Regulatory Evaluation

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This conclusion is based on the fact that the bridges would open only for vessels one hour less per weekday than it does now. The bridges opened a total of 1591 times for vessels in 1999 for a daily average of less than 5 times.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

Federalism

We have analyzed this proposed rule under E.O. 13132 and have determined that this rule does not have implications for federalism under that Order.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities. Some vessel owners might be temporarily inconvenienced by the change, if effected, but the delay of an additional hour in the evening should not be significant, especially after vessel operators learn of the change and can therefore plan their trips on the river accordingly.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect our small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Mr. Austin Pratt at (206) 220–7282.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those costs. This proposed rule would not impose an unfunded mandate.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

We considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph (32)(e) of Commandant Instruction M16475.lC, this proposed rule is categorically excluded from further environmental documentation because promulgation of drawbridge regulations have been found not to have a significant effect on the environment. A ''Categorical Exclusion Determination'' is available in the docket at the address indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. Section 117.1041(a)(1) is revised to read as follows:

§ 117.1041 Duwamish Waterway.

(a) * * *

(1) From Monday through Friday, except federal holidays, the draws of the dual First Avenue South bridges, mile 2.5, need not open for the passage of vessels from 6 a.m. to 9 a.m. and 3 p.m. to 7 p.m. except: The draws shall open at any time for a vessel of 5,000 gross tons and over, a vessel towing a vessel of 5,000 gross tons and over, and a vessel proceeding to pick up a vessel of 5,000 gross tons and over.

* * * * *

Dated: August 9, 2000.

Erroll Brown,

Rear Admiral, U. S. Coast Guard, Commander, Thirteenth Coast Guard District.

[FR Doc. 00–21124 Filed 8–17–00; 8:45 am]

BILLING CODE 4910–15–U

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 160

[USCG–2000–7796]

Notification of Arrival; Addition of Charterer or Cargo Owner to Required Information

AGENCY: Coast Guard, DOT.

ACTION: Request for comments.

SUMMARY: The Coast Guard is requesting comments about charterers and cargo owners to improve its Port State Control targeting matrix used to prioritize vessel boardings. The request for comments is intended to enhance the Coast Guard's understanding of the role of charterers and cargo owners in influencing the quality of shipping. Depending on the information received, we may commence a rulemaking to amend the

notification requirements in the Notice of Arrival regulations.

DATES: Comments and related material must reach the Docket Management Facility on or before October 2, 2000.

ADDRESSES: To make sure your comments and related material are not entered more than once in the docket, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility (USCG–2000–7796), U.S. Department of Transportation, room PL–401, 400 Seventh Street SW., Washington, DC 20590–0001.

(2) By delivery to room PL–401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

(3) By fax to the Docket Management Facility at 202–493–2251.

(4) Electronically through the Web Site for the Docket Management System at http://dms.dot.gov.

The Docket Management Facility maintains the public docket for this notice. Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room PL–401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at http://dms.dot.gov.

FOR FURTHER INFORMATION CONTACT: For questions on this Notice; request for comments, call LCDR Michael Jendrossek, Vessel and Facility Operating Standards Division, Coast Guard Headquarters, telephone 202–267–0836. For questions on viewing or submitting material to the docket, call Dorothy Beard, Chief, Dockets, Department of Transportation, telephone 202–366–9329.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this Coast Guard policy development process by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this notice (USCG–2000–7796), indicate the specific section of this document to which each comment applies, and give the reason for each comment. You may submit your comments and material by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. Your comments and materials may influence policy that we propose. We will consider all comments received during the comment period.

The Coast Guard may schedule a public meeting depending on input received in response to this notice. You may request a public meeting by submitting a request to the address under **ADDRESSES**. The request should include the reasons why a meeting would be beneficial. If the Coast Guard determines that a public meeting should be held, it will hold the meeting at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The Ports and Waterways Safety Act of 1972 [86 Stat. 424], as amended by the Port and Tanker Safety Act of 1978 [92 Stat.127], authorizes the Secretary of the Department in which the Coast Guard is operating to require the receipt of notice from vessels destined for or departing from a port or place under the jurisdiction of the United States. This Notice of Arrival, 33 CFR Part 160, Subpart C, includes information necessary for the control of the vessel and for the safety of the port or marine environment.

In April of 1994, because of concerns raised over the steady increase in the number of substandard non-U.S. flagged vessels visiting U.S. waters, the Coast Guard established its Port State Control program (PSC) with the goal of eliminating substandard vessels from U.S. waters. Primary responsibility for ensuring that a vessel remains in compliance with applicable international and national regulations falls to the owners, operators, Flag State, and classification (class) society. Because these parties failed to carry out their responsibilities the Coast Guard implemented a more comprehensive foreign vessel boarding program that includes examinations of freight ships, tank ships, and passenger vessels.

Each year, 8000 foreign-flagged vessels make more than 50,000 U.S. port calls, and the Coast Guard conducts approximately 12,000 examinations. A risk-based targeting scheme was developed to ensure that vessels, which may pose an unacceptable risk to U.S. ports, are boarded. The targeting matrix utilizes the following information: Flag State, owner, operator, class society, ship type and operating history in U.S. waters.

The targeting matrix is a tool that the COTP uses to assign a score to each arriving vessel, and then prioritizes vessel boardings based on the total number of points assigned, as well as other factors. These vessels, representing the highest risk, are targeted for boardings. Once aboard the vessel, the Coast Guard verifies that the vessel has valid certificates from its Flag State that indicate compliance with applicable international safety and pollution prevention conventions.

If a vessel is determined to be substandard, which means that its hull, machinery, equipment, or operational readiness is substantially below required standards, it is detained until the deficiencies are corrected.

In an attempt to improve the overall quality of shipping, two recent initiatives were implemented—The International Safety Management (ISM) Code, and the 1995 amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW 95). These initiatives focus on the human element of ship operations and place responsibility with the companies operating ships. These initiatives have been effective in reducing the number of substandard vessels in U.S. waters, as well as around the world.

Despite these new initiatives, substandard vessels continue to call in U.S. waters. Although the number of detentions of substandard vessels fell from 547 in 1997 to 257 in 1999, we believe that there are still too many.

Many involved in international shipping have noted that charterers can exert considerable influence on the quality of shipping and are not held accountable by any Port State Control regime. A recent study sponsored by the Netherlands Ministry of Transport indicates that the expense of operating a substandard vessel was 14 percent less than the operating cost for a compliant vessel. This raises the possibility that charterers and cargo owners may select vessels for hire which are non-compliant because of lower charter rates.

The Coast Guard needs answers to certain questions about charterers and cargo owners to determine whether it will be appropriate to add charterers and cargo owners to the Notice of Arrival information and the targeting matrix. Because the Coast Guard does not currently have vessel charterer data,

we cannot determine the impact that this information will have on the targeting matrix, or the number and percentage of detentions that would cause a charterer to be targeted. Depending on the information received, we may commence a rulemaking to amend the notification requirements in the Notice of Arrival regulations.

Of particular interest to the Coast Guard is an understanding of how chartering selections are made, the factors that are considered, how the process works, as well as economic influences.

Questions

We especially need the public's assistance in answering the following questions, and any additional information provided on this topic is welcome. In responding to each question, please explain your reasons for each answer as specifically as possible so that we can carefully weigh the consequences and impacts of any future actions we may take. For the following questions we have defined charterer as: An individual or company who hires a vessel or portion of a vessel. A charterer may also be a shipping company employee or an employee at a shipbroker whose job it is to do business on the freight market.

In preparing your response to these questions please indicate your position in the maritime industry as well as the type of vessel, cargo, and charter agreement specific to your situation, if applicable.

1. What role do the charterer and cargo owner play in ensuring ships are in compliance with international safety and pollution regulations. To what extent should they be held accountable?

2. Would publication of a list of charterers and cargo owners that are associated with detentions improve compliance with international safety standards?

3. Should the charterer and cargo owner be included in the Coast Guard's Port State Control targeting matrix? If so, does the type of chartering agreement matter when a decision is being made to determine who should be associated with a detention?

4. What is the screening process used by your company prior to chartering a vessel? How is the final vessel selection made?

5. What factors are considered when you select a vessel for charter?

6. Do you consider a vessel's safety or casualty record, including its Port State Control history in your decision process?

7. Does a charterer or cargo owner ever change during a voyage? If yes, what are the circumstances and in general how often does this occur?

8. In those instances where the charterer changes during the voyage or there are multiple cargo owners or cargo ownership changes how is responsibility for ensuring compliance with international maritime safety and pollution prevention standards determined?

9. What documentation does the vessel owner, agent, master, person-in-charge or operator have that identifies the charterer or cargo owner? Is this documentation available onboard the vessel?

10. How is the cost of a delay resulting from a Port State Control action or detention measured or determined? Who absorbs or pays for it?

11. Would requiring that the name of the charterer and cargo owner be provided as part of the notice of arrival have an impact on small businesses?

12. What would the cost be to your company of adding the name of the charterer and cargo owner to the information reported in the notice of arrival? Does this cost differ according to the type of charter, cargo owner or vessel type? What is the basis for your estimate?

13. What is your estimate of the total cost to industry of adding the name of the charterer and cargo owner to the information reported in the notice of arrival? What is the total cost by charterer, cargo owner or vessel type? What is the basis for your estimate?

Dated: August 4, 2000.

R.C. North,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 00–21125 Filed 8–17–00; 8:45 am]

BILLING CODE 4910–15–U

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 20

RIN 1018–AG08

Migratory Bird Hunting; Proposed Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2000–01 Season

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The U.S. Fish and Wildlife Service (hereinafter Service or we) proposes special migratory bird hunting regulations for certain tribes on Federal Indian reservations, off-reservation trust lands, and ceded lands for the 2000–01 migratory bird hunting season.

DATES: To comment on these proposed regulations, you must do so by August 28, 2000.

ADDRESSES: Send your comments on these proposals to the Chief, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, room 634-Arlington Square, 1849 C Street, NW, Washington, DC 20240. All comments received will become part of the public record. You may inspect comments during normal business hours in room 634, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Ron W. Kokel, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, (703/358–1714).

SUPPLEMENTARY INFORMATION: In the April 25, 2000, **Federal Register** (65 FR 24260), we requested proposals from Indian tribes wishing to establish special migratory bird hunting regulations for the 2000–01 hunting season, under the guidelines described in the June 4, 1985, **Federal Register** (50 FR 23467). In this supplemental proposed rule, we propose special migratory bird hunting regulations for 23 Indian tribes, based on the input we received in response to the April 25, 2000, proposed rule. As described in that rule, the promulgation of annual migratory bird hunting regulations involves a series of rulemaking actions each year. This proposed rule is part of that series.

We developed the guidelines for establishing special migratory bird hunting regulations for Indian tribes in response to tribal requests for recognition of their reserved hunting rights and, for some tribes, recognition of their authority to regulate hunting by both tribal and nontribal members on their reservations. The guidelines include possibilities for:

(1) On-reservation hunting by both tribal and nontribal members, with hunting by nontribal members on some reservations to take place within Federal frameworks but on dates different from those selected by the surrounding State(s);

(2) On-reservation hunting by tribal members only, outside of the usual Federal frameworks for season dates and length, and for daily bag and possession limits; and

(3) Off-reservation hunting by tribal members on ceded lands, outside of usual framework dates and season