



**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**Certificate of Alternate Compliance for USS DELBERT. D.**

**BLACK (DDG 119)**

**AGENCY:** Department of the Navy, DoD

**ACTION:** Notice of Issuance of Certificate of Alternate Compliance.

**SUMMARY:** The U.S. Navy hereby announces that a Certificate of Alternate Compliance has been issued for USS DELBERT D. BLACK (DDG 119). Due to the special construction and purpose of this vessel, the Deputy Assistant Judge Advocate General (DAJAG) (Admiralty and Maritime Law) has determined it is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with the navigation lights provisions of the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS) without interfering with its special function as a naval ship. The intended effect of this notice is to warn mariners in waters where 72 COLREGS apply.

**DATES:** This notice is effective **[INSERT DATE OF PUBLICATION]** and is applicable beginning December 3, 2019.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Tom Bright, JAGC, U.S. Navy, Admiralty Attorney, Office of the Judge

Advocate General, Admiralty and Maritime Law Division (Code 11), 1322 Patterson Ave., S.E., Suite 3000, Washington Navy Yard, DC 20374-5066, 202-685-5040, or admiralty@navy.mil.

**SUPPLEMENTAL INFORMATION:** Background and Purpose.

Executive Order 11964 of January 19, 1977 and 33 USC § 1605 provide that the requirements of the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), as to the number, position, range, or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signaling appliances, shall not apply to a vessel or class of vessels of the Navy where the Secretary of the Navy shall find and certify that, by reason of special construction or purpose, it is not possible for such vessel(s) to comply fully with the provisions without interfering with the special function of the vessel(s). Notice of issuance of a Certificate of Alternate Compliance must be made in the Federal Register.

In accordance with 33 USC § 1605, the DAJAG (Admiralty and Maritime Law), under authority delegated by the Secretary of the Navy, hereby finds and certifies that USS DELBERT D. BLACK (DDG 119) is a vessel of special construction or purpose, and that, with respect to the position of the following navigational lights, it is not possible to comply

fully with the requirements of the provisions enumerated in the 72 COLREGS without interfering with the special function of the vessel:

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; Annex I, paragraph 2(f)(ii), pertaining to the vertical placement of task lights; Rule 23(a), the requirement to display a forward and aft masthead light underway; and 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 aft masthead lights; and Annex I, paragraph 3(c), pertaining to placement of task lights not less than two meters from the fore and aft centerline of the ship in the athwart ship direction.

The DAJAG (Admiralty and Maritime Law) further finds and certifies that these navigational lights are in closest possible compliance with the applicable provision of the 72 COLREGS.

Authority: 33 USC § 1605(c), E.O. 11964

APPROVED: December 3, 2019.

**D. J. Antenucci,**

*Commander,*

*Judge Advocate General's Corps,*

*U. S. Navy,*

*Federal Register Liaison Officer.*

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