

80°F for JP-4 and Jet B fuels for use on the Boeing Model 747-400/-400F equipped with Rolls Royce RB211-524G-T/H-T engines.

On January 30, 2001, the FAA issued Summary Notice No. PE-2001-08 (66 FR 8839; February 2, 2001) which inadvertently includes a request for comments on Boeing's petition for exemption. The original comment period on Boeing's request closed on November 13, 2000, and this notice withdraws the summary of Boeing's petition from Summary Notice No. PE-2001-08.

[FR Doc. 01-4545 Filed 2-22-01; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### RTCA, Inc.; Special Committee 159; Global Positioning System (GPS)

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., Appendix 2), notice is hereby given of a request from the Department of Transportation (DOT) for RTCA to develop appropriate material for DOT consideration in preparing its comments on an FCC Notice of Proposed Rule-Making (NPRM), "In the Matter of Revision of Part 15 of the Commission's Rules Regarding Ultra-Wideband Transmission Systems."

In response to this request, RTCA's Program management Committee has tasked Special Committee 159, Global Positioning System (GPS), to develop a response. Special Committee 159's next recommended submission, the Second Interim Report titled Ultra-Wideband Technology Radio Frequency Interference Effects to Global Positioning System Receivers and Interference Encounter Scenario Development, is being produced in two phases:

*Phase I.* The report segment produced in the first phase, Preliminary Aviation Approached Segments for the Second Interim Report, has been provided to the Program Management Committee for review and was forwarded to DOT on February 13, 2001. This report represented a work in progress and is posted to the RTCA web site ([www.rtca.org](http://www.rtca.org)) on the Program Management Committee (PMC) page.

*Phase II.* The complete Second Interim Report will be finalized in the second phase and will include the phase I work as well as new material. The complete report will be posted to the RTCA web site by March 12, 2001.

The Program Management Committee will consider the completed Second

Interim for approval at its meeting on March 27, 2001, before it is forwarded to DOT.

Persons wishing to obtain information, or have questions/comments, should contact RTCA, Inc., Attn: Mr. Jerry Bryant, at (202) 833-9339 (phone), (202) 833-9424 (facsimile), or [jbryant@rtca.org](mailto:jbryant@rtca.org) (e-mail).

Issued in Washington, DC on February 15, 2001.

Janice L. Peters,  
Designated Official.

[FR Doc. 01-4546 Filed 2-22-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket Number: MARAD-2001-8932]

#### Requested Administrative Waiver of the Coastwise Trade Laws

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel CALEDONIA.

**SUMMARY:** As authorized by Public Law 105-383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. The vessel is currently operating in Washington's San Juan Islands under a small vessel waiver granted pursuant to actions in Docket MARAD-2000-7075. The current application involves a new owner and new operating area. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR Part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

**DATES:** Submit comments on or before March 26, 2001.

**ADDRESSES:** Comments should refer to docket number MARAD-2001-8932. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th

St., SW., Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, S.W., Washington, DC 20590. Telephone 202-366-2307.

**SUPPLEMENTARY INFORMATION:** Title V of Pub. L. 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR Part 388.

#### Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. Name of vessel: CALEDONIA. Owner: California Maritime Academy Foundation, Inc.

(2) Size, capacity and tonnage of vessel. According to the applicant: "84.9' in length by 8.6' in width, and 9.4' in depth; accommodating not more than 12 passengers; 99 gross tons."

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "Vessel's intended use is as a crewed charter vessel [by Alaska and NW Charters, LLC] in S.E. Alaska accommodating not more than 12 passengers. The intended geographic region is from Dixon Entrance on the South to a latitude equal to Skagway, Alaska on the north and to a point 50 miles west of Sitka, Alaska on the west.

Thus, the entire S.E. Alaskan waterways area.”

(4) Date and Place of construction and (if applicable) rebuilding. Date of construction: 1973. Place of construction: Holland—or Foreign.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: “We feel this will have little impact on existing operators as we ALREADY operate a Crewed Charter Business in S.E. Alaska (FOR THE PAST THREE YEARS) and are in the process of SELLING our existing Crewed Charter Boat “High Scooter” and thus will ONLY be substituting vessels. Thus, the real impact is very marginal.

Our current web page is [www.alaskanwcharters.com](http://www.alaskanwcharters.com). There are other existing boats in the region both foreign and U.S., which operate similar operations and most if not all run at 95 to 100% full basis. There are even vessels, which are currently booked into 2002 because the demand for such charters is extremely high. As most of the existing boats have well established client bases—as do we—the impact of this—substitution vessel for our existing vessel will be non-existent.”

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: “As the vessel was built almost 30 years ago and as new vessels of this size are too expensive to make a profitable charter business out of—the impact will again be nonexistent. Additionally, as we are planning some changes and redecorating of the 30 year old vessel—to bring the vessel into 2001 standards—it will actually bring additional business to the vessel and ship builders in the area.”

Dated: February 20, 2001.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

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issue a determination that the ownership and control requirements and the preferred mortgage requirements of the American Fisheries Act of 1998 and 46 CFR part 356 are in conflict with an international investment agreement.

**SUMMARY:** The Maritime Administration (“MARAD”) is soliciting public comments on a petition from the owners and mortgagees of the vessels FRONTIER SPIRIT—Official Number 951441, FRONTIER MARINER—Official Number 951440, and FRONTIER EXPLORER—Official Number 975015 (hereinafter the “Vessels”). The petition requests that MARAD issue a decision that the American Fisheries Act of 1998 (“AFA”), Division C, Title II, Subtitle I, Public Law 105-277, and our regulations at 46 CFR Part 356 (65 FR 44860 (July 19, 2000)) are in conflict with the U.S.-Japan Treaty and Protocol Regarding Friendship, Commerce and Navigation, 206 UNTS 143, TIAS 2863, 4 UST 2063 (1953) (“U.S.-Japan FCN” or “Treaty”). The petition is submitted pursuant to 46 CFR 356.53 and 213(g) of AFA, which provide that the requirements of the AFA and the implementing regulations will not apply to the owners or mortgagees of a U.S.-flag vessel documented with a fishery endorsement to the extent that the provisions of the AFA conflict with an existing international agreement relating to foreign investment to which the United States is a party. This notice sets forth the provisions of the international agreement that the Petitioner alleges are in conflict with the AFA and 46 CFR Part 356 and the arguments submitted by the Petitioner in support of its request. If MARAD determines that the AFA and MARAD’s implementing regulations conflict with the U.S.-Japan FCN, the requirements of 46 CFR Part 356 and the AFA will not apply to the extent of the inconsistency. Accordingly, interested parties are invited to submit their views on this petition and whether there is a conflict between the U.S.-Japan FCN and the requirements of both the AFA and 46 CFR Part 356. In addition to receiving the views of interested parties, MARAD will consult with other Departments and Agencies within the Federal Government that have responsibility or expertise related to the interpretation of or application of international investment agreements.

**DATES:** You should submit your comments early enough to ensure that Docket Management receives them not later than March 26, 2001.

**ADDRESSES:** Comments should refer to the docket number that appears at the top of this document. Written comments may be submitted by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dms.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except Federal Holidays. An electronic version of this document and all documents entered into this docket are available on the World Wide Web at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** John T. Marquez, Jr. of the Office of Chief Counsel at (202) 366-5320. You may send mail to John T. Marquez, Jr., Maritime Administration, Office of Chief Counsel, Room 7228, MAR-222, 400 Seventh St., SW., Washington, DC 20590-0001 or you may send e-mail to [John.Marquez@marad.dot.gov](mailto:John.Marquez@marad.dot.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The AFA was enacted in 1998 to give U.S. interests a priority in the harvest of U.S.-fishery resources by increasing the requirements for U.S. Citizen ownership, control and financing of U.S.-flag vessels documented with a fishery endorsement. MARAD was charged with promulgating implementing regulations for fishing vessels of 100 feet or greater in registered length while the Coast Guard retains responsibility for vessels under 100 feet.

Section 202 of the AFA, raises, with some exceptions, the U.S.-Citizen ownership and control standards for U.S.-flag vessels that are documented with a fishery endorsement and operating in U.S.-waters. The ownership and control standard was increased from the controlling interest standard (greater than 50%) of section 2(b) of Shipping Act, 1916 (“1916 Act”), as amended, 46 App. U.S.C. § 802(b), to the standard contained in section 2(c) of the 1916 Act, 46 App. U.S.C. § 802(c), which requires that 75 percent of the ownership and control in a vessel owning entity be vested in U.S. Citizens. In addition, section 204 of the AFA repeals the ownership grandfather “savings provision” in the Anti-Reflagging Act of 1987, Public Law 100-239, section 7(b), 101 Stat 1778 (1988), which permits foreign control of companies owning certain fishing vessels.

## **DEPARTMENT OF TRANSPORTATION**

### **Maritime Administration**

[Docket No. MARAD-2001-8929]

#### **Frontier Spirit, Frontier Mariner, and Frontier Explorer—Applicability of Preferred Mortgage, Ownership and Control Requirements To Obtain a Fishery Endorsement**

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a petition requesting MARAD to