

*Administrative Procedure Act*

Prior notice and an opportunity for public comment are not required for this rule of agency organization, procedure, or practice. 5 U.S.C. 553(b)(A).

*Regulatory Flexibility Act*

Because notice and comment are not required under 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. As such, a regulatory flexibility analysis is not required, and none has been prepared.

*Paperwork Reduction Act*

Notwithstanding any other provision of the law, no person is required to, nor shall any person be subject to penalty for failure to comply with, a collection of information, subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

There are no collections of information involved in this rulemaking.

*National Environmental Policy Act*

This rule will not significantly affect the quality of the human environment. Therefore, an environmental assessment or Environmental Impact Statement is not required to be prepared under the National Environmental Policy Act of 1969.

**List of Subjects in 15 CFR Part 270**

Administrative practice and procedure; Buildings and facilities; Disaster assistance; Evidence; Investigations; National Institute of Standards and Technology; Science and technology; Subpoena.

Dated: May 2, 2003.

**Karen H. Brown,**  
*Deputy Director.*

■ For the reasons set forth in the preamble, Title 15 of the Code of Federal Regulations is amended as follows:

**PART 270—NATIONAL CONSTRUCTION SAFETY TEAMS**

■ 1. The authority citation for part 270 is revised to read as follows:

**Authority:** Pub. L. 107–231, 116 Stat. 1471 (15 U.S.C. 7301 *et seq.*).

■ 2. Section 270.310 is amended by revising the introductory text to read as follows:

**§ 270.310 Evidence collected by investigation participants who are not NIST employees.**

Upon receipt of evidence pursuant to an investigation under the Act, each

investigation participant who is not a NIST employee shall:

\* \* \* \* \*

**§ 270.312 [Amended]**

■ 3. Section 270.312 is amended by removing the last sentence.

**§ 270.314 [Amended]**

■ 4. In § 270.314, the reference to “§ 270.312” is revised to read “§ 270.313”.

■ 5. Section 270.315 is amended by revising paragraph (d)(2) to read as follows:

**§ 270.315 Subpoenas.**

\* \* \* \* \*

(d) \* \* \*

(2) By certified mail, return receipt requested, or delivery to the last known residence or business address of such person or agent; or

\* \* \*

\* \* \* \* \*

[FR Doc. 03–11361 Filed 5–6–03; 8:45 am]

BILLING CODE 3510–13–P

**SECURITIES AND EXCHANGE COMMISSION****17 CFR Part 232**

[Release Nos. 33–8224; 34–47766; 35–27672; 39–2407; IC–26032]

RIN 3235–AG96

**Adoption of Updated EDGAR Filer Manual**

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule.

**SUMMARY:** The Securities and Exchange Commission (the Commission) is adopting revisions to the EDGAR Filer Manual to reflect updates to the EDGAR system based upon recent rulemaking activity related to mandating the electronic filing, and Web site posting by issuers with corporate Web sites, of beneficial ownership reports filed by officers, directors and principal security holders under section 16(a) of the Securities Exchange Act of 1934, generally as required by section 403 of the Sarbanes-Oxley Act of 2002, as well as the fact that EDGAR will no longer accept magnetic tape cartridges as a filing medium. The new release will include a new Online Forms Internet Web site (<https://www.onlineforms.edgarfiling.sec.gov>) that will allow for the online creation and submission of ownership reports Forms 3, 4 and 5; their amendments, Forms 3/A, 4/A and 5/A; and, a minor

update to EDGARLink submission template 2 to disallow the filing of the ownership forms due to the online capability. The revisions to the Filer Manual reflect these changes, most significantly, within the addition of a third Volume entitled “EDGAR Release 8.5 OnlineForms Filer Manual Volume III.” Volumes I and II of the Filer Manual, EDGARLink and the N–SAR Supplement respectively, have been modified, mainly, to reference the new Online Forms Web site and the removal of magnetic tape cartridges as a filing medium. Support for filing via magnetic tape cartridges is being removed due to lack of use by filers. This feature was last used officially by a filer, for a live filing, in 2001, and only by a few filers that whole year. The updated manual will be incorporated by reference into the Code of Federal Regulations.

**EFFECTIVE DATE:** May 7, 2003. The incorporation by reference of the EDGAR Filer Manual is approved by the Director of the Federal Register as of May 7, 2003.

**FOR FURTHER INFORMATION CONTACT:** In the Office of Information Technology, Rick Heroux at (202) 942–8800; for questions concerning Investment Management company filings, Ruth Armfield Sanders, Senior Special Counsel, or Shaswat K. Das, Senior Counsel, Division of Investment Management, at (202) 942–0978; and for questions concerning Corporation Finance company filings, Herbert Scholl, Office Chief, EDGAR and Information Analysis, Division of Corporation Finance, at (202) 942–2940.

**SUPPLEMENTARY INFORMATION:** Today we are adopting an updated EDGAR Filer Manual (Filer Manual). The Filer Manual describes the technical formatting requirements for the preparation and submission of electronic filings through the Electronic Data Gathering, Analysis, and Retrieval (EDGAR) system.<sup>1</sup> It also describes the requirements for filing using modernized EDGARLink.<sup>2</sup>

The Filer Manual contains all the technical specifications for filers to submit filings using the EDGAR system. Filers must comply with the applicable provisions of the Filer Manual in order to assure the timely acceptance and processing of filings made in electronic

<sup>1</sup> We originally adopted the Filer Manual on April 1, 1993, with an effective date of April 26, 1993. Release No. 33–6986 (Apr. 1, 1993) [58 FR 18638]. We implemented the most recent update to the Filer Manual on September 17, 2001. See Release No. 33–8007 (September 24, 2001) [66 FR 49829].

<sup>2</sup> This is the filer assistance software we provide filers filing on the EDGAR system.