Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

The Rule

This amendment to 14 CFR part 73 changes the using agency of R–2534 A and B, Vandenberg AFB. On January 16, 2002, the United States Air Force requested that the FAA change the using agency for R–2534 A and B from, ''HQ, Space and Missile Test Center, (SAMTEC) ROSF, Vandenberg AFB, CA,'' to ''U.S. Air Force, Commander, 30th Space Wing, Vandenberg, AFB, CA.'' This action addresses this request. This is an administrative change and does not affect the boundaries, designated altitudes, or activities conducted within the restricted areas. Therefore, notice and public procedures under 5 U.S.C. 553(b) are unnecessary. Section 73.22 of part 73 was republished in FAA Order 7400.8J, dated September 20, 2002.

The FAA has determined that this action only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1D, Policies and Procedures for Considering Environmental Impacts. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73, as follows:

PART 73—SPECIAL USE AIRSPACE

1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 73.22 [Amended]

2. § 73.25 is amended as follows:

* * * * *

R–2534 A [Amended]

By removing the words by removing the words ''Using agency. HQ, Space and Missile Test Center, (SAMTEC) ROSF, Vandenberg AFB, CA. and inserting the words ''Using agency. U.S. Air Force, Commander, 30th Space Wing, Vandenberg, AFB, CA.''

R–2534 B [Amended]

By removing the words by removing the words ''Using agency. HQ, Space and Missile Test Center, (SAMTEC) ROSF, Vandenberg AFB, CA. and inserting the words ''Using agency. U.S. Air Force, Commander, 30th Space Wing, Vandenberg, AFB, CA.''

* * * * *

Issued in Washington, DC, September 6, 2002.

Reginald C. Matthews,

Manager, Airspace and Rules Division.

[FR Doc. 02–23282 Filed 9–12–02; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs; Moxidectin

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by Fort Dodge Animal Health. The supplemental NADA provides for veterinary prescription use of a sustained-release injectable moxidectin formulation for treatment of existing hookworm (*Uncinaria stenocephala*) infections in dogs.

DATES: This rule is effective September 13, 2002.

FOR FURTHER INFORMATION CONTACT: Melanie R. Berson, Center for Veterinary Medicine (HFV–110), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–7540, e-mail: mberson@cvm.fda.gov.

SUPPLEMENTARY INFORMATION: Fort Dodge Animal Health, Div. of American Home Products Corp., 800 Fifth St. NW., Fort Dodge, IA 50501, filed a supplement to NADA 141–189 that provides for veterinary prescription use of PROHEART 6 (moxidectin) Sustained Release Injectable for Dogs for treatment of existing larval and adult hookworm (*U. stenocephala*) infections. The supplemental NADA is approved as of June 13, 2002, and the regulations are amended in § 522.1451 (21 CFR 522.1451) to reflect the approval. The basis of approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of 21 CFR part 20 and 514.11(e)(2)(ii), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday.

Under section 512(c)(2)(F)(iii) of the Federal Food, Drug, and Cosmetics Act (21 U.S.C. 360b(c)(2)(F)(iii)), this supplemental approval qualifies for 3 years of marketing exclusivity beginning June 13, 2002.

The agency has determined under 21 CFR 25.33(d)(1) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This rule does not meet the definition of ''rule'' in 5 U.S.C. 804(3)(A) because it is a rule of ''particular applicability.'' Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801–808.

List of Subjects in 21 CFR Part 522

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under the authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 522 is amended as follows:

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 522 continues to read as follows:

Authority: 21 U.S.C. 360b.

§ 522.1451 [Amended]

2. Section 522.1451 *Moxidectin* is amended in paragraph (d)(2) by adding ''and *Uncinaria stenocephala*'' following ''*caninum*''.

Dated: August 22, 2002.

Andrew J. Beaulieu,

Acting Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.

[FR Doc. 02–23339 Filed 9–12–02; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF JUSTICE

Parole Commission

28 CFR Part 2

Paroling, Recommitting, and Supervising Federal Prisoners: Prisoners Serving Sentences Under the United States and District of Columbia Codes

AGENCY: United States Parole Commission, Justice.

ACTION: Final rule.

SUMMARY: The U.S. Parole Commission is amending procedures governing parole proceedings for District of Columbia offenders. The amendments provide for the application of the paroling policy guidelines at 28 CFR 2.80 to several groups of DC offenders previously excepted from such application: adult offenders who had hearings from August 5, 1998 to December 3, 2000 under the former version of the § 2.80 guidelines and who had positive or negative points assessed for post-imprisonment conduct; and youth offenders sentenced under the D.C. Youth Rehabilitation Act. The amendments for youth offenders also provide for rehearings on an annual schedule, and allow for an advancement of a presumptive release date for program achievement without any presumptive limitation on the amount of the advancement. Finally, the Commission is eliminating its requirement for an initial report following the release of a prisoner on supervision, and making a number of clarifications and corrections in the guidelines and other rules.

EFFECTIVE DATE: These rule amendments are effective October 15, 2002.

FOR FURTHER INFORMATION CONTACT: Office of General Counsel, U.S. Parole Commission, 5550 Friendship Blvd, Chevy Chase, Maryland 20815, telephone (301) 492–5959. Questions about this publication are welcome, but inquiries concerning individual cases cannot be answered over the telephone.

SUPPLEMENTARY INFORMATION: On August 5, 1998, pursuant to the National Capital Revitalization and Self-Government Improvement Act of 1997 (Pub. L. 105–33), the U.S. Parole Commission assumed the function of making parole release decisions for District of Columbia imprisoned felons. (Two years later, under the same Act, the Commission took over the functions of imposing and modifying release conditions for D.C. offenders on parole or supervised release, and revoking parole or supervised release for violations of release conditions.) The Act required the Commission to exercise its authority under the laws and regulations of the District of Columbia, but gave the Commission the authority to amend and supplement any regulation interpreting or implementing parole laws. D.C. Code 24–1231(a)(1) and (c). Using this latter authority, the Commission supplemented the decision-making guidelines of the former District of Columbia Board of Parole with guidelines that retained the basic structure of the D.C. Board's guidelines (with a point assignment table comprised of a salient factor score and the scoring of pre- and post-incarceration factors, and the total point score indicating whether parole should be granted or denied). But the Commission refined the assessment of pre-incarceration factors regarding the probability that the prisoner would commit a violent offense if released, increased the reward for superior program achievement in prison programs, and specified rehearing ranges (as established by the assessment of points for pre-incarceration factors) for those prisoners denied parole. See 63 FR 39172 (July 21, 1998). These guidelines were promulgated at 28 CFR 2.80.

In November, 2000, the Commission amended the § 2.80 guidelines, retaining the point assignment table, but converting the rehearing ranges to ''base guideline ranges'' that indicated the total prison time to be served by the prisoner as a result of the assessment of pre-incarceration factors. See 65 FR 70663 (Nov. 27, 2000). Post-incarceration factors such as prison misconduct and superior program achievement were addressed under the revised guidelines by adding or subtracting ranges of months from the base guideline range, rather adding or subtracting points to determine a total point score. The conversion from rehearing to prison time ranges allowed the Commission to set presumptive release dates for DC prisoners up to 36 months from the date of the hearing. The Commission prospectively applied the new guidelines to those adult offenders who were given initial hearings on or after December 4, 2000. 65 FR 70664. It also authorized retroactive application to those prisoners who had hearings under the original § 2.80 guidelines (redesignated to the appendix to § 2.80), as long as the prisoner had no points added for post-imprisonment misconduct or subtracted for superior program achievement under the original guidelines. *Id.* If the prisoner previously had any points added for prison misconduct or subtracted for superior program achievement, the original § 2.80 guidelines would continue to be applied. The Commission was not prepared at that time to devote scarce resources to the job of retroactive application of the new guidelines. Retroactive application in these cases would require the comparison of different rules for handling post-imprisonment conduct so as to ensure that the prisoner was not disadvantaged in the retroactive use of the new guidelines. The Commission has determined that there are sufficient resources to proceed with retroactive application of the § 2.80 guidelines without undue difficulty.

Up to this time D.C. youth offenders sentenced under the Youth Rehabilitation Act and eligible for parole have been considered for parole under the former § 2.80 guidelines,[1] regardless of when the Commission conducted the initial hearing. But the presumptive date system of the present § 2.80 guidelines clearly may be harmonized with the indeterminate nature of a YRA commitment, as demonstrated by the Commission's experience in making decisions for federal youth offenders sentenced under the former Federal Youth Corrections Act (18 U.S.C. 5005 *et seq.*). Consequently, the Commission is also extending the present § 2.80 guidelines to youth offenders sentenced under the YRA, with some modifications regarding the timing of rehearings and the use of program achievement in determining the prisoner's release date. The Commission is adopting a 12-month rehearing schedule for YRA offenders to be consistent with the parole practices for the federal youth offenders.[2] A rehearing will also be scheduled on the

[1] See D.C. Code 24–801 *et seq.*. Like adult D.C. offenders, offenders sentenced under the YRA who committed their crimes after August 4, 2000 are not eligible for parole. D.C. Code 24–804(c).

[2] All remaining FYCA prisoners are serving terms of seven years or more and thus all interim hearings are held on a 12-month schedule for these prisoners.