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Calendar No. 479

104TH CONGRESS, 2d Session | SENATE | S. PRT. 104–304

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL "LIBERTY"

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ON

S. 1682

JUNE 27, 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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104TH CONGRESS, 2d Session | SENATE | REPORT 104–304

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

REPORT

[To accompany S. 1682]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 1682) "A Bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Liberty*", having considered the same, reports favorably thereon and recommends that the bill do pass.

PURPOSE OF THE BILL

S. 1682, as reported, grants coastwise trading privileges to the vessel *Liberty*.

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 title 46 are statutorily waived.

The vessel *Liberty* is a 30-foot pleasure craft that was constructed in Annapolis, Maryland, in 1973. It is owned by Mr. Rudt Bennett of Solomon, Maryland.

Because the vessel's chain of title is incomplete, the owner has not been able to obtain coastwise trade privileges for the *Liberty*. Therefore, he is seeking a statutory waiver of the Jones Act and title 46 for the vessel.

LEGISLATIVE HISTORY

S. 1682 was introduced in the Senate on April 18, 1996, by Senator Sarbanes. In open executive session on June 6, 1996, the Committee considered S. 1682, 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, June 14, 1996.

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

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed several bills, which were ordered reported by the Senate Committee on Commerce, Science, and Transportation on June 6, 1996. Enacting these bills would have no impact on the federal budget. The bills do not contain intergovernmental or private-sector mandates as defined in Public Law 104–4, and would not impose direct costs on state, local, or tribal governments. The bills would not affect direct spending or receipts, therefore, pay-as-you-go procedures would not apply. The bill reviewed are:

S. 1648, 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 *Herco Tyme*;

S. 1682, 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 *Liberty*, and for other purposes;

S. 1825, 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 *Halcyon*;

S. 1826, 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 *Courier Service*; and

S. 1828, a bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate en-

dorsement for employment in the coastwise trade for the vessel *Top Gun*, and for other purposes.

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. 1682 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 App. U.S.C. 883), section 8 of the Act of June 19, 1886, (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12106 through 12108 of title 46, U.S. Code, as applicable on the date of enactment of this Act, the vessel *Liberty*, 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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