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104TH CONGRESS, 2d Session | SENATE | REPORT 104–220

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL "JAJO"

REPORT

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ON

S. 975

JANUARY 26, 1996.—Ordered to be printed

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED FOURTH CONGRESS

SECOND SESSION

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JANUARY 26, 1996.—Ordered to be printed

Mr. PRESSLER, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 975]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 975) "A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Jajo,* and for other purposes", having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

S. 975, as reported, grants coastwise trading privileges to the vessel *Jajo.*

BACKGROUND AND NEEDS

Subject to certain limited exceptions, the law known as the Jones Act (section 27 of the Merchant Marine Act, 1920) and sections 12106 through 12108 of title 46, U.S. Code, provide that only those vessels built in the United States, continuously documented under the laws of the United States and continuously owned by U.S. citizens may transport merchandise or passengers in the coastwise trade, or engage in the fisheries, of the United States.

Where the facts applicable to a particular vessel suggest the U.S.-built or U.S.-owned requirements have not been satisfied, the Coast Guard may not issue a document granting coastwise trading or fisheries privileges for that vessel unless the requirements of the Jones Act and the title 46 provisions are statutorily waived.

The vessel *Jajo*, hull identification number R1Z200207H280, is a 46-foot sailing vessel that was constructed in Scotland in 1980. It was purchased by Mr. Howard W. Brynes of Warwick, Rhode Island. The vessel's owner intends to use it for sailing charters out of Newport, Rhode Island and Miami, Florida.

Because the vessel was foreign-built and previously foreign-documented, the owner has not been able to obtain coastwise trade privileges for the *Jajo*. Therefore, he is seeking a statutory waiver of the Jones Act and the title 46 provisions for the vessel.

LEGISLATIVE HISTORY

S. 975 was introduced in the Senate on June 28, 1995, by Senator Chafee. In open executive session on July 20, 1995, the Committee considered S. 975, and ordered the legislation reported favorably without objection and without amendment.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and Section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 2, 1995.

Hon. LARRY PRESSLER,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed the following bills, which were ordered reported by the Senate Committee on Commerce, Science, and Transportation on July 20, 1995:

S. 583, a bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for two vessels;

S. 653, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Aura;*

S. 654, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Sunrise;*

S. 655, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Marantha;*

S. 656, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Quietly;*

S. 739, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorse-

ment for employment in the coastwise trade for the vessel *Sisu,* and for other purposes;

S. 763, a bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Evening Star,* and for other purposes;

S. 802, a bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Royal Affaire;*

S. 808, a bill to extend the deadline for the conversion of the vessel MV *Twin Drill,* and for other purposes;

S. 826, a bill to authorize the Secretary of Transportation to issue a certificate of documentation and with appropriate endorsement for employment in the coastwise trade for the vessel *Prime Time,* and for other purposes;

S. 869, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Dragonessa,* and for other purposes;

S. 889, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Wolf Gang II,* and for other purposes;

S. 911, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Sea Mistress;*

S. 975, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Jajo,* and for other purposes;

S. 1016, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Magic Carpet;*

S. 1017, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Chrissy;*

S. 1040, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Onrust;*

S. 1041, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Explorer;*

S. 1046, a bill to authorize the Secretary of Transportation to issue a certificate of documentation and with appropriate endorsements for employment in the coastwise trade of the United States for fourteen former United States hovercraft; and

S. 1047, a bill to authorize the Secretary of Transportation to issue a certificate of documentation for employment and

coastwise trade endorsements for the vessels *Enchanted Isles* and *Enchanted Seas.*

Enactment of these bills would have no impact on the federal budget or on those of state or local governments. The bills would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

JUNE E. O'NEILL, *Director.*

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

Because S. 975 does not create any new programs, the legislation will have no additional regulatory impact, and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

SECTION-BY-SECTION ANALYSIS

The bill consists of one section. It provides that, notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and section 12106 of title 46, U.S. Code, as applicable on the date of enactment of this bill, the vessel *Jajo,* hull identification number R1Z200207H280, is eligible to engage in the coastwise trade and the Secretary of Transportation may issue a certificate of documentation for such vessel.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.

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