

67209; telephone (316) 946-4153; fax (316) 946-4407.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to rescind an airworthiness directive (AD) that is applicable to certain Raytheon Model BAe.125 Series 1000A and Hawker 1000 series airplanes was published in the **Federal Register** on September 10, 1999 (64 FR 49112). That action proposed the rescission of AD 94-09-11, amendment 39-8900 (59 FR 22125, April 29, 1994), in order to prevent operators from performing an unnecessary action.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received in response to the proposal.

#### Conclusion

After careful review of the available data, the FAA has determined that air safety and the public interest require the rescission of the rule as proposed, with the exception of the change to applicability.

#### Explanation of Change to Applicability

The FAA has revised the applicability of this final rule to identify model designations as published in the most recent type certificate data sheet for the affected models.

#### Regulatory Impact

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Rescission

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-8900.

#### 94-09-11 R1 Raytheon Aircraft Company:

Amendment 39-12875. Docket No. 97-NM-313-AD. Rescinds AD 94-09-11, Amendment 39-8900.

**Applicability:** Model BAe.125 Series 1000A Airplanes and Model Hawker 1000 airplanes; as listed in Raytheon Corporate Jets Service Bulletin SB 78-12, dated January 4, 1994, certificated in any category.

This rescission is effective September 3, 2002.

Issued in Renton, Washington, on August 26, 2002.

**Vi L. Lipski,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 02-22176 Filed 8-30-02; 8:45 am]

**BILLING CODE 4910-13-P**

#### SECURITIES AND EXCHANGE COMMISSION

#### 17 CFR Part 200

[Release No. 34-46418]

#### Delegation of Authority to the General Counsel of the Commission

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule.

**SUMMARY:** The Securities and Exchange Commission ("Commission") is amending its rules to delegate authority to the General Counsel to issue orders raising in any Commission-instituted proceeding the matter of whether any sanction, and if so what sanction, should be imposed in the public interest. This delegation is intended to conserve Commission resources, as well as expedite the resolution of reviews of those proceedings.

**EFFECTIVE DATE:** September 3, 2002.

**FOR FURTHER INFORMATION CONTACT:** Joan Loizeaux, Office of the General Counsel, at (202) 942-0990, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549-0208.

**SUPPLEMENTARY INFORMATION:** The Commission today is amending its rules governing delegation of authority to the General Counsel. The Securities Act of 1933,<sup>1</sup> Securities Exchange Act of 1934,<sup>2</sup> Investment Advisers Act of 1940,<sup>3</sup> the Investment Company Act of 1940,<sup>4</sup> the Securities Investor Protection Act of 1970,<sup>5</sup> and rule of practice 102(e)<sup>6</sup> authorize the Commission to institute administrative proceedings, which, under appropriate circumstances, can result in the imposition of sanctions. The Commission wishes to provide prompt notice to the parties that it may review sanctions imposed in initial decisions in such proceedings with a view to making an independent assessment of what sanctions, if any, are in the public interest.

Commission rule of practice 411(d)<sup>7</sup> authorizes the Commission, prior to the issuance of a decision, to raise and determine any matters that it deems material. The Commission therefore is amending its rules to delegate to the General Counsel the authority to issue orders, pursuant to rule of practice 411(d), that would take up the issue of whether any sanction, and if so what sanction, is appropriate in the public interest. In any case in which the General Counsel believes it appropriate, he or she may submit the matter to the Commission for consideration.

#### Administrative Law Matters

The Commission finds, in accordance with section 533(b)(A) of the Administrative Procedure Act, 5 U.S.C. 553(b)(A), that this amendment relates solely to agency organization, procedure, or practice. Accordingly, notice and opportunity for public comment, as well as publication 30 days before its effective date, are unnecessary. Because notice and comment are not required for this final rule, a regulatory flexibility analysis is not required under the Regulatory Flexibility Act.<sup>8</sup>

The rule does not contain any collection of information requirements as defined by the Paperwork Reduction

<sup>1</sup> 15 U.S.C. 77a, *et seq.*

<sup>2</sup> 15 U.S.C. 78a, *et seq.*

<sup>3</sup> 15 U.S.C. 80b-1, *et seq.*

<sup>4</sup> 15 U.S.C. 80a-1, *et seq.*

<sup>5</sup> 15 U.S.C. 78aaa, *et seq.*

<sup>6</sup> 17 CFR 201.102(e).

<sup>7</sup> 17 CFR 201.411(d).

<sup>8</sup> See 5 U.S.C. 603.

Act of 1995, as amended.<sup>9</sup> The rule will not impose any costs on the public.

#### List of Subjects in 17 CFR Part 200

Administrative practice and procedure, Authority delegations (Government agencies).

#### Text of the Amendment

For the reasons set out in the preamble, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

#### PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

1. The authority citation for part 200, subpart A, continues to read in part as follows:

**Authority:** 15 U.S.C. 77s, 78d–1, 78d–2, 78w, 78ll(d), 78mm, 79t, 77sss, 80a–37, 80b–11, unless otherwise noted.

\* \* \* \* \*

2. Section 200.30–14 is amended by adding paragraph (g)(1)(xv) to read as follows:

#### § 200.30–14 Delegation of authority to the General Counsel.

\* \* \* \* \*

(g)(1) \* \* \*  
(xv) To issue an order raising, pursuant to the provisions of Rule 411(d) of the Commission's Rules of Practice, § 201.411(d) of this chapter, any matter relating to whether any sanction, and if so what sanction, is in the public interest.

\* \* \* \* \*

Dated: August 27, 2002.

By the Commission.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 02–22302 Filed 8–30–02; 8:45 am]

BILLING CODE 8010–01–P

#### DEPARTMENT OF TRANSPORTATION

#### Coast Guard

#### 33 CFR Part 100

[CGD05–02–004]

RIN 2115–AE46

#### Special Local Regulations for Marine Events; St. Mary's River, St. Mary's City, MD

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing permanent special local

regulations for the St. Mary's Seahawk Sprint, a marine event held on the waters of the St. Mary's River, St. Mary's City, Maryland. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in portions of the St. Mary's River during the event.

**DATES:** This rule is effective October 3, 2002.

**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 CGD05–02–004 and are available for inspection or copying at Commander (Aoax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704–5004 between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** S. L. Phillips, Project Manager, Auxiliary and Recreational Boating Safety Section, at (757) 398–6204.

#### SUPPLEMENTARY INFORMATION:

#### Regulatory Information

On March 26, 2002, we published a notice of proposed rulemaking (NPRM) entitled Special Local Regulations for Marine Events; St. Mary's River, St. Mary's City, MD, in the **Federal Register** (67 FR 13734). We received no letters commenting on the proposed rule. No public hearing was requested, and none was held.

#### Background and Purpose

St. Mary's College of Maryland annually sponsors the St. Mary's Seahawk Sprint, a rowing regatta conducted during the second weekend in April. The St. Mary's Seahawk Sprint consists of intercollegiate crew rowing teams racing along a 2000-meter course on the waters of the St. Mary's River. A fleet of spectator vessels traditionally gathers near the event site to view the competition. To provide for the safety of event participants, spectators and transiting vessels, the Coast Guard will temporarily restrict the movement of all vessels operating in the event area during the crew races.

#### Discussion of Comments and Changes

No comments were received. No substantive changes were made to the proposed regulatory text. Changes were made, however, to the format of the proposed regulatory text. We moved the description of the “regulated area” from the definitions section to the body of the text and made grammatical corrections.

#### Regulatory Evaluation

This rule is not a “significant regulatory action” under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not “significant” under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979).

Although this rule will prevent traffic from transiting a portion of the St. Mary's River during the event, the effect of this rule will not be significant due to the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly. Additionally, the regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule will affect the owners or operators of vessels, some of which may be small entities, intending to transit or anchor in the affected portions of the St. Mary's River during the event.

Although this rule will prevent traffic from transiting a portion of the St. Mary's River during the event, the effect of this rule will not be significant because of the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly.

#### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement

<sup>9</sup> 44 U.S.C. 3501 *et seq.*