

uncontainerized bagged cocoa as an excepted cargo.

Agreement No.: 201113-001.

Title: Oakland/SSA Terminals, LLC Preferential Assignment Agreement.

Parties: Port of Oakland, SSA Terminals, LLC.

Synopsis: The amendment revises the delivery of certain portions of the leasehold, clarifies the improvements the port will install on the premises, and clarifies the repair and maintenance obligations of the parties. The amendment also amends the minimum annual guarantees and break point levels as well as revises the terms for the termination of other agreements.

By Order of the Federal Maritime Commission.

Dated: June 28, 2002.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 02-16757 Filed 7-3-02; 8:45 am]

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FEDERAL MARITIME COMMISSION

Notice of Request for Additional Information

The Commission gives notice that it has requested that the parties to the below listed agreements provide additional information pursuant to section 6(d) of the Shipping Act of 1984, 46 U.S.C. app. 1701 *et seq.* The Commission has determined that further information is necessary to evaluate the agreements. This action prevents the agreements from becoming effective as originally scheduled.

Agreement No.: 011804.

Title: Eastern Car Liner/Fesco Ocean Management Ltd. Space Charter Agreement.

Parties: Eastern Car Liner, Ltd., Fesco Ocean Management Limited.

Agreement No.: 011807.

Title: SNL/HASCO Cross Space Charter and Sailing Agreement.

Parties: Sinotrans Container Line Co., Ltd., Shanghai Hai Hua Shipping Co., Ltd.

By Order of the Federal Maritime Commission.

Dated: June 28, 2002.

Bryant L. VanBrakle,

Secretary.

[FR Doc. 02-16804 Filed 7-3-02; 8:45 am]

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FEDERAL MARITIME COMMISSION

[Docket No. 98-14]

Shipping Restrictions, Requirements and Practices of the People's Republic of China

AGENCY: Federal Maritime Commission.

ACTION: Further notice of inquiry.

SUMMARY: In connection with an ongoing inquiry, the Federal Maritime Commission ("FMC" or "Commission") is seeking comments from the shipping public specifically with regards to recently proposed implementing rules of the Government of the People's Republic of China which may have an adverse impact on U.S. shipping, and which may merit Commission attention under section 19 of the Merchant Marine Act, 1920 or the Foreign Shipping Practices Act of 1988. **DATE:** Comments due on or before August 5, 2002.

ADDRESS: Send comments (original and 15 copies) to: Bryant L. VanBrakle, Secretary, Federal Maritime Commission, 800 North Capitol Street, NW., Washington, DC 20573-0001, (202) 523-5725, e-mail: Secretary@fmc.gov.

FOR FURTHER INFORMATION, CONTACT: David R. Miles, Acting General Counsel, Federal Maritime Commission, 800 North Capitol Street, NW., Washington, DC 20573-0001 (202) 523-5740.

SUPPLEMENTARY INFORMATION:

Background

This proceeding was initiated on August 12, 1998, to gather information regarding certain apparently restrictive laws, rules and regulations of the People's Republic of China ("PRC" or "China") with the issuance of Information Demand Orders and a Notice of Inquiry. The Commission is attempting to compile a record in order to determine if further Commission action under section 19 of the Merchant Marine Act, 1920 or the Foreign Shipping Practices Act of 1988 is warranted.¹ The Commission issued a

¹ Section 19 of the Merchant Marine Act, 1920, 46 U.S.C. app. § 876, authorizes and directs the Commission, *inter alia*, to "make rules and regulations affecting shipping in the foreign trade not in conflict with law in order to adjust or meet general or special conditions unfavorable to shipping in the foreign trade * * * which arise out of or result from foreign laws, rules, or regulations or from competitive methods or practices employed by owners, operators, agents, or masters of vessels of a foreign country * * *." The Foreign Shipping Practices Act of 1988, 46 U.S.C. app. § 1710a, authorizes the Commission to investigate whether any laws, rules, regulations, policies, or practices of foreign governments, or any practices of foreign carriers or other persons providing maritime or

Notice of Inquiry seeking information regarding the Regulations of the PRC on International Maritime Transportation (Regulations), promulgated on December 21, 2001 and effective January 1, 2002. 67 Fed. Reg. 11695-11696 (March 15, 2002). The Commission, in its effort to continue to monitor the issues identified in this proceeding, is now issuing this Further Notice of Inquiry.

Recently, the Ministry of Communications ("MOC") issued a "Notice on Inviting Comments on the Implementing Rules for the Regulations of the People's Republic of China on International Maritime Transportation" ("Notice") on June 21, 2002. This Notice, published on the MOC website (<http://www.moc.gov.cn>), together with the text of the proposed "Implementing Rules," both in English, solicits comments in writing (via fax or email) by July 15, 2002.

The Commission is concerned that the proposed Implementing Rules may have significant effects on the companies currently operating in the U.S.-China trade, as well as the Commission's continuing review of potentially restrictive practices of the PRC. Therefore, the Commission is now issuing this Further Notice of Inquiry. The Commission may also formulate further Information Demand Orders, as appropriate, to ensure it has the most accurate information with regard to these issues, and so that it may in turn determine whether any current Chinese laws, rules, regulations or practices merit the initiation of a proceeding under section 19 of the Merchant Marine Act, 1920, or the Foreign Shipping Practices Act.

Discussion and Request for Comments

It appears that U.S. ocean transportation intermediaries, carriers and other transportation operators may face serious restrictions in obtaining the necessary licenses and permissions to do business in China. Indeed, it appears that wholly foreign-owned NVOCCs continue to be completely barred from engaging in a number of commercial activities, such as offering through transportation as an NVOCC. Other

maritime related services in a foreign country result in the existence of conditions that (1) adversely affect the operations of United States carriers in the United States oceanborne trade; and (2) do not exist for foreign carriers of that country in the United States under the laws of the United States or as a result of acts of United States carriers or other persons providing maritime or maritime-related services in the United States. If the Commission determines that such adverse conditions exist, it may take actions including limitations on sailings, suspension of tariffs, suspension of agreements, or fees not to exceed \$1,000,000 per voyage.