12, 1997. Comments must be received on or before June 12, 1997.

ADDRESSES: Comments should be directed to Becky Baker, Secretary of the Board. Mail or hand-deliver comments to: National Credit Union Administration Board, 1775 Duke Street, Alexandria, Virginia 22314-3428. Fax comments to (703) 518-6319. E-mail comments to boardmail@ncua.gov. Please send comments by one method only.

FOR FURTHER INFORMATION CONTACT:

Martin "Sparky" Conrey, Staff Attorney, Division of Operations, Office of

General Counsel, at the above address or telephone: (703) 518-6540; or Linda Groth, Program Officer, Division of Supervision, Office of Examination and Insurance, at the above address or telephone: (703) 518-6360.

By the National Credit Union Administration Board on April 15, 1997.

Becky Baker,

Secretary of the Board.

[FR Doc. 97-10484 Filed 4-22-97; 8:45 am]

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FEDERAL TRADE COMMISSION

16 CFR PART 254

Request For Comments Concerning Guides For Private Vocational Schools

AGENCY: Federal Trade Commission.

ACTION: Supplemental request for public comments.

SUMMARY: The Federal Trade Commission ("Commission") is requesting public comments on a proposal to amend its Guides for Private Vocational Schools to add a provision addressing deceptive express or implied claims of job placement success.

DATES: Written comments will be accepted until June 23, 1997.

ADDRESSES: Comments should be directed to: Secretary, Federal Trade Commission, Room H-159, Sixth Street and Pennsylvania Ave., NW., Washington, DC 20580. Comments about the Guides for Private Vocational Schools should be identified as "16 CFR Part 254—Comment."

FOR FURTHER INFORMATION CONTACT: Joseph J. Koman, Jr., (202) 326-3014, or Walter Gross III, (202) 326-3319, Federal Trade Commission, Bureau of Consumer Protection, Sixth Street and Pennsylvania Ave., NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

I. Background

As part of the Commission's systematic review of all of its rules and guides to assess their continued need and usefulness, the Guides for Private Vocational Schools were scheduled for review in 1996 (61 FR 1538 (Jan. 22, 1996)). These reviews seek information about the costs and benefits of the Commission's rules and guides and their regulatory and economic impact. The information obtained assists the Commission in identifying rules and guides that warrant modification or rescission. On April 3, 1996, the Commission published a notice in the **Federal Register** requesting public

comments on the Vocational Schools Guides (61 FR 14685). The comment period, originally scheduled to end on May 3, 1996, was subsequently extended to July 1, 1996 (61 FR 19869 (May 3, 1996)). Nine comments were filed in response to the notice. The comments indicate that there is support in all sectors (including other government agencies, consumer groups and the vocational schools industry) for retaining the Guides, although some industry commenters recommended repealing them.

II. Description of the Guides

The Guides were originally issued in May, 1972, and became effective August 4, 1972. They are intended to advise proprietary businesses offering vocational training courses, either on the school's premises or through correspondence, how to avoid unfair or deceptive advertising and promotional claims when recruiting students. Specifically, the Guides address claims that are descriptive of the school, such as potentially deceptive trade or business names, and claims about accreditation, content of curricula, teachers' qualifications, teaching methods, affiliations with other private or public institutions, and approval by other agencies or institutions. The Guides also address misleading representations regarding financial assistance, program costs, and savings. Schools are cautioned to avoid using the help-wanted sections of newspaper classified advertising for lead generation or misleading prospective students about such matters as opportunities for employment while undergoing training. Finally, the Guides address appropriate disclosures as to the nature of courses or training programs available, misleading pictorial representations, and sales and debt collection practices.

These Guides, like other industry guides issued by the Commission, "are administrative interpretations of laws administered by the Commission for the guidance of the public in conducting its affairs in conformity with legal requirements." 16 CFR 1.5. Conduct inconsistent with the Guides may result in corrective action by the Commission under applicable statutory provisions.

III. The Review of the Guides

Based upon the comments received in this review, as well as its own independent assessment of the need for these Guides, the Commission has determined to retain the Guides for Private Vocational Schools. The Commission recognizes that there is some overlap between its Guides and regulations of the Department of

Education. Because the Department of Education administers student loan and grant money for vocational training, it plays the primary role in addressing abuses in this industry. There is a concurrent role for the Commission, however, in monitoring and addressing deceptive promotional practices.¹ State licensing agencies also regulate vocational training. Increasingly, however, vocational schools are owned by national or regional chains; thus, maintaining a federal enforcement presence remains important.

The Commission proposes certain modifications to its Guides for Private Vocational Schools. Some of these changes are an effort to streamline the Guides and eliminate redundancy, while others are substantive.

In particular, the Commission solicits written public comments regarding its proposal to amend the Guides to add a provision addressing misrepresentations about a school's placement success following training. Currently, the Guides address claims about placement assistance offered to graduates of a school. They do not, however, address false or deceptive claims about the availability of employment after graduation from a course of training or the success that a school's graduates have realized in obtaining employment related to the training. The Commission believes that such claims are important to prospective students of vocational training and are likely to become even more important in the future.

At the same time, in order to streamline the Guides, the Commission has preliminarily determined to delete certain provisions that do not offer specific guidance concerning vocational schools and merely duplicate other provisions of law. These include Guide provisions that address deceptive pricing (§§ 254.8(a) and (b)); use of the word "free" (§ 254.8(c)); deceptive debt collection practices (§ 254.9(a)); and assignment of contracts deceptively obtained (§ 254.9(b)). For example the Fair Debt Collection Practices Act, 15 U.S.C. 1692, and the Commission's Trade Regulation Rule pertaining to the Preservation of Consumers' Claims and Defense (the "Holder-in-Due-Course Rule"), 16 CFR 433, have superseded the provisions in the Vocational Schools Guides that pertain to those areas.

In order to further streamline the Guides, the Commission also has

¹ It is the Commission's understanding that the Department of Education must use its investigative and enforcement resources to address practices primarily occurring after a student has signed up for training, rather than advertising and promotional practices that take place during recruitment of students.