[FR Doc. 95–23163 Filed 9–15–95; 8:45 am]

BILLING CODE 6712–01–C

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1066–DR]

Oklahoma; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Oklahoma, (FEMA–1066–DR), dated September 1, 1995, and related determinations.

EFFECTIVE DATE: September 11, 1995.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Oklahoma dated September 1, 1995, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of September 1, 1995:

The Counties of Canadian, Greer, and Harmon for Public Assistance, and Hazard Mitigation Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

Craig S. Wingo,

Division Director, Infrastructure Support Division.

[FR Doc. 95–23088 Filed 9–15–95; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL MARITIME COMMISSION

Inquiry Into Port Restrictions and Requirements in the United States/ Japan Trade

September 12, 1995.

AGENCY: Federal Maritime Commission.

ACTION: Notice.

SUMMARY: The Federal Maritime Commission is collecting information regarding certain restrictions and requirements for the use of port and terminal facilities in Japan, to determine whether they create conditions unfavorable to shipping in the United States/Japan trade, or constitute adverse conditions affecting U.S. carriers that do not exist for Japanese carriers in the United States. The Commission is collecting information regarding (1) The ''prior consultation'' system, a process of mandatory discussions and operational approvals for port usage; (2) mandatory weighing and measuring requirements; (3) restrictions on Sunday work; and (4) the disposition of the Japanese Harbor Management Fund.

DATES: Comments may be submitted on or before November 17, 1995.

ADDRESSES: Send submissions to: Joseph C. Polking, Secretary, Federal Maritime Commission, 800 North Capitol Street, NW., Washington, DC 20573–0001, (202) 523–5725.

FOR FURTHER INFORMATION CONTACT: Robert D. Bourgoin, General Counsel, Federal Maritime Commission, 800 North Capitol Street, NW., Washington, DC 20573–0001, (202) 523–5740.

SUPPLEMENTARY INFORMATION: The Federal Maritime Commission (''Commission'') is collecting information about certain restrictions and requirements for the use of port and terminal facilities in Japan, to assess whether they create conditions unfavorable to shipping in the United States/Japan trade, or constitute adverse conditions affecting U.S. carriers that do not exist for Japanese carriers in the United States. The Commission is specifically concerned with: (1) The effects of the ''prior consultation'' system, a process of mandatory discussions and operational approvals involving Japanese port and terminal management, shoreside labor unions, and containership operators; (2) the requirement that all containerized cargo exported from Japan be weighed and measured, apparently without regard for commercial necessity; (3) restrictions on the operation of Japanese ports on Sunday; and (4) the disposition of the Japan Harbor Management Fund.

Prior Consultation

The prior consultation system in Japan is administered and controlled by the Japan Harbor Transportation Association (''JHTA''), an association of companies providing harbor transportation services, including terminal operators, stevedores, and sworn measures. Under this system, carriers serving Japan must consult with JHTA about any operational matters involving Japanese ports or harbor labor. Such matters appear to include, inter alia, inauguration of new services, rationalization agreements between carriers which involve vessel sharing or berthing changes, changes in stevedoring contractors, technological or equipment changes, weighing and measuring, and Sunday work. Prior consultation also appears to be required for minor matters, such as change of vessel name or route, or substitution of vessels. After it consults with a shipowner, JHTA may conduct consultations with labor interests, then approve or deny the shipowner's request.

This system of consultations—between JHTA and carriers on the one hand, and JHTA and unions on the other—originated in the 1960's, as a means for resolving labor disputes arising out of the introduction of containerization. Over time, however, prior consultation requirements have been extended to even minor matters, such as vessel substitution, which do not appear to involve potential labor relations issues. While its scope has increased, the prior consultation system itself has remained characterized by a lack of transparency. The process is said to lack written records, clear written bases for decisions, and appeal rights, and to include a system of closed ''pre-prior consultation'' meetings to determine which user requests will be accepted for prior consultation.

Because of its broad discretion to review and disapprove virtually all aspects of shipowners' harbor operations, JHTA appears to have amassed an exceptional level of control over the market for terminal operations and services in Japan. In particular, it appears that shipowners have no free choice of terminal operators and stevedores; instead, JHTA assigns operators to carriers, virtually eliminating competition in this area. Circumvention of JHTA in dealings with individual operators is generally viewed to be impossible, as it could lead to disapproval of shipowner plans and disruption of cargo handling labor.

It appears that the prior consultation requirement and the attendant lack of competition in the harbor services market has had a number of adverse effects on carriers serving Japan. These include increased port charges and costs, inefficiency, and inflexibility. Among other things, the prior consultation requirement may impede the ability of shipowners, both individually and in vessel sharing consortia, to reduce costs by rationalizing port operations and dealing with operators of their choice.

Mandatory Weighing and Measuring

Currently, it appears that all containerized cargo exported from Japan is required to be weighed and measured by one of two sworn measuring associations, Nippon Kaiji Kentei Kyokai and Shin Nihon Kentei Kyokai, both of which appear to be members of JHTA. This policy is set forth in a 1980