

Description (See corresponding narrative above)	<Cost>/Benefit Amount	
	First Year	Subsequent Years
Indian Lessors in Montana and North Dakota .....	\$9,380 plus interest .....	\$9,380 plus interest
Industry .....	<\$9,380 plus interest> .....	<\$9,380 plus interest>
Federal Government .....	- 0 - .....	- 0 -

## 2. Regulatory Planning and Review (E.O. 12866)

This document is not a significant rule and is not subject to review by the Office of Management and Budget under Executive Order 12866.

(1) This rule will not have an effect of \$100 million or more on the economy. It will not adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.

(2) This rule will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency.

(3) This rule will not alter the budgetary effects or entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients.

(4) This rule does not raise novel legal or policy issues.

## 3. The Regulatory Flexibility Act

The Department of the Interior certifies that this rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). See Small Business Issues in Item 1.B. above.

*Your comments are important.* The Small Business and Agricultural Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you wish to comment on the enforcement actions in this rule, call 1-888-734-3247.

## 4. Small Business Regulatory Enforcement Act (SBREFA)

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule:

- a. Will not have an annual effect on the economy of \$100 million or more.
- b. Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

c. Will not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

## 5. Unfunded Mandates Reform Act

This rule will not impose an unfunded mandate on State, local, or tribal governments or the private sector of more than \$100 million per year. The rule will not have a significant or unique effect on State, local, or tribal governments or the private sector. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

## 6. Takings (E.O. 12630)

Under Executive Order 12630, this proposed rule does not have significant takings implications. This rule does not impose conditions or limitations on the use of any private property; consequently, a takings implication assessment is not required.

## 7. Federalism (E.O. 13132)

Under Executive Order 13132, this proposed rule does not have Federalism implications. This rule does not substantially or directly affect the relationship between Federal and State governments or impose costs on States or localities.

## 8. Civil Justice Reform (E. O. 12988)

Under Executive Order 12988, the Office of the Solicitor has determined that this proposed rule will not unduly burden the judicial system and does meet the requirements of sections 3(a) and 3(b)(2) of the Order.

## 9. Paperwork Reduction Act of 1995

This rule does not contain an information collection, as defined by the Paperwork Reduction Act, and the submission of Office of Management and Budget Form 83-I is not required.

## 10. National Environmental Policy Act

This rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the National Environmental Policy Act of 1969 is not required.

## List of Subjects in 30 CFR 206

Coal, Continental shelf, Geothermal energy, Government contracts, Indians—lands, Mineral royalties, Natural gas, Petroleum, Public lands—mineral resources, Reporting and recordkeeping requirements.

Dated: October 10, 2000.

**Sylvia V. Baca,**

*Assistant Secretary, Land and Minerals Management.*

For reasons stated in the preamble, MMS amends part 206 as follows:

## PART 206—PRODUCT VALUATION

1. The authority citation for part 206 continues to read as follows:

**Authority:** 5 U.S.C. 301 *et seq.*; 25 U.S.C. 396 *et seq.*, 396a *et seq.*, 2101 *et seq.*; 30 U.S.C. 181 *et seq.*, 351 *et seq.*, 1001 *et seq.*, 1701 *et seq.*; 31 U.S.C. 9701; 43 U.S.C. 1301 *et seq.*, 1331 *et seq.*, 1801 *et seq.*

## § 206.174 [Amended]

2. In § 206.174, remove paragraph (l).

[FR Doc. 00-26932 Filed 10-18-00; 8:45 am]

BILLING CODE 4310-MR-P

## DEPARTMENT OF DEFENSE

### Department of the Navy

### 32 CFR Part 706

### Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General of the Navy (Admiralty and Maritime Law) has determined that USS *Mitscher* (DDG 57) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**EFFECTIVE DATE:** November 9, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Lieutenant Commander Gregg A. Cervi, JAGC, U.S. Navy Admiralty Counsel, Office of the Judge Advocate General, Navy Department, Washington Navy Yard, Washington, DC 20374-5066; Telephone number: (202) 685-5040.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General of the Navy (Admiralty and Maritime Law), under authority delegated by the Secretary of the Navy, has certified that USS *Mitscher* (DDG 57) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS

without interfering with its special function as a naval ship: Annex I paragraph 3(a) pertaining to the location of the forward masthead light in the forward quarter of the vessel, and the horizontal distance between the forward and after masthead lights. The Deputy Assistant Judge Advocate General of the Navy (Admiralty and Maritime Law) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed

herein will adversely affect the vessel's ability to perform its military functions.

**List of Subjects in 32 CFR part 706**

Marine safety, Navigation (water), and Vessels.

Accordingly, 32 CFR part 706 is amended as follows:

**PART 706—[AMENDED]**

1. The authority citation for 32 CFR part 706 continues to read as follows:

**Authority:** 33 U.S.C. 1605.

2. Table Five of § 706.2 is amended by revising the entry for USS *Mitscher* to read as follows:

**§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.**

\* \* \* \* \*

TABLE FIVE

Vessel	Number	Masthead lights not over all other lights and obstructions, annex I, sec. 2(f)	Forward mast-head light not in forward quarter of ship, annex I, sec. 3(a)	After masthead light less than 1/2 ship's length aft of forward mast-head light, annex I, sec. 3(a)	Percentage horizontal separation attained
* * * * *					
USS Mitscher .....	DDG 57	X	X	X	19.8
* * * * *					

Dated: November 9, 1999.

Approved:

**G.A. Cervi,**

Lieutenant Commander, JAGC, U.S. Navy, Deputy Assistant Judge Advocate, General (Admiralty and Maritime Law).

**Editorial Note:** This document was received at the Office of the Federal Register October 6, 2000.

[FR Doc. 00-26263 Filed 10-18-00; 8:45 am]

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**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**32 CFR Part 724**

**RIN 0703-AA64**

**Naval Discharge Review Board**

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Final Rule.

**SUMMARY:** This amendment reflects administrative changes made to the Department of the Navy's Naval Discharge Review Board regulations.

**DATES:** Effective October 19, 2000.

**ADDRESSES:** Office of the Judge Advocate General (Code 13), 1322 Patterson Ave. SE, Suite 3000, Washington Navy Yard, DC 20374-5066.

**FOR FURTHER INFORMATION CONTACT:**

Roger Claussen, Legal Advisor, Naval Council of Personnel Boards, 720 Kennon Street, SE, Room 309, Washington Navy Yard, DC 20374-5023. Phone: (202) 685-6399.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority cited below, the Department of the Navy amends 32 CFR part 724. This amendment provides notice that the Department of the Navy has made administrative changes to the Naval Discharge Review Board regulations. These changes are found in subparts A and B and reflect updated references, removal of a redundant information, a change in the number of days an applicant has to submit documents to the Board after notification that certain documents are unavailable to the Board from 30 to 60 days, and other administrative changes. It has been determined that invitation of public comment on this amendment

would be impracticable and unnecessary, and it is therefore not required under the public rulemaking provisions of 32 CFR Part 336 or Secretary of the Navy Instruction 5720.45. Interested persons, however, are invited to comment in writing on this amendment. All written comments received will be considered in making subsequent amendments or revisions of 32 CFR Part 724, or the instructions on which they are based. Changes may be initiated on the basis of comments received. Written comments should be addressed to Roger Claussen, Legal Advisor, Naval Council of Personnel Boards, 720 Kennon Street, SE, Room 309, Washington Navy Yard, DC 20374-5023. Phone: (202) 685-6399. It has been determined that this final rule is not a "significant regulatory action" as defined in Executive Order 12866.

**Executive Order 13132, Federalism**

It has been determined that this rule does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment. The