

(3) Does not provide access to any digital transmission of multichannel video programming or any other digital service through any receiving, decoding, conditional access, or other function, including any conversion of digital programming or service to an analog format.

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 49 CFR Part 1

[OST Docket No. 1; Amdt. 1-299]

#### Organization and Delegation of Powers and Duties; Delegation to the Commandant, United States Coast Guard

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Secretary of Transportation is delegating to the Commandant, United States Coast Guard, authority to implement and enforce measures to reduce the likelihood of collisions between ships and right whales.

**EFFECTIVE DATE:** June 2, 1999.

**FOR FURTHER INFORMATION CONTACT:** Blane Workie, Office of the General Counsel, C-50, (202) 366-4723, Department of Transportation, 400

Seventh Street SW., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** The Coast Guard Authorization Act of 1998, (Pub. L. 105-383) Section 313 amends the Ports and Waterways Act (codified at 33 U.S.C. 1230) to authorize the Secretary, as Secretary of the Department in which the Coast Guard is operating, in cooperation with the International Maritime Organization (IMO), to implement and enforce two mandatory ship reporting systems in designated areas. The Secretary is delegating this authority to the Commandant of the Coast Guard. These reporting systems will be implemented internationally, in cooperation with the IMO, to reduce the likelihood of collisions between ships and right whales by dissemination of information to mariners through a variety of means. Right whales are the most endangered of the big whales. With the dwindling number of right whale sightings in U.S. waters, scientists are worried about the future of the endangered species. We publish this rule as a final rule effective on the date of publication. Since this amendment relates to the departmental organization, procedure, and practice, notice and comment are unnecessary under 5 U.S.C. 553(b). Furthermore, since this amendment expedites the Coast Guard's ability to meet the needs of its conservation and enforcement obligations, the Secretary finds good cause, under 5 U.S.C. 553(b) and 5 U.S.C. 553(d) (3), that notice and public

comment on the rule are unnecessary and that this rule should be made effective on the date of publication.

#### List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

In consideration of the foregoing, part 1 of title 49, Code of Federal Regulations, is amended to read as follows:

#### PART 1—[AMENDED]

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

**Authority:** 49 U.S.C. 322; Pub. L. 101-552, 28 U.S.C. 2672, 31 U.S.C. 3711 (a)(2).

2. In § 1.46, paragraph (rrr) is added to read as follows:

#### § 1.46 Delegations to Commandant of the Coast Guard.

\* \* \* \* \*

(rrr) Implement and enforce two mandatory ship reporting systems, in cooperation with the International Maritime Organization, pursuant to the Coast Guard Authorization Act of 1998, (Pub. L. 105-383), section 313, codified at 33 U.S.C. 1230(d).

Issued in Washington, DC this 24th day of May, 1999.

**Rodney E. Slater,**

*Department of Transportation.*

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