

**DEPARTMENT OF JUSTICE****Office of the Attorney General****28 CFR Part 0**

[A.G. Order No. 2666–2003]

**Organization; Drug Enforcement Administration****AGENCY:** Department of Justice.**ACTION:** Final rule.

**SUMMARY:** This rule amends the delegation to the Drug Enforcement Administration (DEA) of the Attorney General's authority under the Comprehensive Drug Abuse and Prevention Act of 1970, as amended. The amendment would make clear that the delegation of the Attorney General's authority to the DEA to assign law enforcement duties to itself and to state and local law enforcement officers extends only to matters relating to, arising from, or supplementing investigations of matters concerning drugs.

**EFFECTIVE DATE:** March 27, 2003.

**FOR FURTHER INFORMATION CONTACT:** Robert T. Richardson, Deputy Chief Counsel, Drug Enforcement Administration, U.S. Department of Justice, Washington, DC 20530, (202) 307–7322.

**SUPPLEMENTARY INFORMATION:** Under 21 U.S.C. 878(a)(5), the Attorney General may designate any officer or employee of DEA or any state or local law enforcement officer to “perform such other law enforcement duties as the Attorney General may designate.” The Attorney General has delegated this authority to DEA. The amendment would make clear that this delegation of authority extends only to matters relating to drug investigations.

**Administrative Procedure Act**

This rule relates to a matter of agency management or personnel, and is therefore exempt from the usual requirements of prior notice and comment and a 30-day delay in effective date. See 5 U.S.C. 553(a)(2).

**Regulatory Flexibility Act**

The Attorney General, in accordance with the Regulatory Flexibility Act, 5 U.S.C. 605(b), has reviewed this rule and, by approving it, certifies that it will not have a significant economic impact on a substantial number of small entities because it pertains to personnel and administrative matters affecting the Department.

**Executive Order 12866**

This rule is limited to agency organization, management and personnel as described by Executive Order 12866 section (3)(d)(3) and, therefore, is not a “regulation” or “rule” as defined by that Executive Order. Accordingly, this rule has not been reviewed by the Office of Management and Budget.

**Executive Order 13132**

This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

**Unfunded Mandates Reform Act of 1995**

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

**Small Business Regulatory Enforcement Fairness Act of 1996**

This rule is not a major rule as defined by section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 804. Moreover, this action pertains to agency management, personnel, and organization and does not substantially affect the rights or obligations of non-agency parties. Accordingly, it is not a “rule” for purposes of the reporting requirement of 5 U.S.C. 801.

**List of Subjects in 28 CFR Part 0**

Authority delegations (Government agencies), Government employees, Organization and functions (government agencies), Whistleblowing.

■ Accordingly, by virtue of the authority vested in me as Attorney General, including 21 U.S.C. 878, 5 U.S.C. 301, and 28 U.S.C. 509 and 510, Part 0 of title 28 of the Code of Federal Regulations is amended as follows:

**PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE**

■ 1. The authority citation for Part 0 continues to read as follows:

**Authority:** 5 U.S.C. 301; 28 U.S.C. 509, 510, 515–519.

■ 2. In § 0.100 revise the first sentence of paragraph (b) to read as follows:

**§ 0.100 General functions.**

\* \* \* \* \*

(b) Except where the Attorney General has delegated authority to another Department of Justice official to exercise such functions, and except where functions under 21 U.S.C. 878(a)(5) do not relate to, arise from, or supplement investigations of matters concerning drugs, functions vested in the Attorney General by the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended. \* \* \*

\* \* \* \* \*

Dated: March 20, 2003.

**John Ashcroft,***Attorney General.*

[FR Doc. 03–7355 Filed 3–26–03; 8:45 am]

**BILLING CODE 4410–09–P****DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165**

[COTP San Diego 03–003]

**RIN 1625–AA00****Safety Zone; Oceanside Harbor, CA****AGENCY:** Coast Guard, DHS.**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard establishes a temporary safety zone within the navigable waters of the Pacific Ocean in Oceanside Harbor, California for the California Half Ironman Triathlon. This temporary safety zone is necessary to provide for the safety of the participants (swimmers) and spectators of the race, to protect the participating vessels, and to protect other vessels and users of the waterway. Persons and vessels are prohibited from entering into, transiting through, or anchoring within this safety zone unless authorized by the Captain of the Port, or his designated representative.

**DATES:** This rule is effective from 5:30 a.m. (p.s.t.) to 10 a.m. (p.s.t.) on April 5, 2003.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket (COTP San Diego 03–012) and are available for inspection or copying at Marine Safety Office San Diego; 2716 N. Harbor Drive, San Diego, CA 92101–