

**FEDERAL MARITIME COMMISSION**

[Docket No. 99-06]

**Direct Container Line Inc. and Owen Glenn, Possible Violations of Section 10(a)(1) of the Shipping Act of 1984; Order of Investigation and Hearing**

Respondent Direct Container Line Inc. ("DCL") is a tariffed and bonded non-vessel-operating common carrier ("NVOCC") based in Carson, California. DCL holds out to furnish transportation services worldwide, including NOVOCC services, *inter alia*, from ports and points in the United States to ports and points in South America. According to DCL's webpage, DCL operates 13 offices and 25 receiving terminals in the United States and Canada, with branches or subsidiaries in 86 countries worldwide. DCL claims to have over 500 employees, with over 350 based in the United States.

Respondent Owen Glenn is Chairman and Chief Executive Officer of DCL. Mr. Glenn is a resident of California.

It appears that subsequent to October 1994, DCL, by receiving rebates and other freight rate concessions, knowingly and willfully obtained transportation for less than applicable tariff or service contract rates from one or more ocean common carriers providing service to Chile, Peru and destinations on the East Coast of South America. The receipt of these alleged rebates appears to have been arranged by DCL's principal, Owen Glenn.

Now therefore, it is ordered, That pursuant to sections 10, 11, 13 and 23 of the 1984 Act ("1984 Act"), 46 U.S.C. app. 1709, 1710, 1712 and 1721, an investigation is instituted to determine:

(1) Whether Direct Container Line, Inc., either alone or in conjunction with other persons, violated section 10(a)(1) of the 1984 Act by obtaining or attempting to obtain ocean transportation of property at less than the rates and charges shown in applicable tariffs or service contracts;

(2) Whether Owen Glen, either alone or in conjunction with other persons, violates section 10(a)(1) of the 1984 Act by obtaining or attempting to obtain ocean transportation of property at less than the rates and charges shown in applicable tariffs or service contracts;

(3) Whether, in the event violations of section 10(a)(1) of the 1984 Act are found, civil penalties should be assessed against DCL and Owen Glenn and, if so, the amount of such penalties;

(4) Whether, in the event violations of section 10(a)(1) of the 1984 Act are found, the Commission should cancel or suspend any or all tariffs of DCL or revoke any Commission issued license

authorizing DCL to operate as an Ocean Transportation Intermediary; and

(5) Whether, in the event violations of section 10(a)(1) of the 1984 Act 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 Direct Container Line Inc. and Owen Glenn are designated as Respondents 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 or 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 any 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 of 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, 46 CFR 502.61, 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. 99-10352 Filed 4-23-99; 8:45 am]

BILLING CODE 6730-01-M

**FEDERAL RESERVE SYSTEM****Formations of, Acquisitions by, and Mergers of Bank Holding Companies**

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than May 21, 1999.

**A. Federal Reserve Bank of Atlanta**  
(Lois Berthaume, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303-2713:

1. *Banco Espirito Santo e Comercial; Espirito Santo Financial (Portugal) Sociedade Gestora de Participacoes Sociais, S.A.; Bespar Sociedade Gestora de Participacoes Sociais, S.A.*, all of Lisbon, Republic of Portugal, and E.S. Control Holding S.A.; Espirito Santo Financial Group, S.A.; E.S. International

Holding S.A., all of Luxembourg; to become bank holding companies by acquiring 100 percent of the voting shares of Espirito Santo Bank, Miami, Florida.

**B. Federal Reserve Bank of San Francisco** (Maria Villanueva, Manager of Analytical Support, Consumer Regulation Group) 101 Market Street, San Francisco, California 94105-1579:

1. *Frontier Financial Corporation*, Everett, Washington; to acquire up to 20 percent of the voting shares of AEA Bancshares, Inc., Seattle, Washington, and thereby indirectly acquire Asia Europe Americans Bank, Seattle, Washington.

Board of Governors of the Federal Reserve System, April 21, 1999.

**Robert deV. Frierson,**

*Associate Secretary of the Board.*

[FR Doc. 99-10427 Filed 4-23-99; 8:45 am]

BILLING CODE 6210-01-F

## FEDERAL RESERVE SYSTEM

### Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than May 21, 1999.

**A. Federal Reserve Bank of Chicago** (Philip Jackson, Applications Officer) 230 South LaSalle Street, Chicago, Illinois 60690-1413:

1. *Old Kent Financial Corporation*, Grand Rapids, Michigan; to acquire CFSB Bancorp, Inc., Lansing, Michigan, and thereby indirectly acquire Community First Bank, Lansing, Michigan; Community First Mortgage Company, Lansing, Michigan; and Capital Consolidated Financial Corporation, Lansing, Michigan, and thereby engage in operating a savings association, pursuant to § 225.28(b)(4)(ii) of Regulation Y; in performing secondary marketing activities for real estate mortgages, pursuant to § 225.28(b)(1) of Regulation Y, and in credit life insurance activities, pursuant to § 225.28(b)(11)(i)(A) of Regulation Y.

Board of Governors of the Federal Reserve System, April 21, 1999.

**Robert deV. Frierson,**

*Associate Secretary of the Board.*

[FR Doc. 99-10426 Filed 4-23-99; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of Public Health and Science

#### Withdrawal of Standing Announcement of Opportunities for Research on Adolescent Family Life; Investigator-Initiated Research Grants and New Investigator Research Awards

**AGENCY:** Office of Adolescent Pregnancy Programs, Office of Population Affairs, OPHS, DHHS.

**ACTION:** Notice—Withdrawal of standing announcement.

**SUMMARY:** This notice withdraws the standing announcement of opportunities for research on adolescent family life made available through the Office of Adolescent Pregnancy Programs, Office of Population Affairs, OPHS, DHHS. The withdrawal is being done to permit re-evaluation of current program research priorities.

**DATES:** Effective April 26, 1999.

**SUPPLEMENTARY INFORMATION:** Section 2008 of Title XX of the Public Health Service Act, 42 U.S.C. 300z-7, authorizes the Secretary of Health and Human Services to make grants and enter into the contracts with public agencies or private organizations of higher education to support research and dissemination activities relating to adolescent premarital sexual relations and adolescent childbearing. This research program is described in the Catalog of Federal Domestic Assistance No. 13.111, Adolescent Family Life Research Grants.

A standing announcement providing detailed information and inviting research applications in six topical areas was published on November 18, 1985. 50 FR 47502. The Office of Population Affairs is reviewing the AFL research priorities and may revise those priorities. Accordingly, the November 18, 1985 standing announcement is hereby withdrawn.

**FOR FURTHER INFORMATION CONTACT:**

Eugenia Eckard, (301) 594-6534.

Dated: April 12, 1999.

**Denese O. Shervington,**

*Deputy Assistant Secretary for Population Affairs.*

[FR Doc. 99-10306 Filed 4-23-99; 8:45 am]

BILLING CODE 4160-17-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of Public Health and Science

#### Withdrawal of Standing Announcement of Opportunities for Research in Family Planning Service Delivery Improvement; Investigator-Initiated Research Grants and New Investigator Research Awards

**AGENCY:** Office of Family Planning, Office of Population Affairs, OPHS, DHHS.

**ACTION:** Notice—withdrawal of standing announcement.

**SUMMARY:** This notice withdraws the standing announcement of opportunities for research in family planning services delivery improvement (SDI) made available through the Office of Family Planning, Office of Population Affairs, OPHS, DHHS. The withdrawal is being done to permit a re-evaluation of current program research priorities.

**DATES:** Effective April 26, 1999.

**SUPPLEMENTARY INFORMATION:** Section 1004 of Title X of the Public Health Service Act, 42 U.S.C. 300a-2, authorizes the Secretary of Health and Human Services to make grants and enter into contracts with public or non-profit private entities for projects for research in the biomedical, contraceptive development, behavioral and program implementation fields related to family planning and population. The services delivery research grants are described in the Catalog of Federal Domestic Assistance No. 13.974, Family Planning—Services Delivery Improvement Research Grants.

A standing announcement soliciting applications for services delivery improvement research in ten identified research problem areas was published on November 18, 1985. 50 FR 47506.