

TABLE FIVE

| Vessel                | No.          | Masthead lights not over all other lights and obstructions, annex I, sec. 2(f) | Forward masthead light not in forward quarter of ship, annex I, sec. 3(a) | After mast-head light less than 1/2 ship's length aft of forward masthead light, annex I, sec. 3(a) | Percentage horizontal separation attained |
|-----------------------|--------------|--|---|---|---|
| USS CARTER HALL ..... | LSD 50 ..... | .....  | .....   | X   | 63.9                                      |

Dated: March 23, 1995.

**K.P. McMahon,**

*CDR, JAGC, U.S. Navy, Deputy Assistant Judge Advocate, General (Admiralty).*

[FR Doc. 95-11196 Filed 5-5-95; 8:45 am]

BILLING CODE 3810-AE-P

**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 has determined that USS STETHEM (DDG 63) 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 ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**EFFECTIVE DATE:** April 20, 1995.

**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. 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 certified that USS STETHEM (DDG 63) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with the following specific provision 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 ship, and the horizontal distance between the forward and after masthead lights; Annex I, paragraph 2(f)(i), pertaining to the placement of the masthead light or lights above and clear of all other lights and obstructions; and Annex I, paragraph 3(c), pertaining to placement of task lights not less than 2 meters from the fore and aft centerline of the ship in the athwartship direction. The Deputy Assistant Judge Advocate General (Admiralty) of the Navy 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:

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

**§ 706.2 [Amended]**

2. Table Four of 706.2 is amended by:  
a. Adding the following vessel to Paragraph 15:

| Vessel        | No.    | Horizontal distance from the fore and aft centerline of the vessel in the athwartship direction |
|---------------|--------|---|
| USS STETH-EM. | DDG 63 | 1.91 meters.  |

b. Adding the following vessel to Paragraph 16:

| Vessel        | No.    | Obstruction angle relative ship's headings |
|---------------|--------|--|
| USS STETH-EM. | DDG 63 | 102.51 thru 112.50°.                       |

3. Table Five of 706.2 is amended by adding the following vessel:

TABLE FIVE

| Vessel            | No.    | Masthead lights not over all other lights and obstructions, annex I, sec. 2(f) | Forward masthead light not in forward quarter of ship, annex I, sec. 3(a) | After mast-head light less than 1/2 ship's length aft of forward masthead light, annex I, sec. 3(a) | Percentage horizontal separation attained |
|-------------------|--------|--|---|---|---|
| USS STETHEM ..... | DDG 63 | X  | X   | X   | 20  |

Dated: April 20, 1995.  
**K.P. McMahon,**  
*CDR, JAGC, U.S. Navy, Deputy Assistant Judge Advocate, General (Admiralty).*  
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**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 has determined that USS JOHN F. KENNEDY (CV 67) 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 ship. The intended effect of this rule is

to warn mariners in waters where 72 COLREGS apply.

**EFFECTIVE DATE:** April 14, 1995.

**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. 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 certified that USS JOHN F. KENNEDY (CV 67) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with the following specific provision of 72 COLREGS without interfering with its special function as a naval ship: Annex I, paragraph 2(g), pertaining to placement of sidelights above the hull of the vessel. The Deputy Assistant Judge Advocate General (Admiralty) of the Navy 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:

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

**§ 706.2 [Amended]**

2. Table Two of § 706.2 is amended by revising the information on 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 JOHN F. KENNEDY. | CV-67 | 27.5  | .....   | 1   | 9.0  | 2   | 0.4  | .....   | .....   |