

impose substantial direct compliance costs on Indian tribal governments; and would not preempt tribal law. Therefore, a tribal summary impact statement is not required.

*Executive Order 13211 (Energy Effects)*

The FHWA has analyzed this final rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. This is not a significant energy action under Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. Therefore, a Statement of Energy Effects under Executive Order 13211 is not required.

*Executive Order 12372 (Intergovernmental Review)*

Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

*Paperwork Reduction Act*

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501, *et seq.*), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct, sponsor, or require through regulations. The FHWA has determined that this action does not contain collection information requirements for purposes of the PRA.

*Executive Order 12988 (Civil Justice Reform)*

This action meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

*Executive Order 13045 (Protection of Children)*

The FHWA has analyzed this action under Executive Order 13045, Protection of Children From Environmental Health Risks and Safety Risks. This is not an economically significant action and does not concern an environmental risk to health or safety that may disproportionately affect children.

*Executive Order 12630 (Taking of Private Property)*

This action will not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

*National Environmental Policy Act*

The agency has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that it will not have any effect on the quality of the environment.

**Regulation Identification Number**

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

**List of Subjects in 23 CFR Part 655**

Design standards, Grant programs—transportation, Highways and roads, Incorporation by reference, Signs, Traffic regulations.

Issued on: March 6, 2003.

**Mary E. Peters,**

*Federal Highway Administrator.*

In consideration of the foregoing, the FHWA amends title 23, Code of Federal Regulations, part 655, subpart F as follows:

**PART 655—TRAFFIC OPERATIONS**

1. The authority citation for part 655 continues to read as follows:

**Authority:** 23 U.S.C. 101(a), 104, 109(d), 114(a), 217, 315, and 402(a); 23 CFR 1.32; and 49 CFR 1.48(b).

**Subpart F—[Amended]**

2. Amend § 655.603 by revising paragraphs (b)(1), (b)(2) and (d)(1) to read as follows:

**§ 655.603 Standards.**

\* \* \* \* \*

(b) *State of Federal MUTCD.*

(1) Where State or other Federal agency MUTCDs or supplements are required, they shall be in substantial conformance with the national MUTCD. Changes to the national MUTCD issued by the FHWA shall be adopted by the States or other Federal agencies within 2 years of issuance. The FHWA Division Administrators shall approve the State MUTCDs and supplements that are in

substantial conformance with the national MUTCD.

(2) The FHWA Associate Administrator of the Federal Lands Highway Program shall approve other Federal land management agencies' MUTCDs that are in substantial conformance with the national MUTCD. States and other Federal agencies are encouraged to adopt the national MUTCD as their official Manual on Uniform Traffic Control Devices.

\* \* \* \* \*

(d) Compliance—(1) *Existing highways.* Each State, in cooperation with its political subdivisions, and Federal agency shall have a program as required by 23 U.S.C. 402(a), which shall include provisions for the systematic upgrading of substandard traffic control devices and for the installation of needed devices to achieve conformity with the MUTCD.

[FR Doc. 03-6920 Filed 3-21-03; 8:45 am]

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**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

**28 CFR Part 16**

[AAG/A Order No. 009-2003]

**Privacy Act of 1974; Implementation**

**AGENCY:** Department of Justice, Drug Enforcement Administration.

**ACTION:** Final rule.

**SUMMARY:** The Department of Justice is exempting a Privacy Act system of records entitled "Clandestine Laboratory Seizure System (CLSS), Justice/DEA-002," from subsections (c)(3) and (4); (d)(1), (2), (3) and (4); (e)(1), (2) and (3), (e)(5), and (e)(8); and (g) of the Privacy Act of 1974.

**EFFECTIVE DATE:** This final rule is effective March 24, 2003.

**FOR FURTHER INFORMATION CONTACT:** Mary Cahill (202) 307-1823.

**SUPPLEMENTARY INFORMATION:** The exemptions will be applied only to the extent that information in a record is subject to an exemption pursuant to 5 U.S.C. 552a(j) and (k).

On January 27, 2003 (68 FR 3847), a proposed rule was published in the **Federal Register** with an invitation to comment. No comments were received.

This order relates to individuals rather than small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, this order will not have a significant

economic impact on a substantial number of small entities.

#### List of Subjects in 28 CFR Part 16

Administrative practices and procedures, Courts, Freedom of Information Act, and Privacy.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General Order No. 793-78, 28 CFR part 16 is amended as follows:

#### PART 16—[AMENDED]

##### Subpart E—Exemption of Records Systems under the Privacy Act

1. The authority for part 16 continues to read as follows:

**Authority:** 5 U.S.C. 301, 552, 552a, 552b(g), and 553; 18 U.S.C. 4203(a)(1); 28 U.S.C. 509, 510, and 534; 31 U.S.C. 3717 and 9701.

2. Section 16.98 is amended as follows:

- (a) By revising paragraph (c)
- (b) By revising the first sentence of paragraph (d)
- (c) By removing paragraphs (g) and (h).

The revisions read as follows:

##### § 16.98 Exemption of the Drug Enforcement Administration (DEA)—limited access.

\* \* \* \* \*

(c) Systems of records identified in paragraphs (c)(1) through (c)(7) below are exempted pursuant to the provisions of 5 U.S.C. 552a (j)(2) from subsections (c)(3) and (4); (d)(1), (2), (3) and (4); (e)(1), (2) and (3), (e)(5), (e)(8); and (g) of 5 U.S.C. 552a. In addition, systems of records identified in paragraphs (c)(1), (c)(2), (c)(3), (c)(4), (c)(5), and (c)(6) below are also exempted pursuant to the provisions of 5 U.S.C. 552a (k)(1) from subsections (c)(3); (d)(1), (2), (3) and (4); and (e)(1):

- (1) Air Intelligence Program (Justice/DEA-001)
- (2) Clandestine Laboratory Seizure System (CLSS) (Justice/DEA-002)
- (3) Investigative Reporting and Filing System (Justice/DEA-008)
- (4) Planning and Inspection Division Records (Justice/DEA-010)
- (5) Operation Files (Justice/DEA-011)
- (6) Security Files (Justice/DEA-013)
- (7) System to Retrieve Information from Drug Evidence (STRIDE/Ballistics) (Justice/DEA-014)

(d) Exemptions apply to the following systems of records only to the extent that information in the systems is subject to exemption pursuant to 5 U.S.C. 552a (j)(2), (k)(1), and (k)(2): Air Intelligence Program (Justice/DEA-001); Clandestine Laboratory Seizure System

(CLSS) (Justice/DEA-002); Planning and Inspection Division Records (Justice/DEA-010); and Security Files (Justice/DEA-013). \* \* \*

\* \* \* \* \*

Dated: March 14, 2003.

**Paul R. Corts,**  
*Assistant Attorney General for Administration.*

[FR Doc. 03-6925 Filed 3-21-03; 8:45 am]

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#### DEPARTMENT OF JUSTICE

##### Federal Bureau of Investigation

#### 28 CFR Part 16

[FBI 109P; AAG/A Order No. 010-2003]

RIN 1110-AA08

##### Privacy Act of 1974; Implementation

**AGENCY:** Department of Justice, Federal Bureau of Investigation.

**ACTION:** Final rule.

**SUMMARY:** The Department of Justice (DOJ), Federal Bureau of Investigation (FBI), is exempting the FBI's National Crime Information Center (NCIC) (JUSTICE/FBI-001), Central Records System (CRS) (JUSTICE/FBI-002), and National Center for the Analysis of Violent Crime (NCAVC) (JUSTICE/FBI-015) systems of records from the Privacy Act. The exemption is necessary to avoid interference with law enforcement functions and responsibilities of the FBI.

**EFFECTIVE DATE:** March 24, 2003.

**FOR FURTHER INFORMATION CONTACT:** Mary Cahill (202) 307-1823.

**SUPPLEMENTARY INFORMATION:** The FBI is exempting the FBI's National Crime Information Center, Central Records System and National Center for the Analysis of Violent Crime systems of records from subsection (e)(5) of the Privacy Act, 5 U.S.C. 552a. Also, the FBI is correcting a typographical error by moving the title of the National Crime Information Center to the correct subsection. Except for these amendments, the final rule changes do not alter practices and procedures that are currently in effect. However, the FBI is currently reviewing additional changes to this regulation for possible promulgation in future rulemaking.

This rule relates to individuals, as opposed to small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, the rule will not have a significant

economic impact on a substantial number of small entities.

#### List of Subjects in 28 CFR Part 16

Administrative practices and procedures, Courts, Freedom of information, and Privacy.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General Order 793-78, 28 CFR part 16 is amended as follows:

#### PART 16—[AMENDED]

##### Subpart E—Exemption of Records Systems under the Privacy Act.

1. The authority citation for part 16 continues to read as follows:

**Authority:** 5 U.S.C. 301, 552, 552a, 552b(g), 553; 18 U.S.C. 4203(a)(1); 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717, 9701.

2. Section 16.96 is amended as follows:

(a) By revising the introductory text of paragraph (a);

(b) By redesignating paragraph (b)(6) as (b)(7) and adding a new paragraph (b)(6);

(c) By revising the introductory text of paragraph (g) and adding new paragraph (g)(1);

(d) By redesignating paragraph (h)(5) as (h)(6) and adding new paragraph (h)(5);

(e) By revising the introductory text of paragraph (j);

(f) By adding a new paragraph (k)(5);

(g) By removing "National Crime Information Center (NOIC) [sic] (JUSTICE/FBI-001)." from paragraph (k)(4).

The revisions and additions read as follows.

##### § 16.96 Exemption of Federal Bureau of Investigation Systems—limited access.

(a) The following system of records is exempt from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(2), (e)(3), (e)(4)(G) and (H), (e)(5), (e)(8), (f) and (g):

\* \* \* \* \*

(b) \* \* \*

(6) From subsection (e)(5) because in the collection of information for law enforcement purposes it is impossible to determine in advance what information is accurate, relevant, timely and complete. With the passage of time, seemingly irrelevant or untimely information may acquire new significance as further investigation brings new details to light. The restrictions imposed by subsection (e)(5) would limit the ability of trained investigators and intelligence analysts to exercise their judgment in reporting on investigations and impede the