

**FEDERAL TRADE COMMISSION****16 CFR Part 23****Guides for the Jewelry, Precious Metals, and Pewter Industries****AGENCY:** Federal Trade Commission.**ACTION:** Notice of extension of comment period.

**SUMMARY:** On July 6, 2005, the Federal Trade Commission ("FTC" or "Commission") requested public comments on whether the platinum section of the FTC's Guides for the Jewelry, Precious Metals, and Pewter Industries ("Jewelry Guides"), 16 CFR 23, should be amended. The Commission solicited comments until September 28, 2005. In response to a request from the Appraisal Information NetWork ("AI NetWork"), the Commission grants an extension of the comment period until October 12, 2005.

**DATES:** Written comments will be accepted until October 12, 2005.

**ADDRESSES:** Interested parties are invited to submit written comments. Comments should refer to "Jewelry Guides, Matter No. G711001" to facilitate the organization of comments. A comment filed in paper form should include this reference both in the text and on the envelope, and should be mailed or delivered to the following address: Federal Trade Commission/ Office of the Secretary, Room 135 (Annex Y), 600 Pennsylvania Avenue, NW., Washington, DC 20580. Comments containing confidential material must be filed in paper form, must be clearly labeled "Confidential," and must comply with Commission Rule 4.9(c), 16 CFR 4.9(c) (2004).<sup>1</sup>

Comments filed in electronic form should be submitted by clicking on the following: <http://secure.commentworks.com/ftc-jewelry> and following the instructions on the web-based form. To ensure that the Commission considers an electronic comment, you must file it on the web-based form at the <http://secure.commentworks.com/ftc-jewelry>. You also may visit <http://www.regulations.gov> to read this request for comment, and may file an electronic comment through that website. The Commission will consider all comments that [www.regulations.gov](http://www.regulations.gov) forwards to it.

<sup>1</sup> 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. See Commission Rule 4.9(c), 16 CFR 4.9(c).

The FTC Act and other laws the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. All timely and responsive public comments, whether filed in paper or electronic form, will be considered by the Commission, and will be available to the public on the FTC website, to the extent practicable, at <http://www.ftc.gov>. As a matter of discretion, the FTC makes every effort to remove home contact information for individuals from the public comments it receives before placing those comments on the FTC website. More information, including routine uses permitted by the Privacy Act, may be found in the FTC's privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

**FOR FURTHER INFORMATION CONTACT:** Neil Blickman, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580, (202) 326-3038.

**SUPPLEMENTARY INFORMATION:** On July 6, 2005, the Commission published in the **Federal Register** a request for public comments on whether to amend the platinum section of the Jewelry Guides, 16 CFR Part 23 (70 FR 38834). Specifically, the **Federal Register** notice solicited public comments on whether the platinum section of the Commission's Jewelry Guides should be amended to provide guidance on how to mark or non-deceptively describe products containing between 500 and 850 parts per thousand pure platinum and no other platinum group metals.

On September 15, 2005, the Commission staff received a request for an extension of the comment period from the AI NetWork.<sup>2</sup> The AI NetWork maintains that many industry members, including many small businesses, have received inadequate notice of the Commission's request for comment because the earliest that trade publications could have included information about the Commission's proceeding was in their September issues, and because of the adverse effects of Hurricane Katrina.

The Commission is aware that the issues raised by the **Federal Register** notice are complex and technical. Accordingly, to provide additional time

<sup>2</sup> The AI NetWork is an online professional network of interactive forums and reference materials for, among others, the gems and jewelry trades. Its subscribers include major jewelry manufacturers, distributors, retailers, designers, and appraisers, as well as gemologists and antique dealers. The AI NetWork and its subscribers, therefore, have a significant interest in the outcome of the Commission's proceeding relating to the Jewelry Guides.

for interested parties to prepare comments, the Commission has decided to extend the deadline for comments until October 12, 2005.

By direction of the Commission.

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

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**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; Correction****AGENCY:** Internal Revenue Service (IRS), Treasury.**ACTION:** Correction to notice of proposed rulemaking.

**SUMMARY:** This document corrects the notice of proposed rulemaking (REG-106030-98) that was published in the **Federal Register** on Monday, September 19, 2005 (70 FR 54859) under section 863(d) governing the source of income from certain space and ocean activities.

**FOR FURTHER INFORMATION CONTACT:** Edward R. Barret, (202) 622-3880 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:****Background**

The notice of proposed rulemaking (REG-106030-98) that is the subject of this correction is under section 863(d) of the Internal Revenue Code.

**Need for Correction**

As published, REG-106030-98 contains an error that may prove to be misleading and is in need of clarification.

**Correction of Publication**

Accordingly, the notice of proposed rulemaking (REG-106030-98), that was the subject of FR Doc. 05-18265, is corrected as follows:

**§ 1.863-9 [Corrected]**

On page 54875, column 3, § 1.863-9, paragraph (e), line 2, the language "*communications income*. Income" is

corrected to read “communications income. The source of income”.

**Cynthia Grigsby,**

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

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**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**30 CFR Parts 46, 48, 50, 56, 57, 75, and 77**

**RIN 1219-AB41**

**Use of or Impairment From Alcohol and Other Drugs on Mine Property**

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Advance notice of proposed rulemaking; notice of public meetings; close of record.

**SUMMARY:** Because of the inherent dangers present in all mining environments, we are considering regulatory and non-regulatory approaches to address the risks and hazards to miner safety from the use of or impairment from alcohol and other drugs, and are soliciting information from the public to help determine how to proceed.

**DATES:** Comments to this advance notice of proposed rulemaking must be received by November 27, 2005.

We will hold seven public meetings to gather additional information. The dates and locations are listed in the Public Meetings section under **SUPPLEMENTARY INFORMATION**. Individuals or organizations wishing to make presentations for the record are asked to submit a request to us at least five days prior to the meeting date; however, those who do not submit a request in advance will be given an opportunity to speak.

**ADDRESSES:** Comments must include Regulation Identifier Number (RIN) 1219-AB41 and may be submitted by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- E-mail to [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov). Include RIN 1219-AB41 in the subject line of the message.
- Fax: (202) 693-9441.
- Regular Mail or Hand Delivery: MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Blvd., Room 2350, Arlington, Virginia 22209-3939.
- Access to Docket: We post all comments received without change, including any personal information provided, at <http://www.msha.gov> under the “Rules & Regs” link. The public docket may be viewed at our Office of Standards, Regulations, and Variances, 1100 Wilson Blvd., Room 2349, Arlington, Virginia.

- We maintain a listserve on our Web site that enables subscribers to receive e-mail notification when we publish rulemaking documents in the **Federal Register**. To subscribe to the listserve, visit our site at <http://www.msha.gov/subscriptions/subscribe.aspx>.

**FOR FURTHER INFORMATION CONTACT:** Rebecca J. Smith, Acting Director, Office of Standards, Regulations, and Variances at 202-693-9440 (voice), 202-693-9441 (fax), or [smith.rebecca@dol.gov](mailto:smith.rebecca@dol.gov) (e-mail).

**Outline of ANPRM**

This outline will assist you in finding information in the **SUPPLEMENTARY INFORMATION** section of this document.

**Supplementary Information**

- I. Public Meetings
- II. Introduction
- III. Background
- IV. Issues
  - A. Nature, Extent, and Impact of the Problem
  - B. Prohibited Substances and Impaired Miners
  - C. Training
  - D. Inquiries Following Accidents
  - E. Drug-Free Workplace Programs
  - F. Costs and Benefits

**SUPPLEMENTARY INFORMATION:**

**I. Public Meetings**

The public meetings will begin at 9 a.m. and end after the last speaker testifies (in any event not later than 5 p.m.) on the following dates:

Date	Location	Phone
October 24, 2005 .....	Little America Hotel, 500 S Main Street, Salt Lake City, UT 84101 .....	801-363-6781
October 26, 2005 .....	Hyatt Regency St. Louis, 1 St. Louis Union Station, St. Louis, MO 63103 .....	800-233-1234
October 28, 2005 .....	Sheraton Birmingham, 2101 Richard Arrington Jr. Blvd. North, Birmingham, AL 35203 .....	205-324-5000
October 31, 2005 .....	Sheraton Suites Lexington, 2601 Richmond Rd., Lexington, KY 40506 .....	859-268-0060
November 2, 2005 .....	Marriott Town Center, 200 Lee St. East, Charleston, WV 25301 .....	304-345-6500
November 4, 2005 .....	Hyatt Regency Pittsburgh Int'l Airport, 1111 Airport Blvd., Pittsburgh, PA 15231 .....	800 233-1234
November 8, 2005 .....	MSHA Conference Room 25th Floor, 1100 Wilson Blvd., Arlington, VA 22209 .....	202 693-9440

The meetings will begin with an opening statement from us, followed by an opportunity for members of the public to make oral presentations to our panel. You do not have to make a written request to speak. You will speak in the order that you sign in. Any unallotted time will be made available for persons making same-day requests. At the discretion of our presiding official, the time allocated to speakers for your presentation may be limited. We will accept written comments and data for the record from any interested party, including those not presenting oral statements. The comment period will close on November 27, 2005.

The meetings will be conducted in an informal manner. We may ask questions of you. Although formal rules of evidence or cross examination will not apply, we may exercise discretion to ensure the orderly progress of the meeting and may exclude irrelevant or unduly repetitious material and questions.

A verbatim transcript of the meetings will be included in the rulemaking record. Copies of this transcript will be available to the public, and can be accessed at <http://www.msha.gov>.

**II. Introduction**

Given that our accident investigations do not routinely include an inquiry into the use of alcohol or other drugs as a contributing factor, there may be many instances in which alcohol or other drugs were involved in accidents and are not reported to us or that we do not uncover during investigations. Our preliminary review of our fatal and non-fatal mine accident records revealed a number of instances in which alcohol or other drugs or drug paraphernalia were found or reported, or in which the post-accident toxicology screen revealed the presence of alcohol or other drugs.