

Total Annual Costs: \$23,000.

Needs and Uses: On August 4, 1998, the FCC released a *Report and Order, Examination of Current Policy Concerning the Treatment of Confidential Information Submitted to the Commission (R&O)* in GC Docket No. 96-55. The R&O included a Model Protective Order (MPO) that is used, when appropriate, to grant limited access to information that the Commission determines should not be routinely available for public inspection. The party granted access to the confidential information materials must keep a written record of all copies made and provide this record to the submitter of the confidential materials on request. The approach was adopted to facilitate the use of confidential materials under an MPO, instead of restricting access to materials. In addition, the FCC amended 47 CFR 0.459(b) to set forth the type of information that should be included when a party submits information to the Commission for which it seeks confidential treatment. This listing of the types of information to be submitted was adopted to provide guidance to the public for confidentiality requests.

Federal Communications Commission.

William F. Caton,
Acting Secretary.

[FR Doc. 02-6313 Filed 3-14-02; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission for Extension Under Delegated Authority, Comments Requested

March 7, 2002.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the

Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Persons wishing to comment on this information collection should submit comments May 14, 2002. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Judy Boley Herman, Federal Communications Commission, 445 12th Street, SW., Room 1-C804, Washington, DC 20554 or via the Internet to jbherman@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Judy Boley Herman at 202-418-0214 or via the Internet at jbherman@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060-0243.

Title: Section 74.551, Equipment Changes.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for profit.

Number of Respondents: 1.

Estimated Time Per Response: 1 hour.

Total Annual Burden: 1 hour.

Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion reporting requirement.

Needs and Uses: Section 74.551(b) requires licensees of aural broadcast studio transmitter links (STL) or intercity relay stations to notify the Commission in writing of minor changes that can be made without prior Commission authorization upon completion of such changes. The data is used by FCC staff to assure that the changes made comply with FCC rules and regulations.

OMB Control No.: 3060-0245.

Title: Section 74.537, Temporary Authorizations.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for profit.

Number of Respondents: 12.

Estimated Time Per Response: 2 hours.

Total Annual Burden: 21 hours.

Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion reporting requirement.

Needs and Uses: Section 74.537 requires licensees of an aural broadcast studio transmitter link (STL) or intercity relay station to file an informal request for special temporary authorization for operations of a temporary nature. The data is used by FCC staff to insure that the temporary operation of a STL or intercity relay station will not cause interference to existing stations.

OMB Control No.: 3060-0290.

Title: Section 90.517, Report of Operation.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for profit, state, local or tribal government.

Number of Respondents: 100.

Estimated Time Per Response: 2 hours.

Total Annual Burden: 200 hours.

Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion reporting requirement.

Needs and Uses: Section 90.517 provides developmental authorizations that are usually employed licensees who wish to test and develop new use of radiocommunications facilities. Each such developmental licensee must report upon termination of development, or application for license renewal, specific information evaluating the usefulness of previous or desired continued operation of such a system. Commission personnel use the data to evaluate the need for renewal of the applicant's authorization. This information is also used by policy-making personnel to decide the desirability of instituting rulemaking proceedings involving new technologies or new uses of the radio spectrum.

OMB Control No.: 3060-0434.

Title: Section 90.207(e)(6), Stolen Vehicle Recovery System Requirements.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for profit.

Number of Respondents: 20.

Estimated Time Per Response: 4 hours.

Total Annual Burden: 80 hours.

Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion reporting requirement.

Needs and Uses: Applications for base stations operating on a particular frequency shall require coordination

with the Federal Government. Applicants shall perform an analysis for each base station located with 169 km (105 miles) of a TV channel 7 transmitter of potential interference to TV channel 7 viewers. Applicants will have to certify to certain requirements set out in rule section 90.20(e)(6).

OMB Control No.: 3060-0537.

Title: Section 13.217, Records.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for profit.

Number of Respondents: 15.

Estimated Time Per Response: 1 hour.

Total Annual Burden: 15 hours.

Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: Recordkeeping requirement.

Needs and Uses: Each COLEM recovering fees from examinees must maintain records of expenses and revenues, frequency of examinations administered, and examination pass rates. Records must cover the period from January 1 to December 31 of the preceding year and must be submitted as directed by the Commission. Each COLEM must retain records for 1 year and the records must be made available to the FCC upon request.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 02-6314 Filed 3-14-02; 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: Notice of inquiry.

SUMMARY: The Federal Maritime Commission is seeking comments from the shipping public on current laws, rules, and policies of the Government of the People's Republic of China that appear to 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. The Commission is seeking information on the impact of new Chinese legislation on U.S. oceanborne trade, as well as the effects of that legislation on a number of existing Chinese practices and restrictions. Interested parties, including shippers, transportation

intermediaries, vessel operators and others in the shipping industry, are invited to comment.

DATES: Comments due on or before June 13, 2002.

ADDRESSES: Send comments (original and 20 copies) to: Bryant L. VanBrakle, Secretary, Federal Maritime Commission, 800 North Capitol Street, NW., Washington, DC 20573-0001. (202) 523-5725.

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") 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 was warranted.¹ In its effort to continue to monitor the issues identified in this proceeding, the Commission, by this Notice of Inquiry is inviting affected parties to comment on the effects of recent changes in Chinese law.

The Commission has learned that the PRC recently issued a new law, "Regulations of the PRC on the International Maritime Transportation," which became effective January 1, 2002,² and is expected very soon to

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 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.

² The law is in the form of a Decree promulgated by the State Council of the PRC on December 5, 2001, signed by Prime Minister Zhu Rong Ji, which

promulgate implementing regulations addressing requirements for operators in international shipping generally. It appears that this new law and regulations may significantly affect the Commission's review of the potentially restrictive practices that existed prior to January 1, 2002. Therefore, through this Notice of Inquiry, and Information Demand Orders to be formulated as appropriate, the Commission seeks to ensure that it has the most accurate information with regard to these issues, 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 ("Section 19"), or the Foreign Shipping Practices Act of 1988 ("FSPA").

The Commission has received expressions of concern regarding the new Chinese legislation from several sources. These include the U.S. Government Executive Branch agencies with responsibilities affecting transportation policy and the conduct of negotiations with foreign governments as well as organizations representing shippers and ocean transportation intermediaries ("OTIs") operating or seeking to provide shipping and shipping-related services in the U.S. trade with China.

A. Comments From Intermediaries

Concerns about the new Chinese shipping legislation were raised in a March 4, 2002 letter to Bruce J. Carlton, Acting Deputy Maritime Administrator, (with copies to the Commission) from the National Customs Brokers and Forwarders Association of America ("NCBFAA"), a trade association of ocean freight forwarders and non-vessel-operating common carriers ("NVOCCs"). NCBFAA states that "U.S. intermediary and shipper interests will be directly and discriminatorily affected in an adverse manner."

NCBFAA expresses specific concerns regarding the effects of Chinese law on the ability of its members to do business in China, including possibly conflicting and confusing requirements for direct ownership and control of NVOCC businesses and separate Chinese incorporation of foreign NVOCCs; the required maintenance of substantial funds in Chinese banks (rather than bonding or insurance); provisions governing the filing of rates, waiting periods for rate changes and the confidentiality of service contract rates (which may subject NVOCCs to requirements inconsistent with recently

was published on December 21, 2001 and became effective on January 1, 2002.