

Individuals and Systems of Records Maintained by the Appraisal Subcommittee.

ASC Form Number: None.

OMB Number: 3139-0004.

Expiration Date: To be requested.

Type of Request: Extension of currently approved collection of information.

Description of Need: The information is used by the ASC and its staff in determining whether to grant to an individual access to records pertaining to that individual and whether to amend or correct ASC records pertaining to that individual under the Privacy Act of 1974 (5 U.S.C. 552a).

Automated Data Collection: None.

Description of Respondents: Individuals and households.

Estimated Average Number of Respondents: 50 respondents.

Estimated Average Number of Responses: 50. Once per respondent.

Estimated Average Burden Hours Per Response: .33 hours.

Estimated Annual Reporting Burden: 16.67 hours.

By the Appraisal Subcommittee of the Federal Financial Institutions Examination Council.

Dated: April 20, 1999.

Marc L. Weinberg,

Acting Executive Director & General Counsel.

[FR Doc. 99-10405 Filed 4-23-99; 8:45 am]

BILLING CODE 6210-01-M

Summary of Items Submitted for OMB Review 46 CFR Part 540 and Related Application Form FMC-131

FMC requests an extension of clearance for 46 CFR part 540 which implements sections 2 and 3 of Public Law 89-777 (46 U.S.C. 817(d) and (e)) and related application Form FMC-131. P.L. 89-777 requires vessel owners, charterers, and operators of passenger vessels having 50 or more berth or stateroom accommodations and embarking passengers at United States ports and territories to establish their financial responsibility to meet liability incurred for death or injury and to indemnify passengers in the event of nonperformance of a voyage or cruise. The Commission estimates an annual respondent universe of 60 cruise line operators who possess Certificates (Performance and Casualty) for 150 vessels. Total estimated respondent burden is 1888 manhours: 1600 manhours for complying with the regulation and 288 manhours for completion of the form. Total cost to the Federal Government is estimated at \$177,000; total cost to respondents is estimated at \$110,000.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 99-10421 Filed 4-23-99; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984.

Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, N.W., Room 962. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

Agreement No.: 202-000050-068.

Title: United States/Australia New Zealand Association.

Parties: Columbus Line P&O Nedlloyd Limited Australia-New Zealand Direct Line.

Synopsis: The parties are revising the agreement's independent action and service contract provisions consistent with the requirements of the Ocean Shipping Reform Act of 1998. The parties request expedited review.

Agreement No.: 202-011375-0048.

Title: Trans-Atlantic Conference Agreement ("TACA").

Parties: A.P. Moller-Maersk Line, Atlantic Container Line AB, Hapag Lloyd Container Line GmbH, Mediterranean Shipping Co., S.A., Nippon Yusen Kaisha, Orient Overseas Container Line (UK) Ltd., P&O Nedlloyd Limited, Sea-Land Service, Inc.

Synopsis: The proposed Amendment reduces the independent action notice period applicable to ocean port/port rates and U.S. inland portions of through intermodal rates from three business days to one business day.

Agreement No.: 202-011407-004.

Title: Australia/United States ContainerLine Association.

Parties: Columbus Line, P&O Nedlloyd Limited, Australia-New Zealand Direct Line.

Synopsis: The proposed amendment would revise Agreement provisions related to independent action and service contracts to conform to the provisions of the Ocean Shipping Reform Act of 1988. The parties have requested a shortened review period.

By Order of the Federal Maritime Commission.

Dated: April 21, 1999.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 99-10420 Filed 4-23-99; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL MARITIME COMMISSION

Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarders, Federal Maritime Commission, Washington, D.C. 20573.

Primeship Agencies, Inc. d/b/a Primeship, 80 St. Michael Street, Suite 201, Mobile, AL 36602, Officers: Victor A. Lopez-Lindo, President, Beatriz E. Lopez-Lindo, Secretary.

KSG Exports, Inc. d/b/a KSG International, Forwarding Consultants, 290 N.E. 95th Street, Miami Shores, FL 33138, Officers: Stephen K. Gonzales, President, Lisette M. Reid, Secretary.

FEDERAL MARITIME COMMISSION

Notice of Items Submitted for OMB Review

The Federal Maritime Commission hereby gives notice that the following items have been submitted to the Office of Management and Budget (OMB) for review pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501, et seq.), as amended. Requests for information, including copies of the collection of information and supporting documentation, may be obtained from Edward P. Walsh, Managing Director, Federal Maritime Commission, 800 N. Capitol Street, N.W., Washington, D.C. 20573-0001, telephone number (202) 523-5800. Comments may be submitted to the agency and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503, Attention: Desk Office for the Federal Maritime Commission, within 15 days after the date of the **Federal Register** in which this notice appears.

Dated: April 21, 1999.

Bryant L. VanBrakle,
Secretary.

[FR Doc. 99-10353 Filed 4-23-99; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL MARITIME COMMISSION

[Docket No. 99-07]

A.P. Moller-Maersk Line, Possible Violations of Sections 10(b)(1), 10(b)(2), and 10(b)(4) of the Shipping Act of 1984; Order of Investigation and Hearing

A.P. Moller-Maersk Line ("Maersk") is a vessel-operating common carrier headquartered in Copenhagen, Denmark. In the United States, Maersk operates through Maersk, Inc., a wholly owned subsidiary. Maersk offers worldwide container services with approximately 70 vessels and offices in approximately 70 countries. As relevant here, Maersk provides regular liner service between the United States and South America and between the United States and points throughout the Far East and Asia.

Based on evidence available to the Commission, it appears that during the period from 1996 to 1998, Maersk was involved in malpractice activities both in the South American as well as the Pacific Trades. In particular, it appears that in the South American Trades, Maersk paid rebates and made other freight concessions to several persons, including Non-Vessel-Operating Common Carriers ("NVOCCs"). It appears that Maersk engaged in such malpractices on hundreds of shipments over a significant period of time. In the Pacific Trades, it appears that Maersk collaborated with persons, including NVOCCs, in arrangements involving commodity and measurement misdescriptions thereby allowing those entities to obtain very substantial freight savings to which they were not entitled, in many instances, by misuse of rules and practices relating to equipment substitution.

Section 10(b)(1) of the 1984 Act, 46 U.S.C. app. 1709(b)(1), prohibits a common carrier from charging, collecting or receiving greater, less or different compensation for the transportation of property than the rates and charges set forth in its tariffs or service contracts. Section 10(b)(2) of the 1984 Act, 46 U.S.C. app. 1709(b)(2), provides that no common carrier may rebate, refund or remit in any manner, or by any device, any portion of its rates except in accordance with its tariffs or service contracts. Section 10(b)(4) of the 1984 Act, 46 U.S.C. app. 1709(b)(4),

prohibits any common carrier from allowing any person by means of false billings, false classification, false weighing, false report of weight, false measurement, or by any other unjust or unfair device or means, to obtain ocean transportation for property at less than the rates or charges that would otherwise be applicable.

Under section 13 of 1984 Act, 46 U.S.C. app. 1712, a person is subject to a civil penalty of not more than \$25,000 for each violation knowingly and willfully committed, and not more than \$5,000 for other violations.¹ Section 13 further provides that a common carrier's tariffs may be suspended for violations of sections 10(b)(1), 10(b)(2) or 10(b)(4) for a period not to exceed one year.

Now therefore, it is Ordered, That pursuant to sections 10, 11 and 13 of the 1984 Act, 46 U.S.C. app 1709, 1710, and 1712, an investigation is instituted to determine:

(1) Whether Maersk violated section 10(b)(1) of the 1984 Act by charging, demanding, collecting or receiving less or different compensation for the transportation of property than the rates and charges shown in its tariffs or service contracts;

(2) Whether Maersk violated section 10(b)(2) of the 1984 Act by rebating, refunding or remitting a portion of its tariff or service contract rates;

(3) Whether Maersk violated section 10(b)(4) of the 1984 Act by allowing persons to obtain transportation at less than the rates and charges otherwise applicable by an unjust or unfair device or means;

(4) Whether, in the event violations of sections 10(b)(1), 10(b)(2) or 10(b)(4) of the 1984 Act are found, civil penalties should be assessed against Maersk and, if so, the amount of penalties to be assessed;

(5) Whether, in the event violations of sections 10(b)(1), 10(b)(2) or 10(b)(4) of the 1984 Act are found, the tariff(s) of Maersk should be suspended;

(6) Whether, in the event violations are found, an appropriate cease and desist order should be issued.

It is further ordered, That a public hearing be held in this proceeding and that this matter be assigned for hearing before an Administrative Law Judge of the Commission's Office of Administrative Law Judges at a date and place to be hereafter determined by the Administrative Law Judge in compliance with Rule 61 of the Commission's Rules of Practice and

Procedure, 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the Presiding Administrative Law Judge only after consideration has been given by the parties and the Presiding Administrative Law Judge to the use of alternative forms of dispute resolution, and upon a proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matters in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record;

It is Further Ordered, That A.P. Moller-Maersk Line is designated Respondent in this proceeding;

It is Further Ordered, That the Commission's Bureau of Enforcement is designated a party to this proceeding;

It is Further Ordered, That notice of this Order be published in the **Federal Register**, and a copy be served on parties of record;

It is Further Ordered, That other persons having an interest in participating in this proceeding may file petitions for leave to intervene in accordance with Rule 72 of the Commission's Rules of Practice and Procedure, 46 CFR 502.72;

It is Further Ordered, That all further notices, orders, and/or decisions issued by or on behalf of the Commission in this proceeding, including notice of the time and place of hearing or prehearing conference, shall be served on parties of record;

It is Further Ordered, That all documents submitted by any party of record in this proceeding shall be directed to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, in accordance with Rule 118 or the Commission's Rules of Practice and Procedure, 46 CFR 502.118, and shall be served on parties of record; and

It is Further Ordered, That in accordance with Rule 61 of the Commission's Rules of Practice and Procedure, the initial decision of the Administrative Law Judge shall be issued by April 20, 2000, and the final decision of the Commission shall be issued by August 18, 2000.

By the Commission.

Bryant L. VanBrakle,
Secretary.

[FR Doc. 99-10351 Filed 4-23-99; 8:45 am]

BILLING CODE 6730-01-M

¹ These penalties are increased 10 percent for any violations occurring after November 7, 1996. See, *Inflation Adjustment of Civil Penalties*, 61 Fed. Reg. 52704 (October 8, 1996).