

Unfunded Mandates Reform Act

The Department has determined that the requirements of Title II of the Unfunded Mandates Reform Act of 1995 do not apply to this rulemaking.

Dated: Issued this Day of December 5, 2005, at Washington, DC, Under Authority Delegated by 49 CFR 1.56a.

Michael W. Reynolds,

Acting Assistant Secretary for Aviation and International Affairs.

List of Subjects in 14 CFR Part 399

Administrative practice and procedure, Air carriers, Air rates and fares, Air taxis, Consumer protection, Small businesses.

For the reasons set forth in the preamble, the Department proposes to amend 14 CFR part 399 as follows:

PART 399—STATEMENTS OF GENERAL POLICY

1. The authority citation for part 399 continues to read as follows: 49 U.S.C. 40101 *et seq.*

Subpart G—Policies Relating to Enforcement*Option I*

2. Section 399.84 would be revised to read as follows:

§ 399.84 Price Advertising.

(a) *Total Price Requirement.* (1) Except as specified in paragraph (a)(2) of this section, the Department considers any advertising or solicitation by an air carrier, a foreign air carrier, or a ticket agent for passenger air transportation, a tour (*i.e.*, a combination of air transportation and ground accommodations), or a tour component (*i.e.*, a hotel stay) that states a price for such air transportation, tour, or tour component to be an unfair or deceptive practice, unless the price stated is the entire price to be paid by the customer to the air carrier, foreign air carrier, or ticket agent, for such air transportation, tour, or tour component.

(2) Government-imposed taxes and fees that the carrier collects on a per-person basis may be excluded from the advertised airfare, provided that they are not *ad valorem* in nature, and provided that the advertising or solicitation shows the existence and amount of these charges clearly so that consumers can easily determine the entire price to be paid. An indication of the existence of the taxes and fees listed separately must be situated close to the advertised fare, and the information provided must be easily readable.

(i) If an advertisement lists multiple destinations that do not all entail the

same government-imposed taxes and fees, the advertisement may state a maximum sum of these charges, a sum for each destination, or a range of sums. Also, the word “approximately” or a range of sums may be used to account for minor currency-exchange fluctuations.

(ii) In Internet fare advertisements, including not only Web sites but also banner, pop-up, and e-mail advertisements, the per-person government taxes and fees that may be listed separately may be noted by a prominent hyperlink, proximate to the listed fare, that takes the viewer to a display showing the nature and amount of these charges.

(iii) In any billboard advertisement that breaks out taxes and fees, a sum of these charges must be legible to drivers passing the billboard at the posted speed limit.

(iv) In television advertisements, the sum of any taxes and fees that are broken out must be disclosed. It must either be presented on screen so that it can be read (*i.e.*, in sufficiently large print and for a sufficient amount of time) or be disclosed audially.

(v) Radio advertisements must include the sum of any taxes and fees that are broken out.

(b) Advertising “two-for-one” fares is an unfair or deceptive practice if the fare that must be purchased to take advantage of the promotion is higher than the carrier’s other fares in the same market, unless this fact is prominently and clearly disclosed.

(c) Advertising “each-way” fares that are available only when bought for round-trip travel is an unfair or deceptive practice unless the round-trip purchase requirement is disclosed clearly and conspicuously. Specifically, the disclosure must be prominent and proximate to the advertised fares. A banner or pop-up Internet advertisement of an “each-way” fare that is only available with a round-trip purchase must disclose this fact in the advertisement itself.

(d) Advertising “free” air transportation in conjunction with the purchase of one or more other tickets is an unfair or deceptive practice unless restrictions, fees, and other conditions that apply to the “free” transportation are disclosed prominently and proximate to the offer, at a minimum through an asterisk or other symbol directing the reader’s attention to the information elsewhere in the advertisement. The information must be presented in easily readable print or audially. This requirement applies to advertisements in all media: the

Internet, billboards, television, radio, and print media.

(e) Advertising fares that are higher if purchased through one or more media (*e.g.*, by telephone or in person) than through another (*e.g.*, over the Internet) is an unfair or deceptive practice unless the advertisement prominently discloses that the stated fares are only available through the one medium and that tickets cost more than the advertised price if purchased through other media. The advertisement may state a price differential but may not characterize this amount as a “service fee.”

Option II

3. Section 399.84 would be revised to read as follows:

§ 399.84 Price disclosure.

The Department considers the sale of air transportation to be an unfair or deceptive practice unless the total price of the transportation is disclosed to the consumer before the consumer makes the purchase.

Option III

4. Section 399.84 would be revised to read as follows:

§ 399.84 Price disclosure and price advertising.

(a) The Department considers the sale of air transportation to be an unfair or deceptive practice unless the total price of the transportation is disclosed to the consumer before the consumer makes the purchase.

(b) The Department considers any advertising by an air carrier, foreign air carrier, or ticket agent that states a price for air transportation to be an unfair or deceptive practice unless the advertisement sets forth all price components for such air transportation so that the consumer can determine the entire price to be paid.

Option IV

5. Section 399.84 would be removed.

[FR Doc. 05–23841 Filed 12–13–05; 8:45 am]

BILLING CODE 4910–62–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**24 CFR Part 3282**

[Docket No. FR–4665–N–26]

Conference Call Meeting of the Manufactured Housing Consensus Committee

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice of upcoming meeting via conference call.

SUMMARY: This notice sets forth the schedule and proposed agenda of an upcoming meeting of the Manufactured Housing Consensus Committee (the Committee) to be held via telephone conference. This meeting is open to the general public, which may participate by following the instructions below.

DATES: The conference call meeting will be held on Monday, December 19, 2005, from 11 a.m. to 3 p.m. Eastern Standard Time.

ADDRESSES: Information concerning the conference call can be obtained from the Department's Consensus Committee Administering Organization, the National Fire Protection Association (NFPA). Interested parties can log onto NFPA's Web site for instructions concerning how to participate, and for contact information for the conference call: [http://www.nfpa.org/categoryList.asp?categoryID=858&URL=Codes%20and%20Standards/Code%20development%20process/Technical%20Committees/Non-NFPA%20Technical%20Committees/HUD%20Manufactured%20Housing%20Consensus%20Committee%20\(MHCC\)&cookie%5Ftest=1](http://www.nfpa.org/categoryList.asp?categoryID=858&URL=Codes%20and%20Standards/Code%20development%20process/Technical%20Committees/Non-NFPA%20Technical%20Committees/HUD%20Manufactured%20Housing%20Consensus%20Committee%20(MHCC)&cookie%5Ftest=1).

Alternately, interested parties may contact Valaree Crawford of NFPA by phone at (617) 984-7507 (this is not a toll-free number) for conference call information.

FOR FURTHER INFORMATION CONTACT:

William W. Matchneer III, Associate Deputy Assistant Secretary, Office of Regulatory Affairs and Manufactured Housing, Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410, telephone (202) 708-6409 (this is not a toll-free number). Persons who have difficulty hearing or speaking may access this number via TTY by calling the toll-free Federal Information Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION: Notice of this meeting is provided in accordance with Sections 10(a) and (b) of the Federal Advisory Committee Act (5 U.S.C. App.2) and 41 CFR 102-3.150. The Manufactured Housing Consensus Committee was established under Section 604(a)(3) of the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, 42 U.S.C. 5403(a)(3). The Committee is charged with providing recommendations to the Secretary to adopt, revise, and interpret manufactured home construction and safety standards and procedural and

enforcement regulations, and with developing and recommending proposed model installation standards to the Secretary.

The purpose of this conference call meeting is to permit the Committee, at its request, to review and make further recommendations to the Secretary regarding proposed changes to 24 CFR 3282.401 through 3282.418 (Subpart I—Consumer Complaint Handling and Remedial Actions), and the proposed Model Manufactured Home Installation Standards. The exceptional circumstances providing less than 15 calendar days notice of the meeting are that it is necessary to have this meeting on this date, which has been proposed and agreed to by the Committee, to permit the Committee to continue its consideration and take action regarding the foregoing matters in a timely manner.

Tentative Agenda

A. Roll Call.

B. Welcome and Opening remarks.

C. Full Committee meeting and take actions on proposed changes to 24 CFR part 3282, subpart I, and the proposed Model Manufactured Home Installation Standards.

D. Adjournment.

Dated: December 8, 2005.

Brian D. Montgomery,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 05-24044 Filed 12-9-05; 4:14 pm]

BILLING CODE 4210-27-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG-106030-98]

RIN 1545-AW50

Source of Income From Certain Space and Ocean Activities; Source of Communications Income; Hearing Cancellation

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Cancellation of notice of public hearing on proposed rulemaking.

SUMMARY: This document provides notice of cancellation of a public hearing on proposed rulemaking relating to the governing of source of income from certain space and ocean activities under section 863 of the Internal Revenue Code.

DATES: The public hearing originally scheduled for Thursday, December 15, 2005 at 10 a.m., is cancelled.

FOR FURTHER INFORMATION CONTACT:

Treena Garrett of the Publications and Regulations Branch, Associate Chief Counsel (Procedure and Administration) at (202) 622-7180 (not a toll-free number).

SUPPLEMENTARY INFORMATION: The notice of proposed rulemaking and notice of public hearing that appeared in the **Federal Register** on Monday, September 19, 2005 (70 FR 54859), announced that a public hearing was scheduled for Thursday, December 15, 2005, at 10 a.m. in the IRS Auditorium, Internal Revenue Service Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is proposed regulations under section 863 of the Internal Revenue Code. The public comment period for these proposed regulations expired on Wednesday, November 23, 2005. Outlines of oral comments were due on Wednesday, November 23, 2005.

The notice of proposed rulemaking and notice of public hearing, instructed those interested in testifying at the public hearing to submit outlines of the topics to be addressed. As of Wednesday, December 7, 2005, no one has requested to speak. Therefore, the public hearing scheduled for Thursday, December 15, 2005, is cancelled.

Cynthia E. Grigsby,

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

[FR Doc. 05-24038 Filed 12-9-05; 2:32 pm]

BILLING CODE 4830-01-P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Institute of Museum and Library Services

45 CFR Part 1180

RIN 3137-AA16

Technical Amendments To Reflect the New Authorizing Legislation of the Institute of Museum and Library Services

AGENCY: Institute of Museum and Library Services (IMLS), NFAH.

ACTION: Proposed rule.

SUMMARY: The Institute of Museum and Library Services proposes to amend grants regulations by removing outdated regulations and making certain technical amendments to reflect