

where the controlled substances was "lawfully obtained" by the traveler abroad. In harmony with international drug control treaties, many countries, including Canada and Mexico, have laws that govern the prescribing and dispensing of controlled substances. For example, as is the case in the United States, Canadian law allows pharmacies to dispense controlled substances only pursuant to a prescription issued by a practitioner licensed to prescribe controlled substances in the province in which the controlled substance is dispensed.

The traveler seeking to import into the United States controlled substances obtained abroad for personal medical use may only do so if the controlled substances were dispensed in full compliance with the laws of the country in which they were obtained. It is the duty of the individual seeking to import a controlled substance for personal medical use pursuant to 21 U.S.C. 956(a) and DEA's regulation to know and comply with the laws of the jurisdiction in which the controlled substance was dispensed. Additionally, compliance with the CSI&EA and DEA's regulation does not excuse noncompliance with other Federal laws and state laws that may regulate the importation of controlled substances.

### Regulatory Certifications

#### Regulatory Flexibility Act

The Administrator hereby certifies that this rulemaking has been drafted in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), and by approving it certifies that this regulation will not have a significant economic impact on a substantial number of small entities. This proposed regulation affects only individual travelers and personal use quantities of controlled substances. Small businesses are subject to other DEA regulations for the importation and exportation of controlled substances, including registration, recordkeeping, reporting and security requirements. Businesses would not be using the personal use importation exemption to bring controlled substances into the United States. In fact, this rule could help small businesses as United States residents will purchase controlled substances from United States pharmacies rather than traveling outside the United States to make such purchases.

#### Executive Order 12866

The Administrator further certifies that this rulemaking has been drafted in accordance with the principles of Executive Order 12866, section 1(b).

This action has been determined to be a significant regulatory action. Therefore, this regulation has been reviewed by the Office of Management and Budget.

#### Executive Order 12988

This regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

#### Executive Order 13132

This rulemaking does not preempt or modify any provision of State law; nor does it impose enforcement responsibilities on any State; nor does it diminish the power of any State to enforce its own laws. Accordingly, this rulemaking does not have federalism implications warranting the application of Executive Order 13132.

#### Unfunded Mandates Reform Act of 1995

This regulation 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 would 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 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation or on the ability of U.S.-based companies to compete with foreign-based companies in domestic and export markets.

#### List of Subjects in 21 CFR Part 1301

Administrative practice and procedure, Drug traffic control, Security measures.

For the reasons set out above, 21 CFR Part 1301 is proposed to be amended as follows:

#### PART 1301—[AMENDED]

1. The authority citation for 21 CFR Part 1301 is proposed to be amended to read as follows:

**Authority:** 21 U.S.C. 821, 822, 823, 824, 871(b), 875, 877, 951, 952, 953, 956, 957.

2. Section 1301.26 is proposed to be revised to read as follows:

#### § 1301.26 Exemptions from import or export requirements for personal medical use.

Any individual who has in his/her possession a controlled substance listed in schedules II, III, IV, or V, which he/she has lawfully obtained for his/her personal medical use, or for administration to an animal accompanying him/her, may enter or depart the United States with such substance notwithstanding sections 1002–1005 of the Act (21 U.S.C. 952–955), provided the following conditions are met:

(a) The controlled substance is in the original container in which it was dispensed to the individual; and

(b) The individual makes a declaration to an appropriate official of the U.S. Customs Service stating:

(1) That the controlled substance is possessed for his/her personal use, or for an animal accompanying him/her; and

(2) The trade or chemical name and the symbol designating the schedule of the controlled substance if it appears on the container label, or, if such name does not appear on the label, the name and address of the pharmacy or practitioner who dispensed the substance and the prescription number.

(c) In addition to (and not in lieu of) the foregoing requirements of this section, a United States resident may import into the United States no more than 50 dosage units combined of all such controlled substances in the individual's possession.

Dated: September 4, 2003.

**Karen P. Tandy,**  
Administrator.

[FR Doc. 03–23169 Filed 9–10–03; 8:45 am]

BILLING CODE 4410–09–P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 179

#### Munitions Response Site Prioritization Protocol

**AGENCY:** Department of Defense.

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document corrects the proposed rule published in the **Federal Register** on Friday, August 22, 2003 to correct typos and a Web address.

**FOR FURTHER INFORMATION CONTACT:** If there are specific questions, please contact Ms. Patricia Ferrebee, Office of the Deputy Under Secretary of Defense (Installations & Environment) (ODUSD(I&E)), 703–695–6107. This

proposed rule along with relevant background information is available on the World Wide Web at the Defense Environmental Network & Information eXchange Web site, <https://www.denix.osd.mil/MMRP>.

#### Correction

In the proposed rule, on page 50900 in the issue of August 22, 2003 (68 FR 50900), make the following correction in the Addresses section of the preamble. On page 50900 in the first column, correct the Web address in the second sentence of the **ADDRESSES** section to read: <https://www.denix.osd.mil/MMRP>.

In the proposed rule, on page 50926 in the issue of August 22, 2003, make the following correction in section XII.F. of the preamble. On page 50926 in the first column, correct the Web address in last sentence of section XII.F. to read: <https://www.denix.osd.mil/MMRP>.

#### § 179.3 [Corrected]

In the proposed rule, on page 50930 in the issue of August 22, 2003, make the following correction in § 179.3. On page 50930 in the first column, correct the term Chemical Warfare Material in § 179.3 to read: Chemical Warfare Materiel.

Dated: September 2, 2003.

**Patricia L. Toppings,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 03-23136 Filed 9-10-03; 8:45 am]

**BILLING CODE 5001-08-M**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[CGD07-03-032]

RIN 1625-AA08

#### Special Local Regulations; Child SMILE American Tour Fort Lauderdale Offshore Gran Prix, Fort Lauderdale Beach, FL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to create temporary special local regulations for the Child SMILE American Tour Fort Lauderdale Offshore Gran Prix held offshore of Fort Lauderdale Beach, Florida. These special local regulations restrict the movement of non-participating vessels operating in the vicinity of the race course located off Fort Lauderdale Beach, Florida. This rule is needed to

provide for the safety of life on navigable waters during the event.

**DATES:** Comments and related material must reach the Coast Guard on or before September 26, 2003.

**ADDRESSES:** You may mail comments and related material to Coast Guard Group Miami, 100 MacArthur Causeway, Miami Beach, Florida 33139 attention of Chief D. Vaughn. Coast Guard Group Miami maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at Coast Guard Group Miami between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** BMC D. Vaughn, Coast Guard Group Miami, Florida at (305) 535-4317.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD07-03-032), indicated the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

In order to allow the public the maximum time to comment on this proposed rule, we intend to make this proposed temporary final rule effective less than thirty days after it is published in the **Federal Register**. Due to the date of this event, we have reduced the public comment period to 15 days to allow us to process all public comments before deciding to publish a temporary final rule.

##### Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Coast Guard Group Miami at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

#### Background and Purpose

North Star Lady Inc., doing business as Over the Edge Motorsport Marketing and the H20 Performance Marketing Group, is sponsoring a high-speed power boat race that will take place on October 3 and 4 of 2003, in the Atlantic Ocean off Fort Lauderdale Beach, Florida. The race organizers anticipate 70 participants and 50 spectator watercraft for this event. The event will take place outside of the marked channel and will not interfere with commercial shipping. Recreational vessels and fishing vessels normally operate in the waters being used for the event but will be able to safely operate around the regulated areas with minimal delay. This rule is required to provide for the safety of life on navigable waters because of the inherent danger associated with a power boat race.

#### Discussion of Proposed Rule

This proposed rule would create two regulated areas, a race course and a viewing area. The race course would encompass all waters located shoreward of a line connecting the following positions located offshore of Fort Lauderdale Beach, Florida:

Beginning with Point 1: 26 08.228' N-080 06.255' W, thence to  
Point 2: 26 08.231' N-080 05.936' W, thence to  
Point 3: 26 08.178' N-080 05.799' W, thence to  
Point 4: 26 08.055' N-080 05.752' W, thence to  
Point 5: 26 07.565' N-080 05.790' W, thence to  
Point 6: 26 07.022' N-080 05.827' W, thence to  
Point 7: 26 06.780' N-080 05.843' W, thence to  
Point 8: 26 06.671' N-080 05.869' W, thence to  
Point 9: 26 06.602' N-080 06.343' W, then back to the original point.

The viewing area would encompass all waters located within the following positions located offshore of Fort Lauderdale Beach, Florida:

Beginning with Corner point 1: 26 06.738' N-080 05.047' W, thence to  
Corner point 2: 26 06.738' N-080 05.125' W, thence to  
Corner point 3: 26 08.100' N-080 05.125' W, thence to  
Corner point 4: 26 08.100' N-080 05.047' W, then back to the original point.

All coordinates reference Datum NAD: 1983.

Non-participant vessels are prohibited from entering the race course unless authorized by the Coast Guard Patrol