

STATEMENT FOR THE RECORD

OF

H. E. SHEAR  
MARITIME ADMINISTRATOR

ON

BEHALF OF

THE

DEPARTMENT OF TRANSPORTATION

BEFORE THE

SUBCOMMITTEE ON MERCHANT MARINE  
MERCHANT MARINE AND FISHERIES COMMITTEE  
U.S. HOUSE OF REPRESENTATIVES

ON

S. 1015, S. 1186, and S. 1689, BILLS TO CLEAR CERTAIN  
IMPEDIMENTS TO THE LICENSING OF THREE SMALL VESSELS  
FOR EMPLOYMENT IN THE COASTWISE TRADE.

NOVEMBER 2, 1983

STATEMENT FOR THE RECORD OF ADMIRAL HAROLD E. SHEAR, MARITIME ADMINISTRATOR, DEPARTMENT OF TRANSPORTATION, BEFORE THE SUBCOMMITTEE ON MERCHANT MARINE, HOUSE MERCHANT MARINE AND FISHERIES COMMITTEE, WITH RESPECT TO S. 1015, S. 1186, AND S. 1689.

November 2, 1983

Mr. Chairman and Members of the Subcommittee on Merchant Marine. My name is Harold E. Shear, and I am the Maritime Administrator of the Department of Transportation.

It is a pleasure for me to present the views of the Administration with respect to S. 1015, S. 1186 and S. 1689, three bills that would direct the U.S. Coast Guard, upon compliance with the usual requirements, to document the vessels LA JOLIE, DAD'S PAD, and ENDLESS SUMMER, as vessels of the United States with the privilege of engaging in the coastwise trade. We assume that these bills do not intend to waive applicable inspection, certification, or manning requirements. S. 1015 would provide for the vessel LA JOLIE, S. 1186 concerns the vessel DAD'S PAD, and S. 1689 names the vessel ENDLESS SUMMER. These bills passed the Senate on August 4, 1983.

Our coastwise laws require that the ocean transportation of merchandise and passengers between two points in the United States shall be in vessels constructed in the United States, documented under the U.S.-flag, and owned by citizens of the United States. (46 App. U.S.C. 289, 883). Coastwise trading restrictions have

been enacted since the founding of the Republic in order to protect and foster the U.S. maritime industry, and this Department has consistently opposed any routine relaxation of this longstanding policy. In this regard, Secretary Elizabeth Dole reaffirmed the sanctity of the so-called Jones Act just a few weeks ago.

The vessel DAD'S PAD, 32 Net Tons, Official No. 549526, was constructed in 1972 at High Point, North Carolina. The vessel ENDLESS SUMMER, 37 Net Tons, Official No. 296259, was constructed in 1964 at Thomaston, Maine. Finally the vessel LA JOLIE, 5 Net Tons, was constructed in 1979 in Florida. The LA JOLIE was never documented, and currently has Michigan registration number MC 2780 LB. These U.S. constructed vessels subsequently lost coastwise trading privileges because of foreign ownership. The proposed legislation before the Subcommittee would generally restore these privileges.

The Department of Transportation opposes the enactment of S. 1015, S. 1186, and S. 1689, absent a showing of factual circumstances with respect to each of these small vessels which present compelling reasons to exempt them from the application of the coastwise laws.

Thank you.