

advertisements may be sent and clearly indicates the recipient's consent to receive such facsimile advertisements from the sender. In light of the on-going developments in Congress and pending resolution of the petitions for reconsideration and clarification of the Commission's facsimile advertising rules, we believe the public interest would best be served by delaying the effective date of the written consent requirement. This delay will provide the Commission requisite time to address the petitions for reconsideration filed on these issues. For these same reasons, until January 9, 2006, the 18-month limitation on the duration of the established business relationship based on purchases and transactions and the three-month limitation on applications and inquiries will not apply to the transmission of facsimile advertisements.

#### Ordering Clauses

Pursuant to Sections 1–4, 227, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151–154, 227, and 303(r), the *Order* in CG Docket No. 02–278 is adopted and that the *Report and Order*, FCC 03–153, is modified as set forth herein.

The Fax Ban Coalition's Petition for Further Extension of Stay is granted to the extent discussed herein.

The effective date for: (1) The Commission's determination that an established business relationship will no longer be sufficient to show that an individual or business has given their express permission to receive unsolicited facsimile advertisements; (2) the 18-month and three month limitations on the duration of the established business relationship as applied to the sending of facsimile advertisements as described above; and (3) the requirement that the sender of a facsimile advertisement first obtain the recipient's express permission in writing, as codified at 47 CFR 64.1200(a)(3)(i), IS January 9, 2006, and that the *Order* is effective upon publication in the **Federal Register**.

The Commission will not send a copy of the *Order* pursuant to Congressional Review Act, see 5 U.S.C. 801(a)(1)(A) because the adopted rules are rules of particular applicability.

#### List of Subjects in 47 CFR Part 64

Telephone.

Federal Communications Commission.

**Marlene H. Dortch**,  
Secretary.

[FR Doc. 05–13025 Filed 6–29–05; 8:45 am]

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## OFFICE OF MANAGEMENT AND BUDGET

### Office of Federal Procurement Policy

#### 48 CFR Part 9904

#### Capitalization of Tangible Assets; Correction

**AGENCY:** Cost Accounting Standards Board; Office of Federal Procurement Policy, OMB.

**ACTION:** Correction to final rule.

**SUMMARY:** This document contains technical corrections to the Illustrations in CAS 9904.404, "Capitalization of Tangible Assets." An amendment to this Standard was published on February 13, 1996 (61 FR 5520). However, while the contractor's minimum cost criteria for capitalization was increased from \$1,500 to \$5,000 in the body of the Standard, this change was not reflected in the Illustrations part of the Standard. This technical correction brings the figures in the relevant Illustrations into line with the \$5,000 minimum cost criteria for capitalization currently incorporated in the body of the Standard.

**DATES:** This rule is effective June 30, 2005.

**FOR FURTHER INFORMATION CONTACT:** Rein Abel, Director of Research Cost Accounting Standards Board (telephone 202–395–3254).

**SUPPLEMENTARY INFORMATION:** When the Standard was amended in February 1996 (61 FR 5520) only the fundamental requirement at 9904–40 (b)(1) was changed to reflect the increase in the capitalization criteria from \$1,500 to \$5,000. However, corresponding changes were not made to the Illustrations in the Standard. This document makes the necessary technical corrections to Illustrations at 9904–60.

#### List of Subjects in 48 CFR 9904

Government procurement, Cost accounting standards.

■ Accordingly, for the reasons set forth above, it is proposed to correct 48 CFR part 9904 as follows:

#### PART 9904—COST ACCOUNTING STANDARDS

■ 1. Authority. The authority citation for part 9904 continues to read as follows:

**Authority:** Public Law 100–679 Stat. 4056, 41 U.S.C. 422.

#### 9904.404–60 [Corrected]

■ 2. In 9904.404–60 (a) (1), first sentence, remove "\$2,000" and insert "\$6,000" in

its place; and in the second sentence remove "\$1,500" and insert "\$5,000" in its place; and in paragraph (a) (1) (i) revise the first sentence to read as follows: "Contractor acquires a tangible capital asset with a life of 18 months at a cost of \$6,500."

**David H. Safavian**,

Chair, Cost Accounting Standards Board.

[FR Doc. 05–12857 Filed 6–29–05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. NHTSA–05–21400]

RIN 2127–AI47

#### Federal Motor Vehicle Safety Standards; Hydraulic and Electric Brake Systems

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** This document amends the Federal motor vehicle safety standard on hydraulic and electric brake systems to extend the current minimum performance requirements and associated test procedures for parking brake systems to all multipurpose passenger vehicles (MPVs), buses and trucks with gross vehicle weight ratings (GVWR) greater than 10,000 pounds (4,536 kilograms) equipped with hydraulic or electric brake systems. Currently, the only vehicles with GVWRs greater than 10,000 pounds to which the standard's parking brake requirements apply are school buses. The agency concludes that it is in the interest of safety to require all MPVs, buses and trucks with GVWRs over 10,000 pounds to have parking brakes that meet the performance requirements currently applicable to heavy school buses.

**DATES:** This final rule takes effect June 30, 2006, except for the revision of the heading of 49 CFR 571.135, which takes effect June 30, 2005. The incorporation by reference of a certain publication listed in the regulations is approved by the Director of the Federal Register as of June 30, 2006.

Any petitions for reconsideration of today's final rule must be received by NHTSA not later than August 15, 2005.

**ADDRESSES:** Petitions for reconsideration should refer to the docket number for