

would not unduly burden the Federal court system. The proposed rule has been written so as to provide a clear legal standard for affected conduct and has been reviewed carefully to eliminate drafting errors and ambiguities.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

In accordance with Executive Order 13045, MSHA has evaluated the environmental health and safety effects of the proposed DPM rule on children. The Agency has determined that the proposed rule would not have an adverse impact on children.

I. Executive Order 13132: Federalism

MSHA has reviewed the proposed DPM rule in accordance with Executive Order 13132 regarding federalism and has determined that it would not have any federalism implications. The proposed rule would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

J. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

MSHA has determined that the proposed DPM rule would not impose substantial direct compliance costs on Indian tribal governments.

K. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

In accordance with Executive Order 13211, the Agency has reviewed proposed DPM rule for its energy impacts. The rule would have no effect on the supply, distribution or use of energy.

L. Executive Order 13272: Proper Consideration of Small Business Entities in Agency Rulemaking

In accordance with Executive Order 13272, MSHA has thoroughly reviewed the proposed DPM rule to assess and take appropriate account of its potential impact on small businesses, small governmental jurisdictions, and small organizations. As discussed in Chapter V of the PREA, MSHA has determined that the proposed rule would not have a significant economic impact on a substantial number of small entities.

XI. References

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