

contains a number of provisions intended to combat consumer fraud and related crimes, including identity theft, and to assist its victims. Finally, the Act requires a number of studies be conducted on credit reporting and related issues.

Section 215 of the FACT Act requires the FTC and the Board, in consultation with the Office of Fair Housing and Equal Opportunity of the Department of Housing and Urban Development, to conduct a study on the effects of credit scores and credit-based insurance scores on the availability and affordability of financial products. These products include mortgages, auto loans, credit cards, and property and casualty insurance. Section 215 further requires the FTC and the Board to study: (1) "the statistical relationship, utilizing a multivariate analysis that controls for prohibited factors under the Equal Credit Opportunity Act and other known risk factors, between credit scores and credit-based insurance scores and the quantifiable risks and actual losses;" and (2) "the extent to which, if any, the use of credit scoring models, credit scores, and credit-based insurance scores impact on the availability and affordability of credit to the extent information is currently available or is available through proxies, by geography, income, ethnicity, race, color, religion, national origin, age, sex, marital status, and creed, including the extent to which the consideration or lack of consideration of certain factors by credit scoring systems could result in negative or differential treatment of the protected classes, under the Equal Credit Opportunity Act, and the extent to which, if any, the use of underwriting systems relying on these models could achieve comparable results through the use of factors with less negative impact."

The study is due December 4, 2005.

## II. Request for Comments

The Act requires the FTC to seek public input about "the prescribed methodology and research design of the study." As part of its efforts to fulfill its obligations under the Act, the FTC seeks public comment on how the FTC and the Board should conduct the study. Public comment is requested on all aspects of the study. In addition, the FTC seeks comment on the following questions:

1. How should the effects of credit scores and credit based insurance scores on the price and availability of mortgages, auto loans, credit cards, other credit products, and property and casualty insurance be studied? What is a reasonable methodology for measuring

the price and availability of mortgages, auto loans, credit cards, other credit products, and property and casualty insurance, and the impact of credit scores and credit based insurance scores on those prices and availability?

2. An effect can often only be measured relative to a counterfactual (that is, relative to some hypothetical alternative situation). To determine the effects of credit scores on the price and availability of credit products, what is a reasonable counterfactual to the current use of credit scores? To determine the effects of credit-based insurance scores on the price and availability of property and casualty insurance, what is a reasonable counterfactual to the current use of credit-based insurance scores?

3. Paragraph (a)(2) of section 215 requires a study of "the statistical relationship, utilizing a multivariate analysis that controls for prohibited factors under the (ECOA) and other known risk factors, between credit scores and credit-based insurance scores and the quantifiable risks and actual losses experienced by businesses." (The ECOA "prohibited factors" are race, color, religion, national origin, sex or marital status, and age.) What is an appropriate multivariate technique for studying this relationship? What data would be required to undertake such an analysis? What data are available to undertake such an analysis?

4. What is an appropriate methodology to determine whether the use of credit scores or credit based insurance scores results in "negative or differential treatment" of ECOA-protected classes?

5. What is an appropriate methodology to determine whether the use of specific factors in credit scores or credit based insurance scores results in "negative or differential treatment" of ECOA protected classes?

6. What is an appropriate methodology to determine whether there are factors that are not considered by credit scores or credit based insurance scores that result in "negative or differential treatment" of ECOA protected classes?

7. In order to address paragraphs (a)(2) and (a)(3) of section 215, data are needed on the geography, income, ethnicity, race, color, religion, national origin, age, sex, marital status, or creed of borrowers, potential borrowers, insurance customers, or potential insurance customers. Are these data available, and if so, where?

8. If the data discussed in question 7 are not available, what proxies are available for the geography, income, ethnicity, race, color, religion, national origin, age, sex, marital status, or creed

of borrowers, potential borrowers, insurance customers, or potential insurance customers?

9. If there are proxies for the geography, income, ethnicity, race, color, religion, national origin, age, sex, marital status, or creed of borrowers, potential borrowers, insurance customers, or potential insurance customers, what type of analysis would allow inferences to be drawn using the proxies instead of actual data on individual characteristics? What limitations are there to the inferences that can be drawn using proxies in place of data on individual characteristics?

10. One potential proxy for individual characteristics may be Census data about the location where a borrower or insurance customer resides. What type of analysis would allow inferences to be drawn using data about the characteristics of the location where a borrower or insurance customer resides instead of data on individual characteristics? What limitations are there to the inferences that can be drawn using data about the characteristics of the location where a borrower or insurance customer resides in place of data on individual characteristics?

**Authority:** Sec. 112(b), Pub. L. 108-159, 117 Stat. 1956 (15 U.S.C. 1681c-1).

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP): Evaluation of Parents Claiming Exemptions to School Entry Immunization Requirements, Program Announcement Number 04091; Correction

*Correction:* This notice was published in the **Federal Register** on May 7, 2004, volume 69, page 89, page 25591. The times and dates for the meeting have been changed and it will be a teleconference.

*Telephone:* The conference call number is 888-791-2132, passcode 14617.

*Times and Dates:* 10:30 a.m.-10:40 a.m., June 28, 2004 (open). 10:40 a.m.-12 p.m., June 28, 2004 (closed).

*Contact Person for More Information:* Beth Gardner, National Immunization Program, CDC, 1600 Clifton Road, NE., MS-E05, Atlanta, GA 30333, telephone (404) 639-6101.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both CDC and the Agency for Toxic Substances and Disease Registry.

Dated: June 10, 2004.

**Alvin Hall,**

*Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### **Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP): Factors Associated With the Uptake of Clinical Standards, Program Announcement Number 04089, and Increasing Influenza Vaccination of Long Term Care Facility Staff, Program Announcement Number 04090; Correction**

*Correction:* This notice was published in the **Federal Register** on June 1, 2004, Volume 69, Number 105, Page 30931. The dates have been changed.

*Times and Dates:* 8 a.m.–8:30 a.m., June 28, 2004 (Open), 8:30 a.m.–4 p.m., June 28, 2004 (Closed).

**FOR FURTHER INFORMATION CONTACT:** Beth Gardner, National Immunization Program, Centers for Disease Control, 1600 Clifton Road, NE, MS-E05, Atlanta, GA 30333, Telephone (404) 639-6101.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both CDC and the Agency for Toxic Substances and Disease Registry.

Dated: June 10, 2004.

**Alvin Hall,**

*Director, Management Analysis and Services Office, Centers for Disease Control and Prevention (CDC).*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

[CMS-2200-N3]

#### **Medicare Program; Meeting of the State Pharmaceutical Assistance Transition Commission—July 7, 2004**

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice announces a public meeting of the State Pharmaceutical Assistance Transition Commission (SPATC). Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. App. 2, section 10(a)(1) and (a)(2)). The SPATC will develop a proposal for addressing the unique transitional issues facing State Pharmaceutical Assistance Programs (SPAPs) and SPAP participants due to the implementation of the voluntary prescription drug benefit program under Part D of title XVIII of the Social Security Act. This notice also announces the appointment of 23 individuals to serve as members of the SPATC, including one individual to serve as chairperson.

**DATES:** *The Meeting:* July 7, 2004, 9 a.m.–5 p.m. e.d.s.t.

*Deadline for Presentations and Comments:* June 29, 2004.

*Special Accommodations:* Persons attending the meeting who are hearing or visually impaired, or have a condition that requires special assistance or accommodations, are asked to notify the Executive Secretary by June 29, 2004 (see **FOR FURTHER INFORMATION CONTACT**).

**ADDRESSES:** *The Meeting:* The meeting will be held at the following address: Holiday Inn, Washington-On The Hill, 415 New Jersey Avenue, NW., Washington, DC 20001, United States, toll-free 1 (800) 638-1116, telephone: 1 (202) 638-1616, fax: 1 (202) 638-0707.

*Presentations and Comments:* Submit formal presentations and written comments to Marge Watchorn, Executive Secretary, Center for Medicaid and State Operations, Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Mail Stop S2-01-16, Baltimore, MD 21244. In the interest of time, please also send an electronic copy of your presentation to [mwatchorn@cms.hhs.gov](mailto:mwatchorn@cms.hhs.gov) and indicate whether you will need special equipment for your presentation.

*Web site:* You may access up-to-date information on this meeting at <http://www.cms.hhs.gov/faca/spatc/details.asp>.

[www.cms.hhs.gov/faca/spatc/details.asp](http://www.cms.hhs.gov/faca/spatc/details.asp).

*Hotline:* You may also access up-to-date information on this meeting on the CMS Advisory Committee Information Hotline, 1 (877) 449-5659 (toll free) or in the Baltimore area (410) 786-9379.

**FOR FURTHER INFORMATION CONTACT:** Marge Watchorn, Executive Secretary, (410) 786-4361.

**SUPPLEMENTARY INFORMATION:** On February 27, 2004, we published a notice (69 FR 9326) requesting nominations for individuals to serve on the State Pharmaceutical Assistance Transition Commission (SPATC). On March 5, 2004, we published a notice (69 FR 10455) announcing the establishment of the SPATC and the signing by the Secretary on March 1, 2004, of the charter establishing the SPATC. This notice announces the first public meeting of the SPATC. This notice also announces the appointment of 23 individuals to serve as members of the SPATC, including one individual to serve as chairperson.

*SPATC Members:* Joan Henneberry (Chairperson), Clifford Barnes, Donna Boswell, James Chase, David Clark, Jay Currie, Barbara Edwards, Nora Dowd Eisenhower, Janice Faiks, Karen Greenrose, Dr. Dewey Garner, Laurie Hines, Joseph Kelley, Mary Liveratti, Dr. Anne Marie Murphy, Julie Naglieri, Elizabeth Rohn-Nelson, Robert Power, Susan Reinhard, Sybil Richard, Marc Ryan, Linda Schofield, and Martin Schuh.

*Topics of the Meeting:* The Commission will discuss the unique transitional issues facing State Pharmaceutical Assistance Programs (SPAPs) and SPAP participants due to the implementation of the voluntary prescription drug benefit program under Part D of title XVIII of the Act. The Commission may discuss the need to divide into sub-groups for the purpose of focusing on particular issues within this broad subject, including a discussion of which members would serve on which sub-group.

*Procedure and Agenda:* This meeting is open to the public. First, the appointees will be sworn in by a Federal official. Each Commission member will then be given an opportunity to make a self-introduction.

The Commission will hear oral presentations from the public. The Commission may limit the number and duration of oral presentations to the time available. If you wish to make a formal presentation, you must notify the Executive Secretary named in the **FOR FURTHER INFORMATION CONTACT** section of this notice, and submit the following by