

carry-on bag, canceling a reservation, and changing a reservation. The information provided by the carrier must be sufficient to enable the ticket agent to comply with the baggage disclosure requirements in paragraph (b) of this section and the change and cancellation disclosure requirements in paragraph (c) of this section. Carriers have no obligation to ensure that these fees are transactable by ticket agents; and

(2) For air transportation within, to, or from the United States, each U.S. and foreign air carrier that provides fare, schedule, and availability information to ticket agents to sell or display the carrier's flights directly to consumers must provide such ticket agents useable, current, and accurate information of the fee rules for aircraft seats if the carrier charges a fee for a child, who is age 13 or under on the date an applicable flight is scheduled to occur, to be seated in a seat adjacent to the seat of an accompanying adult. The aircraft seat fee information must be detailed enough to enable the ticket agent to disclose the applicable fees for adjacent seats for each flight in the itinerary of a child, who is age 13 or under on the date an applicable flight is scheduled to occur, as set forth in paragraph (e) of this section. Carriers must ensure that seat fees are transactable by ticket agents.

(k) *Unfair and Deceptive Practice.* The Department considers the failure to provide and adhere to the disclosures required by this section to be an unfair and deceptive practice within the meaning of 49 U.S.C. 41712. The Department also considers the practice of collecting a fee from consumers for critical ancillary services (*i.e.*, first and second checked bags, one carry-on item, canceling or changing a reservation, adjacent seats when traveling with a child who is 13 years of age or under) without disclosure of this fee when fare and schedule information is provided to be an unfair and deceptive practice in violation of 49 U.S.C. 41712. Any fee that has been collected from consumers for critical ancillary services must be refunded to consumers by the seller of the air transportation if disclosures required by this section were not provided.

■ 5. Revise § 399.88(a) to read as follows:

§ 399.88 Prohibition on post-purchase price increase.

(a) It is an unfair and deceptive practice within the meaning of 49 U.S.C. 41712 for any seller of scheduled air transportation within, to or from the United States, or of a tour (*i.e.*, a combination of air transportation and

ground or cruise accommodations), or tour component (*e.g.*, a hotel stay) that includes scheduled air transportation within, to or from the United States, to increase the ticket price of that air transportation, tour or tour component or to apply revised price rules for a first checked bag, a second checked bag, and one carry-on bag to a consumer, after the air transportation has been purchased by the consumer, except in the case of an increase in a government-imposed tax or fee. A purchase is deemed to have occurred when the full amount agreed upon has been paid by the consumer.

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[FR Doc. 2022-22214 Filed 10-19-22; 8:45 am]

BILLING CODE 4910-9X-P

FEDERAL TRADE COMMISSION

16 CFR Chapter I

Trade Regulation Rule on Commercial Surveillance and Data Security

AGENCY: Federal Trade Commission.

ACTION: Advance notice of proposed rulemaking; extension of comment period.

SUMMARY: The Federal Trade Commission (“FTC” or “Commission”) is extending the deadline for filing comments on its advance notice of proposed rulemaking (“ANPR”) regarding whether the Commission should prescribe new trade regulation rules or other regulatory alternatives concerning commercial surveillance and data security practices that are prevalent and unfair or deceptive.

DATES: The deadline for comments on the advance notice of proposed rulemaking published August 22, 2022 (87 FR 51273) is extended. Comments must be received on or before November 21, 2022.

ADDRESSES: Interested parties may file a comment online or on paper by following the instructions in the Comment Submissions part of the **SUPPLEMENTARY INFORMATION** section below. Write “Commercial Surveillance ANPR, R111004” on your comment, and file your comment online at <https://www.regulations.gov>. If you prefer to file your comment on paper, mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC-5610 (Annex B), Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: James Trilling, 202-326-3497; Peder Magee, 202-326-3538; Olivier Sylvain, 202-326-3046; or commercialsurveillancerm@ftc.gov.

SUPPLEMENTARY INFORMATION:

I. Comment Period Extension

On August 22, 2022 (87 FR 51273), the Commission published in the **Federal Register** an advance notice of proposed rulemaking concerning Trade Regulation Rule on Commercial Surveillance and Data Security (“ANPR”), with an October 21, 2022 deadline for filing comments. The Commission published the ANPR to seek public comments on the prevalence of commercial surveillance and data security practices that are unfair or deceptive acts or practices under the Federal Trade Commission Act and whether the Commission should prescribe new trade regulation rules or other regulatory alternatives to address them. Interested parties have subsequently requested an extension of the public comment period to give them additional time to respond to the ANPR’s requests for comment.¹

The Commission agrees that allowing additional time for filing comments in response to the ANPR would help facilitate the creation of a more complete record. The Commission has therefore decided to extend the comment period for 31 days, to November 21, 2022. A 31-day extension will provide commenters adequate time to address the issues raised in the ANPR.

II. Request for Comment

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before November 21, 2022. Write “Commercial Surveillance ANPR, R111004” on the comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the <https://www.regulations.gov> website. The Commission strongly encourages you to submit your comment online through the <https://www.regulations.gov> website. To ensure the Commission considers your online comment, please follow the instructions on the web-based form.

If you file your comment on paper, write “Commercial Surveillance ANPR, R111004” on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary,

¹ See Cmt. of NTCA—The Rural Broadband Association, Docket ID FTC-2022-0053 (Oct. 6, 2022), <https://www.regulations.gov/comment/FTC-2022-0053-0142>; Cmt. of Am. Escrow Ass’n et al., Docket ID FTC-2022-0053 (Sept. 26, 2022), <https://www.regulations.gov/comment/FTC-2022-0053-0105>.

600 Pennsylvania Avenue NW, Suite CC-5610 (Annex B), Washington, DC 20580.

Because your comment will be placed on the public record, you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not contain sensitive personal information, such as your or anyone else's Social Security number; date of birth; driver's license number or other state identification number or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any "[t]rade secret or any commercial or financial information which . . . is privileged or confidential"—as provided in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled "Confidential," and must comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted publicly at <https://www.regulations.gov>—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

Visit the FTC website to read this document and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments it receives on or before November 21, 2022. For information on the Commission's privacy policy, including

routine uses permitted by the Privacy Act, see <https://www.ftc.gov/siteinformation/privacy-policy>.

By direction of the Commission, Commissioner Wilson abstaining.

April J. Tabor,

Secretary.

[FR Doc. 2022-22813 Filed 10-19-22; 8:45 am]

BILLING CODE 6750-01-P

DEPARTMENT OF STATE

22 CFR Part 51

[Public Notice 11299]

RIN 1400-AF10

Passports: Form DS-3053 Statement of Consent; Consular Reports of Birth Abroad (CRBA)

AGENCY: Department of State.

ACTION: Proposed rule.

SUMMARY: The Department proposes to amend its rule regarding minor passport applications to allow a non-applying parent to sign the statement of consent before a notary public or a passport specialist at one of the public passport agency/center counters located within the United States. Department of State Form DS-3053, which is used to obtain the written consent from the parent or legal guardian of a minor passport applicant when they cannot be present at the time the application is executed, is being revised to be consistent with this rulemaking. This proposal also amends the rule by removing from the list of acceptable documentary evidence of sole authority/custody a Consular Report of Birth Abroad (CRBA) listing only the applying parent. Finally, this rulemaking updates the authority citation for the regulations.

DATES: The Department of State will accept comments until December 19, 2022.

ADDRESSES: Interested parties may submit comments to the Department by any of the following methods:

- Visit the [Regulations.gov](https://www.regulations.gov) website at <https://www.regulations.gov> and search for the docket number DOS-2021-0001.

- **Email:** PassportOfficeofAdjudicationGeneral@state.gov. You must include RIN 1400-AF10 in the subject line of your message.

- All comments should include the commenter's name, the organization the commenter represents, if applicable, and the commenter's address. If the Department is unable to read your comment for any reason, and cannot contact you for clarification, the

Department may not be able to consider your comment. After the conclusion of the comment period, the Department will publish a Final Rule (in which it will address relevant comments) as expeditiously as possible.

FOR FURTHER INFORMATION CONTACT:

Kelly Cullum, Office of Adjudication, Passport Services, (202) 485-8800, or email

PassportOfficeofAdjudicationGeneral@state.gov.

SUPPLEMENTARY INFORMATION: When applying for a U.S. passport on behalf of a minor under the age of 16, the minor's parents or legal guardians must both execute the passport application, unless the applying parent can demonstrate sole authority to obtain the passport. Currently, if one of the parents or legal guardians does not execute the passport application, the non-applying parent must submit a notarized statement/affidavit consenting to the issuance of a passport for the minor, along with a copy of the parent's identification. Feedback from parents and legal guardians indicates that the notarization of the document can be a difficult requirement to meet and adds more time and expense to the application process. Additionally, when the non-applying parent appears at a passport agency/center counter to complete the statement of consent, they must be turned away and sent to a notary public.

The Department proposes to amend 22 CFR 51.28(a)(3)(i) and (a)(4)(i) and (ii) to allow the non-applying parent or legal guardian to sign a statement of consent before a passport specialist at one of the public passport agency/center counters located within the United States as an alternative to signing it before a notary public when an application is pending at a passport agency/center or overseas post. This counter service will be offered free of charge. This proposal further amends § 51.28(a)(4)(ii) to clarify that where one parent authorizes a person to apply in loco parentis on behalf of a minor, they must demonstrate that they have sole legal authority to execute the passport application on behalf of that minor or that exigent or special family circumstances exist.

This proposal also amends 22 CFR 51.28(a)(3)(ii) by removing from the list of acceptable documentary evidence of sole authority/custody a Consular Report of Birth Abroad (CRBA) listing only the applying parent, because a CRBA is a citizenship document and not by itself evidence of sole authority/custody.