

internal administrative actions.<sup>6</sup> This rulemaking is exempt under that provision.

### Regulatory Flexibility Act Certification

7. The Regulatory Flexibility Act of 1980 (RFA)<sup>7</sup> generally requires a description and analysis of final rules that will have significant economic impact on a substantial number of small entities. The Commission certifies that this final rule will not have such an impact. An analysis under the RFA therefore is not required.

### Document Availability

8. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through FERC's Home page (<http://www.ferc.gov>) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5 p.m. Eastern time) at 888 First Street, NE., Room 2A, Washington, DC 20426.

9. From FERC's Home page on the Internet, this information is available in the Federal Energy Regulatory Records Information System (FERRIS). The full text of this document is available on FERRIS in PDF and WordPerfect format for viewing, printing, and/or downloading. To access this document in FERRIS, type the docket number excluding the last three digits of this document in the docket number field.

10. User assistance is available for FERRIS and the FERC's website during normal business hours. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659.

### Effective Date

11. This final rule is effective immediately upon issuance. Congressional review of Final Rules does not apply to this Final Rule, because the rule concerns agency procedure and practice and will not substantially affect the rights of non-agency parties.

### List of Subjects in 18 CFR Part 375

Authority delegations (Government agencies), Seals and insignia, Sunshine Act.

By the Commission.

**Magalie R. Salas,**  
Secretary.

In consideration of the foregoing, the Commission amends Part 375, Chapter I,

Title 18, *Code of Federal Regulations*, as follows.

## PART 375—THE COMMISSION

1. The authority citation for part 375 continues to read as follows:

**Authority:** 5 U.S.C. 551–557; 15 U.S.C. 717–717w, 3301–3432; 16 U.S.C. 791–825r, 2601–2645; 42 U.S.C. 7101–7352.

2. Section 375.304 is amended by revising paragraph (b)(1)(iv) and adding paragraph (b)(1)(v) to read as follows:

### § 375.304 Delegations to the Chief Administrative Law Judge

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

(iv) Extend any close or record date ordered by the Commission in a proceeding for good cause, and

(v) Set or extend procedural time standards, including but not limited to hearing, briefing and initial decision dates, including dates set by the Commission, unless the Commission states otherwise in its hearing order.

\* \* \* \* \*

[FR Doc. 03–3115 Filed 2–7–03; 8:45 am]

BILLING CODE 6718–01–P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 58

### Conforming Regulations Regarding Removal of Section 507 of the Federal Food, Drug, and Cosmetic Act

#### CFR Correction

In Title 21 of the Code of Federal Regulations, Parts 1 to 99, revised as of April 1, 2002, on page 310, in § 58.3, paragraph (e)(9) is removed and reserved.

[FR Doc. 03–55505 Filed 2–7–03; 8:45 am]

BILLING CODE 1505–01–D

## DEPARTMENT OF STATE

#### 22 CFR Part 123

### Licenses for the Export of Defense Articles

#### CFR Correction

In Title 22 of the Code of Federal Regulations, Parts 1 to 299, revised as of April 1, 2002, on page 447, the authority citation for part 123 is revised to read as follows:

**Authority:** Secs. 2, 38, and 71, Pub. L. 90–629, 90 Stat. 744 (22 U.S.C. 2752, 2778,

2797); 22 U.S.C. 2753; E.O. 11958, 42 FR 4311; 3 CFR, 1977 Comp. p. 79; 22 U.S.C. 2658; Pub. L. 105–261, 112 Stat. 1920.

[FR Doc. 03–55503 Filed 2–7–03; 8:45 am]

BILLING CODE 1505–01–D

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### 30 CFR Part 100

#### RIN 1219–AB32

### Criteria and Procedures for Proposed Assessment of Civil Penalties

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

**ACTION:** Direct final rule.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) is revising its civil penalty assessment amounts to adjust for inflation. The Debt Collection Improvement Act of 1996 (DCIA) requires MSHA to adjust all civil penalties for inflation at least once every four years according to the formula specified in the Federal Civil Penalties Inflation Adjustment Act of 1990 (Inflation Adjustment Act). MSHA intends that this action will maintain the deterrent effect of its civil penalties and encourage compliance with the Federal Mine Safety and Health Act of 1977 (Mine Act) and its regulations. The revised penalties apply to citations and orders issued on or after the effective date, and not to citations or orders pending assessment on the effective date.

**DATES:** This direct final rule is effective April 11, 2003 without further notice, unless we (MSHA) receive significant adverse comment by March 12, 2003.

**ADDRESSES:** Clearly identify comments as such and submit them either electronically to [comments@msha.gov](mailto:comments@msha.gov); by facsimile to (202) 693–9441; or by regular mail or hand delivery to MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Blvd., Room 2313, Arlington, Virginia 22209–3939. Comments are posted for public viewing at <http://www.msha.gov/currentcomments.htm>.

**FOR FURTHER INFORMATION CONTACT:** Marvin W. Nichols, Director; Office of Standards, Regulations, and Variances, MSHA; Phone: (202) 693–9440; FAX: (202) 693–9441; E-mail: [nichols-marvin@msha.gov](mailto:nichols-marvin@msha.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Direct Final Rule

The Debt Collection Improvement Act of 1996 requires MSHA to adjust our

<sup>6</sup> 18 CFR 380.4(1) and (5).

<sup>7</sup> 5 U.S.C. 601–612.