

change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to File No. SR-NASD-2003-136 and should be submitted by October 2, 2003.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>10</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 03-23153 Filed 9-10-03; 8:45 am]

**BILLING CODE 8010-01-P**

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## **SMALL BUSINESS ADMINISTRATION (SBA)**

### **Office of Chief Financial Officer (OCFO); Notice of Intent To Establish the U.S. Small Business Administration's Audit and Financial Management Advisory Committee and Request for Membership Applications**

**SUMMARY:** The U.S. Small Business Administration (SBA) announces its intent to establish the Audit and Financial Management Advisory Committee (AFMAC or "the Committee"). Accordingly, the SBA publishes this notice in compliance with the Federal Advisory Committee Act, as amended, (FACA) (Pub. L 92-463-5 U.S.C. App. 2). The purpose of AFMAC is to provide recommendations and advice regarding the Agency's financial management including the financial reporting process, systems of internal controls, audit process, and process for monitoring compliance with relevant laws and regulations. The SBA Administrator has determined that the establishment of the Committee is in the public interest because it supports proper disclosure and transparency of SBA's financial management. SBA requests applications from qualified individuals and organizations to serve on the Committee. All notices for AFMAC meetings will be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For additional information or a membership application, contact Thomas A. Dumaresq, Chief Financial Officer, 409

Third Street, SW.; telephone (202) 205-6449.

**SUPPLEMENTARY INFORMATION:** AFMAC shall be comprised of at least three members, including one Chairperson, as determined by the SBA's Administrator, who are free from any relationship that would interfere with the exercise of independent judgment as a member of the Committee. Committee membership must be fairly balanced and diverse in terms of occupational background and type of financial expertise. Committee members must have sufficient financial knowledge and experience to enable them to discharge the AFMAC's duties. Each member must be able to: (i) Understand federal financial statements; and (ii) recognize factors affecting the quality of SBA's financial reporting as a basis to make meaningful recommendations about the agencies audited financial statements and related financial management policy. SBA will view very favorably candidates possessing a broad accounting background, extensive financial management expertise, and/or significant experience with federal financial management.

Any qualified individual or organization interested in serving on the Committee should contact SBA for a membership application.

**Scott R. Morris,**

*Deputy Chief of Staff.*

[FR Doc. 03-23115 Filed 9-10-03; 8:45 am]

**BILLING CODE 8025-01-P**

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## **SMALL BUSINESS ADMINISTRATION**

### **Notice of Advisory Council Public Meeting**

The Small Business Administration Region 5 Wisconsin District Advisory Council, located in the geographical area of Milwaukee, Wisconsin, will hold a public meeting at 12 noon on Wednesday, September 17, 2003, at the metro Milwaukee Area Chamber Building 756 North Milwaukee Street 4th Floor, Milwaukee, WI 53202 to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present.

Anyone wishing to make an oral presentation to the Board must contact Yolanda Staples Lassiter, EDA, in writing by letter or by fax at (202) 481-5885 no later than September 15, 2003, in order to be put on the agenda. For further information, write or call Yolanda Staples Lassiter, EDA U.S. Small Business Administration, 310 West Wisconsin Ave., Suite 400

Milwaukee, Wisconsin 53203, (414) 297-1090.

**Scott Morris,**

*Deputy Chief of Staff.*

[FR Doc. 03-23114 Filed 9-10-03; 8:45 am]

**BILLING CODE 8025-01-P**

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## **DEPARTMENT OF TRANSPORTATION**

### **Office of the Secretary**

#### **Disclosure of Additional Fees, Charges and Restrictions on Air Fares in Advertisements, Including "Free" Airfares**

This notice is intended to give further guidance to air carriers and other sellers of air transportation on how those additional taxes, fees, and restrictions that are permitted to be listed separately from a fare quotation may be disclosed in advertisements.<sup>1</sup> This guidance will be used by the Office of Aviation Enforcement and Proceedings in its compliance and enforcement activities associated with 14 CFR 399.84, the Department's full fare advertising rule, and 49 U.S.C. 41712, which prohibits unfair and deceptive practices.

As permitted by Department rules, interpretive guidance, and enforcement case precedent, advertisements of air fares frequently do not state the full price charged the consumer, but instead quote a base fare and break out the fees and taxes that are permitted to be separately stated.<sup>2</sup> Substantial restrictions that apply to the advertised fare, which must be disclosed under Department rules and case precedent, are also generally listed separately. We are concerned that, in some instances, including in print advertisements, the notice of separately stated fees and restrictions is not adequate to alert consumers to the existence and nature

<sup>1</sup> See earlier guidance, most recently the notice dated January 18, 2001, as well as earlier notices, available at <http://airconsumer.ost.dot.gov/rules.htm>.

<sup>2</sup> While 14 CFR 399.84 requires that any advertisement of an air fare which quotes a price must state the full price to be charged the consumer, a number of exceptions have been recognized in the Department's enforcement case precedent and in advisory letters to the industry. For example, the Department has allowed taxes and fees collected by carriers and other sellers of air transportation to be stated separately in fare advertisements so long as the charges are levied by a government entity, are not *ad valorem* in nature, and are collected on a per-passenger basis (e.g., passenger facility charges and departure taxes). The existence and amount of these additional charges, however, must be clearly indicated in the advertisement so that the consumer can determine the full fare to be paid.

<sup>10</sup> 17 CFR 200.30-3(a)(12).