

By the Commission.  
**Lois D. Cashell,**  
*Secretary.*  
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**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**32 CFR Part 706**

**Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment**

**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 (Admiralty) of the Navy, acting pursuant to authority delegated from the Secretary of the Navy: has determined that USS DWIGHT D. EISENHOWER (CVN 69) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special functions as a naval aircraft carrier; and

has directed that certain naval ships or classes of ships be removed from the Tables in the existing Part 706. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**EFFECTIVE DATE:** December 27, 1994.

**FOR FURTHER INFORMATION CONTACT:** Commander K.P. McMahon, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400, Telephone number: (703) 325-9744.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. The Secretary of the Navy previously certified that USS DWIGHT D. EISENHOWER (CVN 69) is a vessel of the Navy which, due to its special construction and purpose, cannot fully with 72 COLREGS. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has amended that certification to reflect that certain navigation lights on USS DWIGHT D. EISENHOWER (CVN 69), previously certified as not in compliance with 72 COLREGS, now comply with the applicable 72 COLREGS requirements, to wit: the ship now has a single forward anchor light, as required by Rule 30(a)(i).

Notice is also provided that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy has determined that certain vessels and classes of vessels listed in the existing tables of 32 CFR Part 706 may be deleted from those tables because certification of those vessels or classes of vessels is no longer required.

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 Part 706 continues to read:

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

**§ 706.2 [Amended]**

2. Table Two of § 706.2 is amended by revising the entry for the following vessel:

TABLE TWO

Vessel	No.	Masthead lights, distance to stbd of keel in meters; Rule 21(a)	Forward anchor light, distance below flight dk in meters; § 2(K), Annex I	Forward anchor light, number of; rule 30(a)(i)	AFT anchor light, distance below flight dk in meters; rule 21(e), rule 30(a)(ii)	AFT anchor light, number of; rule 30(a)(ii)	Side lights, distance below flight dk in meters; § 2(g), annex I	Side lights, distance forward of forward mast-head light in meters; § 3(b), annex I	Side lights, distance in-board of ship's sides in meters; § 3(b), annex I
USS DWIGHT D. EISENHOWER.	CVN-69	30	.....	1	9.3	2	0.7	.....	.....

1. Table One of 32 CFR 706.2 is amended by removing the following ships:

USS LEAHY .....	CG-16
USS CHARLES F. ADAMS .....	DDG-2
USS JOHN KING .....	DDG-3
USS LAWRENCE .....	DDG-4
USS CLAUDE V. RICKETTS .....	DDG-5
USS BARNEY .....	DDG-6
USS LYNDE MC CORMICK .....	DDG-8
USS TOWERS .....	DDG-9
USS SAMPSON .....	DDG-10
USS SELLERS .....	DDG-11
USS ROBINSON .....	DDG-12

USS HOEL .....	DDG-13	USS OKINAWA .....	LPH-3
USS BUCHANAN .....	DDG-14	USS CONSTANT .....	MSO-427
USS BERKELEY .....	DDG-15	USS ENGAGE .....	MSO-433
USS JOSEPH STRAUSS .....	DDG-16	USS ENHANCE .....	MSO-437
USS CONYNGHAM .....	DDG-17	USS ESTEEM .....	MSO-438
USS SEMMES .....	DDG-18	USS EXCEL .....	MSO-439
USS TATTNALL .....	DDG-19	USS EXPLOIT .....	MSO-440
USS GOLDSBOROUGH .....	DDG-20	USS EXULTANT .....	MSO-441
USS COCHRANE .....	DDG-21	USS FEARLESS .....	MSO-442
USS BENJAMIN STODDERT .....	DDG-22	USS FORTIFY .....	MSO-446
USS RICHARD E. BYRD .....	DDG-23	USS ILLUSIVE .....	MSO-448
USS WADDELL .....	DDG-24	USS IMPERVIOUS .....	MSO-449
USS BRONSTEIN .....	FF-1037	USS INFLECT .....	MSO-456
USS MC CLOY .....	FF-1038	USS PLUCK .....	MSO-464
USS IWO JIMA .....	LPH-2	USS LEADER .....	MSO-490

USS ADROIT .....	MSO-509
USS AFFRAY .....	MSO-511
USS SKIPJACK .....	SSN-585
USS SCULPIN .....	SSN-590
USS SHARK .....	SSN-591
USS PERMIT .....	SSN-594
USS PLUNGER .....	SSN-595
USS BARB .....	SSN-596
USS HADDO .....	SSN-604
USS JACK .....	SSN-605
USS TINOSA .....	SSN-606
USS SAM HOUSTON .....	SSN-609
USS JOHN MARSHALL .....	SSN-611
USS GUARDFISH .....	SSN-612
USS FLASHER .....	SSN-613
USS GREENLING .....	SSN-614
USS HADDOCK .....	SSN-621
USS STURGEON .....	SSN-637
USS QUEENFISH .....	SSN-651
USS RAY .....	SSN-653
USS LAPON .....	SSN-661
USS SEA DEVIL .....	SSN-664
USS GUITARRO .....	SSN-665
USS SILVERSIDES .....	SSN-679
USS GLENARD P. LIPSCOMB .....	SSN-685
USS BATON ROUGE .....	SSN-689
USS LAFAYETTE .....	SSBN-616
USS ALEXANDER HAMILTON .....	SSBN-617
USS JAMES MONROE .....	SSBN-622
USS WOODROW WILSON .....	SSBN-624
USS HENRY CLAY .....	SSBN-625
USS JAMES MADISON .....	SSBN-627
USS TECUMSEH .....	SSBN-628
USS DANIEL BOONE .....	SSBN-629
USS JOHN C. CALHOUN .....	SSBN-630
USS ULYSSES S GRANT .....	SSBN-631
USS VON STEUBEN .....	SSBN-632
USS CASIMIR PULASKI .....	SSBN-633
USS BENJAMIN FRANKLIN .....	SSBN-640
USS GEORGE BANCROFT .....	SSBN-643
USS LEWIS & CLARK .....	SSBN-644
USS GEORGE C. MARSHALL .....	SSBN-654
USS HENRY L. STIMSON .....	SSBN-655
USS GEORGE WASHINGTON .....	SSBN-656
CARVER.	
USS FRANCIS SCOTT KEY .....	SSBN-657
USS WILL ROGERS .....	SSBN-659

2. Table Two of 32 CFR 706.2 is amended by removing the following ships:

USS LEXINGTON .....	AVT-16
USS MIDWAY .....	CV-41
USS RANGER .....	CV-61
USS IWO JIMA .....	LPH-2
USS OKINAWA .....	LPH-3
USS PENGASIOUS .....	PHM-1
USS HERCULES .....	PHM-2
USS TAURUS .....	PHM-3
USS AQUILA .....	PHM-4
USS ANES .....	PHM-5
USS GEMINI .....	PHM-6

3. Table 3 of 32 CFR 706.2 is amended by removing the following ships:

USS BLUEBACK .....	SS-581
USS SKIPJACK .....	SSN-585
USS SCULPIN .....	SSN-590
USS SHARK .....	SSN-591
USS PERMIT .....	SSN-594
USS PLUNGER .....	SSN-595
USS BARB .....	SSN-596
USS HADDO .....	SSN-604
USS JACK .....	SSN-605
USS TINOSA .....	SSN-606

USS SAM HOUSTON .....	SSN-609
USS JOHN MARSHALL .....	SSN-611
USS GUARDFISH .....	SSN-612
USS FLASHER .....	SSN-613
USS GREENLING .....	SSN-614
USS HADDOCK .....	SSN-621
USS STURGEON .....	SSN-637
USS QUEENFISH .....	SSN-651
USS RAY .....	SSN-653
USS LAPON .....	SSN-661
USS SEA DEVIL .....	SSN-664
USS GUITARRO .....	SSN-665
USS SILVERSIDES .....	SSN-679
USS GLENARD P. LIPSCOMB .....	SSN-685
USS BATON ROUGE .....	SSN-689
USS LAFAYETTE .....	SSBN-616
USS ALEXANDER HAMILTON .....	SSBN-617
USS JAMES MONROE .....	SSBN-622
USS WOODROW WILSON .....	SSBN-624
USS HENRY CLAY .....	SSBN-625
USS JAMES MADISON .....	SSBN-627
USS TECUMSEH .....	SSBN-628
USS DANIEL BOONE .....	SSBN-629
USS JOHN C. CALHOUN .....	SSBN-630
USS ULYSSES S. GRANT .....	SSBN-631
USS VON STEUBEN .....	SSBN-632
USS CASIMIR PULASKI .....	SSBN-633
USS BENJAMIN FRANKLIN .....	SSBN-640
USS GEORGE BANCROFT .....	SSBN-643
USS LEWIS AND CLARK .....	SSBN-644
USS GEORGE C. MARSHALL .....	SSBN-654
USS HENRY L. STIMSON .....	SSBN-655
USS GEORGE WASHINGTON .....	SSBN-656
CARVER.	
USS FRANCIS SCOTT KEY .....	SSBN-657
USS WILL ROGERS .....	SSBN-659

4. Table Four, paragraph 1 of 32 CFR 706.2 is amended by removing the word "AVT," in the first sentence.

5. Table Four, paragraph 4 of 32 CFR 706.2 is amended by removing the following ships:

Vessel	MSO No.
USS CONSTANT .....	427
USS ENGAGE .....	433
USS ENHANCE .....	437
USS ESTEEM .....	438
USS EXCEL .....	439
USS EXPLOIT .....	440
USS EXULTANT .....	441
USS FEARLESS .....	442
USS FORTIFY .....	446
USS ILLUSIVE .....	448
USS IMPERVIOUS .....	449
USS INFLECT .....	456
USS PLUCK .....	464
USS LEADER .....	490
USS ADROIT .....	509
USS AFFRAY .....	511

6. Table Four, paragraph 6 of 32 CFR 706.2 is amended by removing the following ships:

USS WICHITA .....	(AOR 1)
USS FULTON .....	(AS 11)

7. Table Four, paragraphs 5, 12 and 13 of 32 CFR 706.2 are removed and reserved.

8. Table Five of 32 CFR 706.2 is amended by removing the following ships:

USS HALEAKALA .....	AE 25
USS LEXINGTON .....	AVT 16
USS LEAHY .....	CG 16
USS HARRY E. YARNELL .....	CG 17
USS WORDEN .....	CG 18
USS GRIDLEY .....	CG 21
USS ENGLAND .....	CG 22
USS HALSEY .....	CG 23
USS REEVES .....	CG 24
USS JOSEPHUS DANIELS .....	CG 27
USS WAINWRIGHT .....	CG 28
USS JOUETT .....	CG 29
USS HORNE .....	CG 30
USS STERETT .....	CG 31
USS WILLIAM H. STANDLEY .....	CG 32
USS FOX .....	CG 33
USS BIDDLE .....	CG 34
USS VIRGINIA .....	CGN 38
USS TEXAS .....	CGN 39
USS MIDWAY .....	CV 41
USS RANGER .....	CV 61
USS FARRAGUT .....	DDG 37
USS LUCE .....	DDG 38
USS MACDONOUGH .....	DDG 39
USS COONTZ .....	DDG 40
USS KING .....	DDG 41
USS MAHAN .....	DDG 42
USS DAHLGREN .....	DDG 43
USS WILLIAM V. PRATT .....	DDG 44
USS DEWEY .....	DDG 45
USS PREBLE .....	DDG 46
USS RALEIGH .....	LPD 1
USS VANCOUVER .....	LPD 2
USS IWO JIMA .....	LPH 2
USS OKINAWA .....	LPH 3
USS NEWPORT .....	LST 1179
USS MANITOWOC .....	LST 1180
USS SUMTER .....	LST 1181
USS FRESNO .....	LST 1182
USS PEORIA .....	LST 1183
USS SCHENECTADY .....	LST 1185
USS TUSCALOOSA .....	LST 1187
USS BOULDER .....	LST 1190
USS RACINE .....	LST 1191
USS BARBOUR COUNTY .....	LST 1195
USNS POINT LOMA .....	T-AGDS 2

**§ 706.3 [Amended]**

10. Table One in § 706.3 is amended by removing the following classes:

- T-AGS-29 Class
- USNS MIRFAK (T-AK-271)
- USNS FURMAN (T-AK-280)
- USNS MARSHFIELD (T-AK-282)
- USNS NEPTUNE (T-ARC-2)
- ATF-81 Class
- ATF-96 Class
- DD-931 Class
- DDG-31 Class
- MSB Class
- PG-84 Class
- SS-580 Class
- SSN-585 Class
- USS NARWHAL (SSN-671)
- USS GLENARD P. LIPSCOMB (SSN-685)
- SSBN-608 Class

Dated: February 8, 1995.

**K.P. McMahon,**

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