



VT Halter Marine
A company of VT Systems

VT Halter Marine
900 Bayou Casotte Pkwy
Pascagoula, MS 39581
Tel: 228-696-6888
Fax: 228-696-6899
www.vthaltermarine.com

August 3, 2009

U.S. Customs and Border Protection
Office of International Trade, Regulations and Rulings
799 9th Street NW
Mint Annex
Washington, DC 20229

(21)

Please direct to: Trade and Commercial Regulations Branch

Regarding: Support for July 17, 2009 CBP Jones Act Modification

Dear Sir or Madam:

VT Halter Marine Inc., based in Pascagoula, Mississippi, is in the shipbuilding business. We have a 50-year track record of designing and building the world's highest quality maritime vessels. We are a leader in the design and construction of small- to medium-sized ocean-going vessels in the United States and have provided vessels to the Navy, Army, NASA, and the Air Force. We also provide a wide variety of ocean-going vessels, such as oil recovery vessels, oil cargo vessels, logistic support and survey vessels. We recently developed seven new Offshore Service Vessel designs, to reflect recent changes in U.S. Coast Guard regulations, including the 16,000-horsepower Cal Dive Aker Dove – the largest OSV operating in the Gulf of Mexico.

VT Halter Marine is one of the nation's leading designers and builders of double-hulled integrated tug/barge units for compliance with the Oil Pollution Act of 1990. In addition, VT Systems and its subsidiaries provide engineering solutions, products, integrated systems, and services in the Americas across the core business areas of marine, aerospace, electronics and land systems.

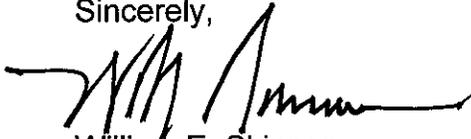
Given our substantial and ongoing investments on behalf of U.S. government, energy, commercial, and research fleets – and our proven ability to serve the domestic oil and gas industry – we encourage efforts by the Federal government to ensure that cargo transported to offshore oil and gas facilities be carried by U.S. flag vessels. Such a determination by the U.S. Customs and Border Protection is long overdue.

Your agency must act to ensure that U.S.-flag vessels (not foreign-flag vessels) carry merchandise to offshore facilities. We believe this to be the intent of the Jones Act and other applicable coastwise laws. The U.S. Congress, in enacting and periodically amending these laws, has historically defended this concept in order to support American businesses and their employees. It is more important than ever that the U.S. law be interpreted in a manner that supports American workers and produces local business development opportunities that otherwise would go to foreign-flag companies and foreign workers.

The ST Engineering Group

Thank you for the opportunity to submit comments on this proposed modification regarding the application of the nation's coastwise laws. We welcome the opportunity to build vessels and service the domestic merchant marine industry in an expanded capacity.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. E. Skinner', with a long horizontal flourish extending to the right.

William E. Skinner
Chief Executive Officer



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United States Customs and Border Protection
Office of International Trade, Regulations and Rulings
799 9th Street NW – Mint Annex
Washington, DC 20229

August 3, 2009

Attention: Trade and Commercial Regulations Branch

To Whom It May Concern:

I am writing in strong support of the U.S. Customs and Border Protection's July 17, 2009 notice concerning the application of the U.S. coastwise laws to vessels serving offshore oil and gas facilities in the Gulf of Mexico. I hope you will appreciate the significance of this determination as it relates to our company, our 400 US tax paying employees, and the domestic industry as a whole.

Abdon Callais Offshore LLC., now in its third generation of leadership, we've been in business since World War II, when the domestic offshore oil and gas industry's was in its pioneering days. Today, we operate a modern fleet of 43 offshore vessels. Our vessels are specifically designed to carry a wide variety of above deck and below deck cargos and offshore workers to all offshore installations throughout the Gulf of Mexico. Our current 43 vessel fleet includes a wide variety of Dynamic Positioned and non Dynamic Positioned Mini Supply Vessels and Offshore Supply Vessels. We are continuing our aggressive new build program even though the current global economy has been and continues to be in a downturn.

When the U.S. Congress enacted the Jones Act and other coastwise laws, it meant to ensure and preserve a strong DOMESTIC merchant marine. Although these laws have been subsequently amended, Congress has steadfastly defended the concept that vessels that transport cargo and passengers between American points or places must be American made, owned, and operated. I can think of no greater time than now, given the state of our economy, that makes this point more important and relevant than ever. Providing American workers in the Gulf of Mexico with additional business opportunities simply makes GOOD ECONOMIC SENSE.

I encourage your agency to help ensure that ALL merchandise delivered to and from our offshore oil and gas projects is carried by U.S. flagged vessels only. As we constantly look for new business opportunities, formalizing the application of U.S. law will certainly ensure more investments in constructing vessels and more American jobs.

Thank you for the opportunity to share our comments.

Very truly yours,


Bill Foret

President



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August 3, 2009

U.S. Customs and Border Protection
Office of International Trade, Regulations and Rulings
799 9th Street, NW -- Mint Annex
Washington, D.C. 20229

Attention: Trade and Commercial Regulations Branch

To Whom It May Concern:

Thank you for the opportunity to provide comments regarding the pending Jones Act modification proposal. My company provides marine towing services based out of Galliano, Louisiana.

I am writing to you to express our **support for the proposal** and to encourage you to implement it as soon as possible.

Doucet & Adams, Corporation is a small business in the Gulf Coast. We employ some of the finest workers in the maritime industry and have a proven ability to serve the oil and gas industry. We strongly believe that American offshore sites ought to be served by American companies. Foreign companies and foreign workers have been taking an increasing amount of business from companies like ours and it is time that the U.S. Government makes it clear that this work should be done by Americans, for Americans.

We are also a member of the Offshore Marine Service Association (OMSA) and would like to take this opportunity to express our strong support for their detailed comments on this topic as well.

We appreciate the opportunity to share our thoughts.

Sincerely,

Iris Doucet
Doucet & Adams, Inc.

COASTAL MARINE EQUIPMENT, INC.

MANUFACTURERS OF MARINE DECK MACHINERY

ATTN: Trade and Commercial Regulations Branch
Office of International Trade, Regulations, and Rulings
United States Customs and Border Protection
799 9th Street NW
Mint Annex
Washington, D.C. 20229

(24)

To Whom It May Concern:

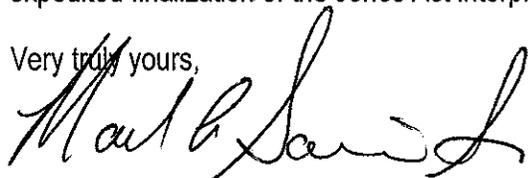
We are writing in support of the July 17, 2009 USCBP proposal to interpret the Jones Act in such a way that would ensure cargo transported to offshore installations will be carried on U.S.-flag vessels. Our Mississippi-based company, Coastal Marine Equipment, Inc., offers a complete line of marine deck machinery, including, but not limited to: anchor windlasses, mooring winches, anchor winches, hose reels, capstans, escort winches, towing winches, tugger winches, ramp winches, spud winches, cable storage reels, as well as general fabrication, machining services, testing, installation, maintenance and repair services. Our key personnel have over 125 years of combined experience in the marine industry and are ready to service an expanded merchant marine market.

I am submitting comments in strong support of your proposal since it would clearly apply the nation's coastwise laws to vessels carrying merchandise to domestic offshore oil and gas facilities. A demand for more U.S.-flagged vessels means far more opportunities to supply them with deck machinery that Coastal Marine is eager to meet.

It is extremely important that we ensure the long-term viability of the domestic maritime industry. This is why Coastal Marine Equipment, Inc. strongly encourages any Federal effort to support and expand opportunities for U.S.-flag vessels. Dramatically increasing business opportunities for American marine transport companies – and those companies that serve them – will further support this goal, which is in the national interest particularly given the state of the nation's economy.

We sincerely appreciate the opportunity to share our comments with you and look forward to an expedited finalization of the Jones Act interpretation now pending before your agency.

Very truly yours,



Mark A. Scairono, Sr., President

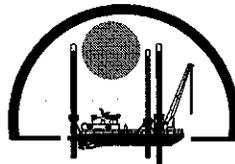
COASTAL MARINE EQUIPMENT, INC.

Customs & Border Patrol-09

20995 Coastal Parkway
Gulfport, MS 39503-9517
Phone (228) 832-7655 Fax (228) 832-7675
www.coastalmarineequipment.com

OFFSHORE LIFTBOATS, LLC

P.O. Box 398
Cut Off, LA 70345
www.offshoreliftboats.com



Phone: (985) 632-3414
Fax: (985) 632-5771
sales@offshoreliftboats.com

USCG Certified Vessels

Attention: Trade and Commercial Regulations Branch

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United States Customs and Border Protection
Office of International Trade, Regulations and Rulings
799 9th Street, N.W., at the Mint Annex
Washington D.C., 20229

To Whom It May Concern:

Please consider these comments, submitted on behalf of Offshore Liftboats, in strong support of your proposed Jones Act interpretation issued by USCBP on July 17, 2009. My company is an offshore services provider of self-propelled, self-elevating, deck barges, which are currently working in the U.S. Gulf of Mexico.

We are experienced in supporting operations such as Plug & Abandon, maintenance and repair (work-over), structural construction and repairs, slick line, wire line, seismic, dive support, and salvage. Our larger vessels are capable of carrying out several operations at the same time. Since liftboats are self-propelled, they are mobile and fast. They can work in shallow water, and transport supplies and materials (deck loads) up to 700,000 lbs.

Despite a struggling U.S. economy, we continue to make investments to expand and upgrade our fleet. Our liftboats range in size from class 105's to class 200's, and provide living quarters, hydraulic cranes, and stable platforms to offshore oil and gas production platforms. And our latest vessels have been constructed with state-of-the-art equipment and features. We are also excited that we recently received a new class 200 liftboat and are expecting delivery on a 2nd class 200' the L/B Cameron this month.

I hope that USCBP will adopt an interpretation of the Jones Act that supports our company and others in the maritime industry that service the domestic energy industry in the Gulf of Mexico. We believe it is essential that U.S.-flag vessels exclusively transport equipment and supplies to our offshore oil and gas facilities. Allowing work to continue to be done by foreign-flagged vessels is unfair to companies like mine as we do our part to help our struggling national economy.

Thank you for your time and consideration to our comments. We hope they are helpful as you work to finalize the notice.

Yours truly,

Craig M. Pierce
Offshore Liftboats, LLC
HS&E Manager



LOUISIANA OILFIELD DIVERS

T O P T O B O T T O M



Trade and Commercial Regulations Branch
Office of International Trade, Regulations and Rulings
United States Customs and Border Protection
799 9th Street NW – the “Mint Annex”
Washington, District of Columbia (DC) 20229

RE: *Proposed Modification and Revocation of Ruling Letters Relating to the Customs Position on the Application of the Jones Act to the Transportation of Certain Merchandise and Equipment Between Coastwise Points* published on July 17, 2009 in Customs Bulletin and Decisions (Vol. 43, No. 28)

To Whom It May Concern:

I am writing to express support for the above-referenced interpretive ruling on behalf of *Louisiana Oilfield Divers*. We are located in Belle Chasse, Louisiana and began performing diving operations in 2006, when the demand for subsea construction was especially high due to the damage caused by Hurricanes Ivan, Katrina, and Rita. Today, we are a full service subsea construction company.

We represent just one of many different types of companies that serve the domestic energy supply industry in the United States Gulf of Mexico. Those include numerous marine transportation companies, engine and parts suppliers, repair shops and shipyards, services for Mariners, etc. – and, collectively, employ American workers and help support local economies throughout the Gulf Coast and beyond. Together, we depend upon a strong merchant marine and would encourage you to do everything in your power to ensure that merchandise and supplies transported to domestic offshore facilities is handled by U.S. companies.

By clearly articulating how the Jones Act rules are applied, via adopting the proposed notice pending before you, Customs will play a key role in ensuring definitive and expanded roles for U.S.-flagged vessels, U.S.-based companies, and U.S. workers. This will benefit everyone working in, or dependent upon, supplies and services underway in the Gulf Coast – or those expected as the country seeks to reduce its dependence on foreign oil.

We very much appreciate the opportunity to share our comments with your agency and urge your expedited adoption of the proposal.

Sincerely,

T. Daniel Babin
Vice President
Louisiana Oilfield Divers, L.L.C



LABORDE
PRODUCTS, INC.

(27)

Trade and Commercial Regulations Branch
United States Customs and Border Protection
Office of International Trade, Regulations and Rulings
799 9th Street, N.W.
Mint Annex
Washington, D.C. 20229

Dear Sir or Madam,

I am submitting comments in support of your July 17th notice, which would provide clear guidance concerning the application of U.S. coastwise laws for vessels transporting supplies to domestic offshore oil and gas facilities. We are a Louisiana-based company with offices in Texas too.

For two generations now, the Laborde family has been a major player in the offshore oil and gas industry. Laborde Products provides diesel engines, diesel-powered equipment, and service and support to meet the needs of the marine and industrial markets. As an engine distributor, we provide approximately one-third of the United States (primarily the U.S. Gulf Coast) with both marine and industrial engines. We also package diesel-powered generators, pumps, pressure washers, and other custom diesel powered equipment. We currently represent a wide range of quality marine equipment manufacturers. We now carry Mitsubishi, Yanmar and FPT (Fiat Powertrain Technologies) products for the marine and industrial markets in addition to building stand-alone products – including diesel pumps and generators under its own brand, Diesel America.

Our industry is facing stress due to the economic challenges facing the country. My company and our employees have a significant interest in ensuring the long-term viability of the domestic merchant marine, a significant portion of which serves the oil and gas industry. This is why we strongly support action by your agency to ensure that cargo transported to offshore oil and gas facilities is carried on U.S.-flagged vessels. Dramatically increasing business opportunities for American marine transport companies and those of us that serve them will have a direct economic stimulus effect, particularly here in the Gulf Coast.

I greatly appreciate the opportunity to share my company's comments with you and look forward to your decision.

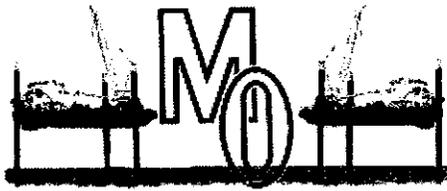
Sincerely,



John T. Laborde

Laborde Products, Inc. • 74257 Highway 25 • Covington, Louisiana 70435

800.628.9882 • 985.892.0107 • fax: 985.898.5824 • email: info@labordeproducts.com • www.labordeproducts.com



Montco Offshore, Inc.

Montco Offshore, Inc.
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Galliano, LA 70354
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Fax: 985-325-6795

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Suite 100
Houston, TX 77056
281-822-7157
281-822-6795



United States Customs and Border Protection
Office of International Trade, Regulations and Rulings
799 9th Street NW (the Mint Annex)
Washington, D.C. 20229

August 4, 2009

Dear Ladies and Gentlemen at the Trade and Commercial Regulations Branch:

Please consider these comments, submitted on behalf of the Louisiana-based Montco Offshore Inc., in support of your pending proposal to clearly call for using Jones Act vessels to serve the oil and gas industry. We are pleased with your having announced that foreign vessels may no longer transport merchandise from one coastwise point to another simply because it is installed there from the transporting vessel. Like others in our industry, we are strong supporters of the Jones Act and our livelihood depends upon its correct interpretation and enforcement.

Montco Offshore, Inc. was founded by the Orgeron family in 1948. Over its 60+ years in business, we have served the offshore energy industry with crew boats, ocean-going tugs, deck barges, supply boats, and liftboats. Today, Montco specializes in liftboats ranging in size from 145 feet to 245 feet, which provide the best quality and safety of service for customers requiring versatile elevating vessels/work-platforms.

Currently, we own six liftboats and employ over 144 people. Our goal is to be the safest and most efficient liftboat operator in the industry. Montco is currently building two 235' ABS-Classed liftboats and is planning additional growth and expansion to keep pace with the ever-increasing demands of the offshore oil industry, as well as the emerging offshore wind energy industry. We are currently in the development stage, with expected construction to begin before the end of the year, of a 325' ABS-Classed liftboat.

Since beginning our liftboat operations in 1978, Montco's mission has always been to provide our customers with leading edge innovative liftboats that are exceptionally maintained by our experienced and knowledgeable mariners. Over time, this combination has proven to be the best way to allow our customer's work to be completed in the most cost-effective, environmentally responsible, and overall safest manner for both our crew and the customers onboard.

We believe that the U.S. government should act now to make certain that cargo transported to offshore oil and gas, as well as other offshore energy facilities (including wind energy), is carried in U.S.-flagged vessels, such as ours. As we continue to make significant investments in our fleet despite a challenging economic climate, we would encourage the U.S. government to do everything in its power to support U.S. businesses.

Thank you for considering our comments.

Sincerely,

Lee Orgeron
President



WENDY L. THIBODEAUX, CLDA
CHIEF DEPUTY

OFFICE OF

MICHAEL H. MARTIN, CLA

ASSESSOR
LAFORCHE PARISH
403 ST. LOUIS STREET
THIBODAU, LOUISIANA 70301

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August 4, 2009

U.S. Customs and Border Protection
Office of International Trade, Regulations and Rulings
ATTN: Trade and Commercial Regulations Branch
799 9th Street, N.W., Mint Annex
Washington D.C. 20229

RE: PROPOSED MODIFICATION AND REVOCATION OF RULING LETTERS
RELATING TO THE CUSTOMS POSITION ON THE APPLICATION OF THE
JONES ACT TO THE TRANSPORTATION OF CERTAIN MERCHANDISE AND
EQUIPMENT BETWEEN COASTWISE POINTS

To whom it may concern:

In a national climate that witnesses the exporting of so many businesses and industries out of the United States, I support the decision of Customs and Border Protection to uphold the original intent of the Merchant Marine Act of 1920, better known as the Jones Act. Many local oil and gas related vessel owners have operated successfully in the U.S. coastwise trade for many years. They have adopted the stringent yet necessary regulations that set our nation's merchant marine industry apart from other countries.

U.S. mariners and vessel operators have proven for decades the ability to fulfill the ever-changing needs of the country's maritime industry. The Jones Act ensures the United States will always have a safe, reliable, and economically efficient domestic transportation system. This cornerstone statute provides America the vital waterborne commerce it needs and deserves. It also protects the jobs of a highly trained workforce that supports all facets of the industry.

For too many years, our legal system has allowed individuals to interpret and bend the laws in favor of one's own benefit. Identifying what is considered "coastwise trade" and then requiring foreign entities to follow those laws has established a precedent. This action will protect the livelihood of thousands of American workers. It will ensure our

MEMBER OF LOUISIANA ASSESSORS' ASSOCIATION
MEMBER OF INTERNATIONAL ASSOCIATION OF ASSESSING OFFICERS

MAIN OFFICE (985) 447-7242 Fax (985) 447-8060
CENTRAL LAFORCHE BRANCH (985) 532-0011
SOUTH LAFORCHE BRANCH (985) 632-6933

nation's deeply rooted history in the global maritime trade continues to lead the way for other countries. On behalf of the many oil and gas related watercraft business owners in both my Parish and surrounding areas, who employ thousands of dedicated workers, I applaud this effort wholeheartedly.

Sincerely,



Michael H. Martin
Lafourche Parish Assessor

30

104 ABC Lane
Cut Off, LA 70345
(985)632-6000
Fax (985) 632-6011

Sea Support Ventures, L.L.C.

United States Customs and Border Protection
Office of International Trade, Regulations and Rulings
799 9th Street, NW
Mint Annex
Washington, DC 20229

Please direct to the Trade and Commercial Regulations Branch

Dear Ladies and Gentlemen,

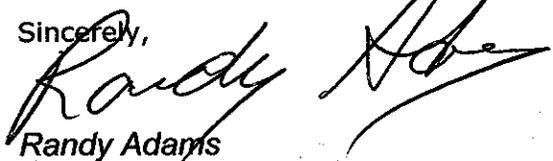
My company, Sea Support Ventures, operates four supply boats in the Gulf of Mexico. I wish to submit comments in support of your proposal that would confirm that only Jones Act vessels may carry merchandise and other cargoes used by the domestic oil and gas industry in the Gulf. We believe your agency's ruling is right on target and should be put into effect immediately.

Providing our industry with this high level of regulatory certainty would mean additional industry growth opportunities. Sea Support Ventures firmly believes that the U.S. Government must ensure that merchandise transported to our offshore oil, gas facilities and seismic vessels is carried in U.S.-flagged vessels. Our main business was seismic support that has been replaced with foreign flag vessels, due to loopholes in the Jones Act. Your agency's support of the companies who provide support for the domestic oil and gas industry would provide a tremendous signal that would spur new construction, more jobs, and much needed business for many Americans.

Although we have already made significant investments in our fleet of supply boats and have proven our ability to serve the industry – we could do even more. At a time when we are facing daunting economic challenges, anything you can do to support our American businesses should be acted on quickly. Simply interpreting the Jones Act, as it was originally intended, will help put more Americans back to work and provide us with business opportunities we have been shut out of for far too long.

We greatly appreciate the ability to submit comments on this issue.

Sincerely,



Randy Adams

CEO

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**HERCULES
Offshore**

August 4, 2009

US Customs and Border Protection
Office of International Trade, Regulations and Rulings
799 9th Street NW
Mint Annex
Washington, DC 20229

ATTENTION: Trade and Commercial Regulations Branch

To Whom It May Concern:

Thank you for the opportunity to submit comments regarding the proposed modification to your rules that govern the carriage of cargo in the U.S. Gulf of Mexico, as was noticed on July 17, 2009 by your agency. I am writing on behalf of Hercules Offshore in support of the proposal. Hercules Offshore is a leading provider of offshore contract drilling, liftboat, and inland barge services. Our diverse and unique fleet is capable of providing oil and gas exploration and development drilling services, well service, platform inspection, maintenance and decommissioning operations in shallow water markets.

Hercules Offshore operates 31 jackup rigs (the largest jackup rig fleet in the Gulf and the fourth largest worldwide fleet), 3 submersible rigs, 17 barge rigs (the largest inland barge drilling rig fleet along the Gulf), 1 platform rig, and 65 liftboats (the largest worldwide liftboat fleet). Our fleet can accommodate the movement of cargo or other merchandise needed for any offshore installation.

The proposal pending before USCBP will have a significant, positive impact on our company and our employees. We have an outstanding track record of providing services throughout the Gulf Region and believe that action by the U.S. Government (to ensure that cargo transported to offshore facilities is carried in U.S. flag vessels) makes good economic sense. We are ready, willing, and able to service work that has otherwise gone to foreign-flag companies.

I believe that finalizing the pending notice will clearly dictate exactly what Congress intended when it enacted the Jones Act and other related laws. It will not only help support and preserve a domestic merchant marine; it will also help our industry in a challenging economic environment. Without action by your agency, work servicing our domestic oil and gas industry will continue to go to foreign-flag companies and foreign workers.

Best Regards,

Todd Pellegrin, Vice President
Worldwide Liftboat Operations

- JAMES DANOS, INC.
- REED DANOS, INC.
- TIMMY DANOS, INC.
- LAFOURCHE TUGS, INC.
- OFFSHORE TRANSPORT SERVICES, LLC
- GALIANO TUGS, INC.

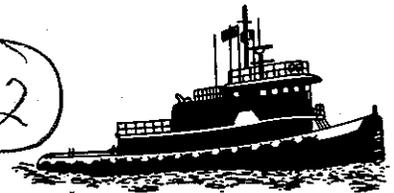
GALIANO TUGS, INC.

SINCE 1948

OFFSHORE VESSELS
TUGS • SUPPLY BOATS

August 4, 2009

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ATTN: Trade and Commercial Regulations Branch

U.S. Customs and Border Protection
Office of International Trade, Regulations and Rulings
Mint Annex
799 9th Street NW
Washington DC 20229

Regarding: Support for Customs Bulletin and Decisions (Jones Act Interpretation)

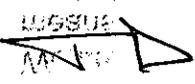
To Whom It May Concern:

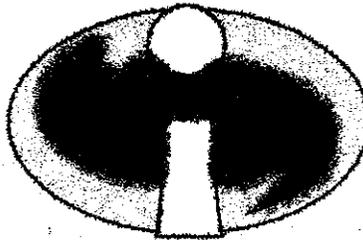
My tug boat company, Galliano Tugs, Inc., is based out of Cut Off, Louisiana and serves the Gulf of Mexico.

I am writing to express our support for your proposal to interpret our U.S. coastwise laws as they apply to operations in the Gulf of Mexico to ensure that work is not going to foreign-flag vessel operators who for too long have been pushing the boundaries of the law to get work Congress intended to go the U.S.-flag companies. We are encouraged that your agency will act soon to adopt the new interpretation as a means to ensure that merchandise delivered to our offshore oil and gas facilities is carried by U.S.-flagged vessels. This certainty will prompt more investments in the U.S. fleet, support more American jobs, and actively help turn this economy around. Moreover, it will create additional opportunities for tug operators as business increases.

I believe your proposal accurately interprets the Jones Act. This is because it was meant to support a strong domestic merchant marine by ensuring that vessels that transport supplies between domestic points be domestically owned and operated. Allowing this work to be done by foreign companies runs counter to an accurate interpretation of the Jones Act and only serves to hurt our economy. We appreciate your consideration of these comments.

Sincerely yours,


Todd Danos



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IBERIA MARINE SERVICE, LLC

August 4, 2009

**U.S. Customs and Border Protection
Office of International Trade, Regulations and Rulings
799 9th Street, N.W., the Mint Annex
Washington D.C. 20229**

Attn: Trade and Commercial Regulations Branch

**Re: Support for the proposed modification and revocation regarding application of the Jones Act,
published on July 17, 2009**

To Whom It May Concern:

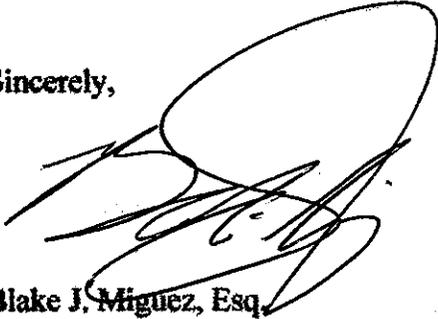
I am writing to you on behalf of our small family owned and operated marine transportation company located in New Iberia, Louisiana. We are supportive of the proposed ruling applying U.S. coast wide laws in a manner that would ensure that maritime operations in the U.S. Gulf of Mexico are expanded for U.S. based companies. Small companies, such as ours, have a tremendous stake in your agency's final decision.

Adopting the proposed rule will ensure that cargo transported to offshore oil and gas installations will be carried by U.S. flagged vessels and operated by American workers. Setting clear rules of the road today will also help ensure that American companies serve offshore renewable energy projects as well. Foreign companies have already performed too much work in the Gulf of Mexico and this should not continue any longer. Given our current economic environment, allowing this work to be performed by foreign-flagged vessels on behalf of foreign companies is unfair to American companies and does not reflect the intent of the Jones Act.

We believe it is absolutely essential, and a matter of accurate interpretation of the Jones Act itself, that U.S. flagged vessels, crewed by American workers, carry merchandise to our nation's offshore oil and gas facilities. I strongly urge your immediate adoption of the proposed modification to spur additional economic growth for critical domestic industries.

Thank you for your time and consideration of our comments. We are also supportive of comments being submitted by the Offshore Marine Service Association and urge your careful consideration of them as well. As the association will make clear in its comments, the agency in the past too often has administered the Jones Act as though the narrow exceptions to it were the touchstone for the analysis. For the benefit of our entire industry, we look forward to your now making a clear statement to advance the purposes of the Act itself.

Sincerely,

A handwritten signature in black ink, appearing to read 'Blake J. Miguez', written over a large, loopy flourish.

Blake J. Miguez, Esq.
Vice President
Iberia Marine Service, LLC

Eveready Marine, Inc

Po Box 758 Grand Isle, LA. 70358

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U.S. Customs and Border Protection
Office of International Trade, Regulations and Rulings
799 9th Street, N.W., the Mint Annex
Washington D.C. 20229

Attention: Trade and Commercial Regulations Branch

Regarding: Support for the "Proposed modification and revocation of Ruling Letters relating to the Customs position on the application of the Jones Act to the transportation of certain merchandise and equipment between coastwise points" as published on July 17, 2009 in the Customs Bulletin and Decisions, Vol. 43, No. 28

Dear Ladies and Gentlemen,

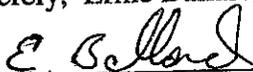
On behalf of Eveready Marine Inc., I am writing in support of your proposed notice regarding the application of U.S. coastwise laws to the carriage of cargo to offshore oil and gas facilities in the U.S. Gulf of Mexico.

My company is a small marine transport business located in Grand Isle, Louisiana. We believe it is absolutely essential, and a matter of the Jones Act itself, that U.S.-flagged ships--crewed by American workers -- carry merchandise to our nation's offshore oil and gas installations. I strongly urge your immediate adoption of the proposed modification as a means of spurring additional economic growth in this region of the country.

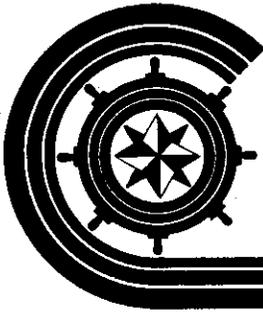
Adopting the proposed rule will ensure that cargo transported to offshore installations will be carried by U.S.-flagged vessels and operated by American workers. With expanded opportunities for our industry, I anticipate that the crew boats that my company currently offers for hire will have more opportunities for employment. Continuing to allow this work to be done by foreign-flagged vessels, in our current economic environment, runs counter to the very intent of the Jones Act and hurts American businesses.

Thank you for your time and attention to our comments.

Sincerely, Ernie Ballard, President



PH(985)-637-7033



Dakota Creek Industries Inc.

P.O. Box 218, 820 Fourth Street
Anacortes, Washington 98221

E-mail: dci@fidalgo.net
www.dakotacreek.com

Telephone (360) 293-9575
FAX (360) 293-6432

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August 5, 2009

U.S. Customs and Border Protection
Office of International Trade, Regulations and Rulings
799 9th Street, Northwest
Mint Annex
Washington, D.C. 20229

RE: Support for July 17, 2009 CBP Jones Act Modification

Dear Sir or Madam at the Trade and Commercial Regulations Branch,

Founded in 1975, Dakota Creek Industries is a shipyard in the State of Washington specializing in construction and repair of steel and aluminum commercial vessels. We are now one of the largest employers in Skagit County. Previous and current construction projects include research vessels, specialized offshore support vessels, tugs, fishing vessels, high-speed ferries, oil recovery vessels, fireboats, and construction barges. We have built vessels for such distinguished companies as Otto Candies, Crowley Maritime and many others that provide support for the U.S. oil and gas industry.

We are in strong agreement with your July 17, 2009 notice that would ensure that merchandise delivered to offshore oil and gas facilities be carried by U.S.-flagged vessels. We agree with this because it would support American businesses, will promote additional jobs for hardworking Americans, and is consistent with the laws enacted by Congress to help preserve a strong domestic merchant marine. It is absolutely critical that U.S. law be utilized in a manner that supports American workers and produces local business opportunities that otherwise would go to foreign-flag companies and foreign workers.

I appreciate the opportunity to submit comments on this proposal and compliment your agency on efforts to support shipbuilders and other companies that make up our domestic merchant marine.

Thank you,

Michael Nelson

Dakota Creek Industries, Inc.

August 5, 2009

U.S. Customs and Border Protection
Office of International Trade
Regulations and Rulings
799 9th Street, N.W., Mint Annex, Washington, D.C. 20229

Attention: Trade and Commercial Regulations Branch

Re: Proposed Modification and Revocation of Ruling Letters Relating to the Customs Position on the Application of the Jones Act To the Transportation of Certain Merchandise and Equipment Between Coastwise Points.

Dear Sir or Madame,

We are a U.S. owned, U.S. based operator of U.S. flag and foreign flag survey vessels. Under the existing interpretation of Jones Act Trade we are able to use our foreign flag vessels for survey in the jurisdictional waters of the U.S. We are also free to use our U.S. flagged survey vessels in the jurisdictional waters of other states largely free from retaliatory restrictions.

In general we are supportive of the proposed changes but are concerned that the proposed new interpretation of T.D. 49815(4) may have unintended consequences that will be harmful to U.S. based survey vessel operators.

Your announcement indicated that it is proposed that the definition of equipment be changed to:

“articles necessary and appropriate for the navigation, operation, or maintenance of the vessel itself and the safety and comfort of the persons on board”

as opposed to being necessary and appropriate for a vessel engaged in a particular activity. Note that such an interpretation may have the effect of reclassifying scientific equipment (such as sonar systems, magnetometers, gradiometers, subbottom profilers, and AUVs) into “merchandise”. Such a reclassification may harm our ability to perform surveys in U.S. jurisdictional waters off of some of our vessels due to the fact that they are not U.S. built or flagged. If this were to occur it would not only cause a hardship for us, but would likely incite retaliation that could harm the ability to operate our U.S. flag vessels in the jurisdictional waters of other countries.

Note that survey vessels are considered "Oceanographic Research Vessels" under 46 USC 441. Further note that under 46 USC 443 "An oceanographic research vessel shall not be deemed to be engaged in trade or commerce". The plain meaning of the language in the United States Code is that congress meant for survey vessels and other research vessels to hold a special status under U.S. law as clearly exempt from Jones Act restrictions.

I suggest the following language as appropriate to protecting both the Jones Act trade and the needs of the survey community:

"Equipment on construction vessels shall be defined to mean articles necessary and appropriate for the navigation, operation, or maintenance of the vessel itself and the safety and comfort of the persons on board"

Thank you.

Sincerely,



C & C Technologies, Inc
James A. Chance, V.P.

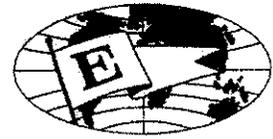
Rec. 08/11



CELEBRATING OVER A CENTURY OF SERVICE
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GEO. S. BUSH & Co., INC.

P. O. Box 8829
Portland, Oregon 97208-8829 U.S.A.



37

8-05-09

U.S. CUSTOMS & BORDER PROTECTION
Office of International Trade
Regulations and Rulings
Attn: Trade and Commerce Regulations Branch
799 - 9th Street N.W.
Mint Annex, Washington, D.C. 20229

Re: Proposed modification of rulings regarding the Jones Act and the coastwise movement of ships equipment.

Sir,

In regards to Customs Bulletin and Decisions, Vol. 43, No.28, July 17, 2009, we are hereby sending you a copy of our original request for allowing the coastwise movement of cleaning equipment, and your subsequent approval, HG H011462, for review and re-evaluation.

Respectfully,

Jeff Patrick
Marine Department

FREIGHT FORWARDERS
OCEAN AND AIR
FMC NO. 162 IATA NO. 38-5-7837

TELEPHONE 503-228-6501
FAX 503-294-0432
WWW.GEOSBUSH.COM

CUSTOMS BROKER

CHB LIC. NO. 38

AUG 29 2007



U.S. Customs and
Border Protection

HQ H011462

VES-3-20-OT:RR:BSTC:CCI H011462 GG

CATEGORY: Carriers

Mr. Jeff Patrick
Marine Department
Geo. S. Bush & Co., Inc.
P.O. Box 8829
Portland, Oregon 97208

RE: Coastwise Trade; Stevedoring Equipment; 46 U.S.C. §§ 55102, 55107; 19 CFR § 4.93

Dear Mr. Patrick:

This is in response to your correspondence of May 18, 2007, in which you request a ruling on the application of the coastwise laws to the transportation of certain equipment used for removing residual cargo from a vessel's cargo holds. Specifically, you request that the equipment be designated as stevedoring equipment under 19 CFR § 4.93. Our ruling is set forth below.

FACTS

The M/V JIN QUAN, a Hong Kong-flag vessel owned and operated by San Juan Navigation, plans to unlade cement in Sacramento, California. The residue cargo remaining on board the vessel must be removed before the holds can pass inspection prior to loading the next cargo of potash in Portland, Oregon. Certain equipment specific to this type of removal will be utilized to manipulate the remaining cargo on board so that the holds are suitable for the next load. Specifically, the subject equipment is used to blow high-pressure air through an aluminum pipe handle, ending in a mop head consisting of hollow plastic tubes. The high pressure air agitates the head of the mop and knocks the residual cargo off the holds and hatch covers to the hold floor. The cement residue is then collected by industrial vacuum and bagged for discharge. It is anticipated that several tons of cement will be collected for discharge. The equipment is owned by San Juan Navigation and will be transported without any charges. Geo. S. Bush & Co., Inc., as agent for San Juan Navigation, requests that the subject equipment be designated as stevedoring equipment pursuant to 19 CFR § 4.93(a)(2), in order that it be allowed to place the equipment on board the M/V JIN QUAN in Sacramento, California, and transported to Portland, Oregon, where it will come off the vessel.

ISSUE

Whether the equipment as described above may be designated as stevedoring equipment under 19 CFR § 4.93(a)(2), such that its coastwise transportation from Sacramento, California to Portland, Oregon on a Hong Kong-flag vessel does not violate 46 U.S.C. § 55102.

LAW AND ANALYSIS

Generally, the coastwise laws prohibit the transportation of passengers or merchandise between points in the United States embraced within the coastwise laws in any vessel other than a vessel built in, documented under the laws of, and owned by citizens of the United States. Such a vessel, after it has obtained a coastwise endorsement from the U.S. Coast Guard, is said to be "coastwise qualified."

Title 46 United States Code, § 55102 (46 U.S.C. § 55102, the merchandise coastwise law commonly referred to as the "Jones Act"), provides, in part, that no merchandise shall be transported between points in the United States embraced within the coastwise laws either directly or via a foreign port, or for any part of the transportation, in any vessel other than a vessel built in and documented under the laws of the United States and owned by persons who are citizens of the United States (i.e., a coastwise-qualified vessel). A coastwise-qualified vessel is one that is U.S.-built, owned and documented. Pursuant to Title 19, United States Code, section 1401(c) (19 U.S.C. § 1401(c)) the word "merchandise" means goods, wares and chattels of every description and includes merchandise the importation of which is prohibited.

The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

Pursuant to 46 U.S.C. § 55107, the prohibition contained within 46 U.S.C. § 55102 does not apply to the coastwise transportation of, among other things, stevedoring equipment in vessels of foreign nations that are found to extend reciprocal privileges to the vessels of the United States. Section 4.93(b)(2), CBP Regulations (19 C.F.R. § 4.93(b)(2)) lists the nations that are entitled to privileges provided by 46 U.S.C. § 55107. Hong Kong is on that list. Therefore, the M/V JIN QUAN, a Hong Kong-flag vessel may transport stevedoring equipment coastwise.

We note that 46 U.S.C. § 55107 further provides that such stevedoring equipment must be owned or leased by the owner or operator of the transporting vessel, or be owned or leased by the stevedoring company contracting for the lading or unloading of that vessel, and must be transported without charge for the use in handling of cargo in foreign trade. In the instant case, San Juan Navigation owns both the vessel and the equipment, and the equipment is transported without any charges for the use in handling of cargo in foreign trade.

CBP considers items qualifying as stevedoring equipment to be limited to equipment that is necessary to unlade cargo from its place of stowage aboard a vessel to its first place of rest on the shore, or to lade cargo from its last place of rest on shore to its place of stowage aboard a vessel. See Headquarters Ruling ("HQ") 115587 (February 26, 2002), citing Treasury Decision ("T.D.") 91-87. For example, cranes used in the loading and unloading of cargo in foreign trade have been held to be stevedoring equipment. See HQ 109629 (July 21, 1988). Moreover, "stevedoring" is defined as "[t]he operations of loading and discharging ships." INTERNATIONAL MARITIME DICTIONARY 788 (2nd ed. 1961).

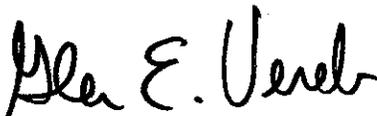
In order to qualify for the exemption for stevedoring equipment under 46 U.S.C. § 55107, the equipment must be used for the lading or unlading of the transporting vessel. In the instant case, the equipment is used for removing the residual cargo from the cargo holds incidental to its discharge and prior to lading of a new type of cargo. The excess cargo consists of several tons of cement, collected for discharge from the vessel. As such, the equipment meets the requisite criteria to be designated as stevedoring equipment in that it is being used for activities interrelated to the unlading of tons of the cement cargo.

Accordingly, the Hong Kong-flag vessel to which you refer may be used to transport the subject equipment from Sacramento to Portland.

HOLDING

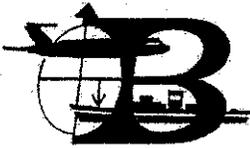
The subject equipment described above is stevedoring equipment within the meaning of 19 CFR § 4.93(a)(2). Therefore, the coastwise transportation of such equipment would not be in violation of 46 U.S.C. § 55102.

Sincerely,



Glen E. Vereb
Chief
Cargo Security, Carriers and Immigration Branch

Cc: Dave Ferguson, Area Port Director
CBP San Francisco



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GEO. S. BUSH & Co., Inc.

P. O. Box 8829
Portland, Oregon 97208-8829 U.S.A.



5-16-07

BUREAU OF CUSTOMS & BORDER PROTECTION
P.O. Box 55580
Portland, Oregon

Re: Coastwise Transportation of equipment M/V JIN QUAN

Mr. Dave Ferguson

The above mentioned vessel will be departing from Sacramento, CA. over the weekend and proceed to Portland, Oregon.

The vessel is currently discharging cement in Sacramento, CA. Due to the nature of the cargo, the vessels holds must be thoroughly cleaned before it will be allowed to load potash in Portland, OR.

The operator of the vessel, San Juan Navigation, has purchased equipment to be used in cleaning the holds while the vessel is on its way here. It is necessary to clean the holds while the vessel is underway so that when it gets here it can commence loading as soon after arrival as possible. Under the charter party, if the vessel cleans while underway, it will arrive just in time to meet their contractual requirements under the charter party. If the vessel has to wait for the holds to be cleaned in Sacramento or in Portland, before it can load, it will cost the owners approximately \$49,000.00 per day, for each additional day the vessel is late submitting its Notice of Readiness.

Under 4.93 (a)(2) of the Customs Regulations it states that "Stevedoring equipment and material, if such equipment is owned or leased by the owner or operator of the transporting vessel,and is transported without charge for use in handling of cargo in foreign trade."

We have discussed this matter with Vicky Ryen-Hudson at the Terminal 6 MOC. Her opinion is that the cleaning equipment does not qualify coastwise movement under 4.93.

We think it can be argued that for all intents and purposes the definition of stevedoring equipment can be considered as any devices that aid in the movement of cargo, on and off a vessel. We acknowledge that the specific cleaning equipment is

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Portland, Oregon 97208-8829 U.S.A.



not actually used to load cargo, but it is used to prepare the holds to receive the vessel's next cargo by removing remnants of the previous cargo.

Since the equipment is actually used in the process of moving cargo, we respectfully request that the equipment be allowed to be placed on a coastwise manifest, approved by CBP in Sacramento, CA. and be allowed to discharge in Portland, OR., without penalty.

Regards,

Jeff Patrick

Marine Department

FREIGHT FORWARDERS
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August 5, 2009

ATTENTION: TRADE AND COMMERCIAL REGULATIONS BRANCH

U.S. Customs and Border Protection
Office of International Trade, Regulations and Rulings
Mint Annex
799 9th Street NW
Washington DC 20229

To Whom It May Concern:

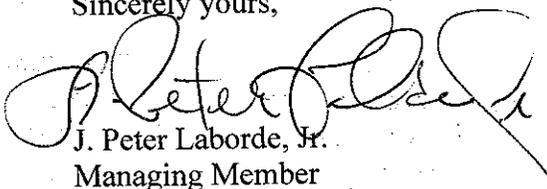
I am writing to you on behalf of my marine transport company, Laborde Marine, LLC, and our dedicated employees who serve businesses throughout the Gulf of Mexico. We are a relatively new company, founded in 1995, and have performed work for companies such as B.P., Chevron, Anadarko, Mariner, and numerous others.

I am writing to express our support for your proposed interpretation of the Jones Act as it applies to operations in the Gulf of Mexico. As I understand it, the proposal would ensure that work is not going to foreign companies that have been pushing the boundaries of that Act for far too long. It was clearly intended to ensure a strong domestic merchant marine and that work providing heavy equipment and other cargo to offshore installations would go U.S. companies.

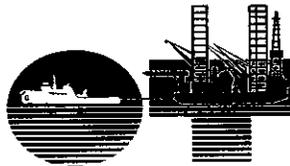
We are encouraged that Customs will soon adopt the new interpretation as a means to ensure that merchandise delivered to our offshore oil and gas installations is carried by U.S.-flagged vessels. This certainty will prompt more investments in our own nation's maritime fleet, support more American jobs at a time when unemployment figures are so high, and directly help turn around the economy.

We appreciate that your proposal accurately interprets the Jones Act and will welcome its publication in final form. Thank you for your consideration of our comments.

Sincerely yours,



J. Peter Laborde, Jr.
Managing Member



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Rig Moving

OFFSHORE TOWING, INC.

Ocean Towing

August 5, 2009

ATTN: TRADE AND COMMERCIAL REGULATIONS BRANCH

U.S. Customs and Border Protection
Office of International Trade, Regulations and Rulings
The "Mint Annex"
799 9th Street N.W.
Washington D.C. 20229

RE: Support for USCBP July 17, 2009 Notice entitled, "*Proposed Modification and Revocation of Ruling Letters Relating to the Customs Position on the Application of the Jones Act to the Transportation of Certain Merchandise and Equipment between Coastwise Points*"

Dear Sir or Madam:

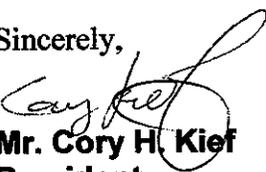
On behalf of my Louisiana marine transportation company, Offshore Towing, Inc, that operates vessels in the U.S. Gulf of Mexico, I am writing in support of your Notice. We are a relatively new company and are encouraged with the potential business prospects that would result from the U.S. Customs and Border Protection's adoption of the Notice. We are also a member of the Offshore Marine Service Association and support the comments they are submitting to you separately.

I believe that the proposed modification would correctly interpret the *Jones Act* as it applies to operations in the U.S. Gulf of Mexico. As I understand it, this action would ensure that work will no longer go to foreign companies (many of whom have been pushing the boundaries of that Act for too long) we currently compete with on jobs companies like mine should be handling. The *Jones Act* was clearly intended to ensure a strong domestic merchant marine – as such, work servicing our offshore installations should go to U.S. companies.

We are encouraged that Customs will soon adopt this new interpretation. Doing so will ensure that merchandise delivered to our offshore oil and gas facilities is carried by U.S.-flag vessels. This will, in turn, prompt more investments in America's maritime fleet, support American jobs at a critical time, and help revitalize a struggling U.S. economy on a number of energy-related fronts.

Thank you for your favorable consideration of our comments.

Sincerely,


Mr. Cory H. Kief
President
Offshore Towing, Inc.

11812 Hwy. 308 • P. O. Box 1463 • Larose, LA 70373
(800) 256-9537 • (985) 798-7831 • Fax (985) 798-7835



SAFETY & TRAINING CONSULTANTS, L.L.C.

CONSULTING, AUDITS, PROGRAMS, TRAINING

40

Trade and Commercial Regulations Branch
Office of International Trade, Regulations and Rulings
U.S. Customs and Border Protection
799 9th Street NW -- Mint Annex
Washington, DC 20229

Dear Sir or Madam:

These comments are being submitted on behalf of my company -- Safety Training Consultants with offices in Lafayette and Houma, Louisiana -- in support of your agency's July 17, 2009 "Proposed Modification and Revocation of Ruling Letters Relating to the Customs Position on the Application of the Jones Act to the Transportation of Certain Merchandise and Equipment Between Coastwise Points".

We strongly agree with your proposal. It would act to ensure a strong merchant marine by clearly dictating that merchandise carried to offshore installations must be handled by U.S. flagged vessels, clearly subject to U.S. laws.

We offer a comprehensive approach to enable our clients to identify, correct hazardous conditions, and comply with the extensive and ever-changing governmental regulations. This includes consulting services for worker training programs, safety audits, and certified hazardous assessments. Those clients we serve include a number of marine transport companies operating in the U.S. Gulf of Mexico, including Barry Graham Oil Services, Edison Chouest Offshore, Galliano Tugs, and many others.

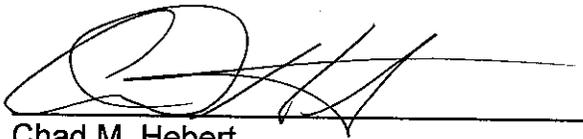
Safety Training Consultants works to ensure that our clients are best prepared to meet the safety, health, and environmental concerns demanded in the maritime industry today. We are experts in applicable U.S. laws and believe that it is absolutely critical to ensure these standards are met for all work being done offshore.

We similarly believe it is important that everyone in the business have clear guidelines so they know what kinds of projects are subject to the Jones Act. By ensuring that the Jones Act rules are clearly applied, all vessels carrying supplies to our offshore oil and gas facilities will be U.S.-flagged vessels. This will benefit everyone working in, or dependent on, supplies from the Gulf Region

We appreciate the opportunity to share our comments with Customs and urge your expedited decision-making on this important issue.

Very truly yours,

SAFETY & TRAINING CONSULTANTS, LLC

A handwritten signature in black ink, appearing to read 'CHAD M. HEBERT', written over a horizontal line.

Chad M. Hebert
Managing Partner