

(c) The Secretary will decide whether or not to revise a final decision contested by the petitioner(s) under this section after considering information and recommendations provided to the Secretary by the Director of NIOSH, the Board, and from the HHS administrative review conducted under paragraph (b) of this section. HHS will transmit a report of the decision to the petitioner(s).

(d) If the Secretary decides under paragraph (c) of this section to change a designation under § 83.17(a) of this part or a determination under § 83.16(c) of this part, the Secretary will transmit to Congress a report providing such change to the designation or determination, including an iteration of the relevant criteria, as specified under § 83.13(c), and a summary of the information and findings on which the decision is based. HHS will also publish a notice summarizing the decision in the **Federal Register**.

(e) A new designation of the Secretary under this section will take effect 30 calendar days after the date on which the report of the Secretary under paragraph (d) of this section is submitted to Congress, unless Congress takes an action that reverses or expedites the designation. Such new designations and related congressional actions will be further reported by the Secretary pursuant to paragraphs (d) and (e) of § 83.17.

Dated: September 13, 2005.

**Michael O. Leavitt,**

*Secretary, Department of Health and Human Services.*

[FR Doc. 05-24358 Filed 12-21-05; 8:45 am]

**BILLING CODE 4163-18-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### 43 CFR Part 3160

RIN 1004-AD80

#### Onshore Oil and Gas Operations; Correction

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Correcting amendment.

**SUMMARY:** This document contains a correcting amendment to a final rule reorganizing regulations of the Bureau of Land Management (BLM) relating to onshore oil and gas operations, which was published in the **Federal Register** of Friday, February 20, 1987 (52 FR 5384). The amendment corrects an error in a cross-reference.

**DATES:** Effective date December 22, 2005.

**FOR FURTHER INFORMATION CONTACT:** Ted Hudson, 202-452-5042. Individuals who use a telecommunications device for the deaf (TDD) may contact him individually through the Federal Information Relay Service at 1-800-877-8339, 24 hours a day, seven days a week.

#### SUPPLEMENTARY INFORMATION:

##### Background

The regulations that are the subject of this correcting amendment have been in effect for more than 20 years. They pertain specifically to onshore oil and gas operations programs, and particularly to the penalty provision for knowingly submitting false, misleading, or inaccurate reports or other information required by the regulations, taking oil or gas from a Federal or Indian lease without authority, or receiving such oil or gas knowing or having reason to know it was stolen or unlawfully diverted or removed from a Federal or Indian lease site.

##### Need for Correction

When a final rule redesignated and revised the pertinent sections in 1987, at 52 FR 5394, it created an error in a cross-reference. This error is misleading and needs clarification. The provision assigns a criminal penalty for an act for which a civil penalty is prescribed in another section, referring to that other section by number. However, the section and paragraph number stated, section 3163.4-1(b)(6), does not exist in the current regulations, having been redesignated as section 3163.2(f) in the 1987 rule. The 1987 rule failed to adjust the cross-reference, which now needs to be corrected to eliminate confusion.

##### List of Subjects in 43 CFR Part 3160

Government contracts; Indians—lands; Mineral royalties; Oil and gas exploration; Penalties, Public lands—mineral resources; Surety bonds.

■ Accordingly, 43 CFR part 3160 is corrected by making the following amendment:

#### PART 3160—ONSHORE OIL AND GAS OPERATIONS

■ 1. The authority citation for part 3160 continues to read as follows:

**Authority:** 25 U.S.C. 396d and 2107; 30 U.S.C. 189, 306, 359, and 1751; and 43 U.S.C. 1732(b), 1733, and 1740.

#### Subpart 3163—Noncompliance, Assessments, and Penalties

■ 2. Revise section 3163.3 to read as follows:

##### § 3163.3 Criminal penalties.

Any person who commits an act for which a civil penalty is provided in § 3163.2(f) shall, upon conviction, be punished by a fine of not more than \$50,000, or by imprisonment for not more than 2 years, or both.

Dated: December 7, 2005.

**Chad Calvert,**

*Acting Assistant Secretary of the Interior.*

[FR Doc. 05-24371 Filed 12-21-05; 8:45 am]

**BILLING CODE 4310-84-M**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 46 CFR Part 4

[USCG-2001-8773]

RIN 1625-AA27 (Formerly RIN 2115-AG07)

#### Marine Casualties and Investigations; Chemical Testing Following Serious Marine Incidents

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** This final rule revises Coast Guard requirements for alcohol testing after a serious marine incident to ensure that mariners or their employees involved in a serious marine incident are tested for alcohol use within 2 hours of the occurrence of the incident as required under the Coast Guard Authorization Act of 1998. This final rule also requires that most commercial vessels have alcohol testing devices on board, and authorizes the use of saliva as an acceptable specimen for alcohol testing. This rule also makes some minor procedural changes, including a 32-hour time limit for collecting specimens for drug testing following a serious marine incident.

**DATES:** This final rule is effective June 20, 2006.

**ADDRESSES:** Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG-2001-8773 and are available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except