

DEPARTMENT OF TRANSPORTATION**Coast Guard****46 CFR Parts 67, 68, and 69**

[CGD 95-014]

RIN 2115-AF05

Centralization of Vessel Documentation Offices

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This rule revokes the designation of 14 ports as ports of record for vessel documentation, and reflects that the Coast Guard has moved the performance of all vessel documentation services to the National Vessel Documentation Center. The centralization of vessel documentation services will permit the Coast Guard to provide more efficient and effective service to the public by enhancing uniformity, specialization, and expertise. A centralized vessel documentation office will also enable the Coast Guard to operate within budgetary constraints in concert with efforts to reduce the Federal Budget.

EFFECTIVE DATE: This rule is effective on August 1, 1995.

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of the Executive Secretary, Marine Safety Council (G-LRA/3406), U.S. Coast Guard Headquarters, 2100 Second Street SW., room 3406, Washington, DC 20593-0001 between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Don M. Wrye, Vessel Documentation and Tonnage Survey Branch, (202) 267-1492.

SUPPLEMENTARY INFORMATION:**Drafting Information**

The principal persons involved in drafting this document are Lieutenant Commander Don M. Wrye, Project Manager, and Lieutenant R. Goldberg, Project Counsel, Office of Chief Counsel.

Regulatory Information

This rule is being published as a final rule without being preceded by a notice of proposed rulemaking and opportunity for comment. This rule addresses matters of internal Coast Guard organization and pursuant to 5 U.S.C. 553(b) is exempt from the requirement to publish a general notice of proposed rulemaking. Since this rule addresses matters of agency

organization, public comment would not be beneficial to the rulemaking process. Notwithstanding the fact that the subject matter of this rule—centralization of vessel documentation services—is a matter of agency organization, the Coast Guard did conduct a series of public meetings in September through November 1994, in which it announced to the public its plans for the consolidation of existing vessel documentation offices. For these reasons, under 5 U.S.C. 553(b)(B) the Coast Guard for good cause finds that notice, and public procedure on the notice, before the effective date of this rule are unnecessary. The effective date of this final rule, August 1, 1995, is the date that the National Vessel Documentation Center will open and the date that the regional vessel documentation offices will close.

Background and Purpose

Documentation of vessels under Federal law acts as a national registration system which, among other things, serves to establish a vessel's nationality and qualification to be employed in a specified trade. A Certificate of Documentation serves as evidence of nationality. One or more endorsements on a vessel's Certificate of Documentation is evidence of that vessel's qualification to engage in a specified trade. The Coast Guard is the agency responsible for issuing Certificates of Documentation to eligible vessels. When a vessel owner applies for documentation, the Coast Guard determines whether the vessel is eligible for documentation generally, and whether it is eligible specifically for the endorsement or endorsements requested. Since July 1982, the Coast Guard's vessel documentation regulations have permitted applications to be submitted by mail. Today, most vessel documentation transactions are conducted in this manner.

The Coast Guard began consolidating its vessel documentation field offices in July 1983. That early effort resulted in the formation of 15 regional vessel documentation offices. One of those regional offices was closed in 1992, leaving the current 14 offices. During September through November 1994, the Coast Guard conducted a series of public meetings held at various locations to announce the further consolidation of its vessel documentation functions. In those meetings, the Coast Guard announced the availability of its implementation plan for centralization and sought input from the public on methods to make a centralized vessel documentation office operate more efficiently.

One of the suggestions which developed from those public meetings was the notion of permitting certain instruments to be submitted by facsimile for filing purposes. That suggestion has been developed into a separate rulemaking project. A notice of proposed rulemaking amending the Coast Guard's vessel documentation regulations to permit various instruments to be submitted by facsimile for filing purposes, and explaining the procedures for facsimile submission, was published in the **Federal Register** on February 6, 1995 (60 FR 12188). After completion of the consolidation effort, the Coast Guard will continue to review its vessel documentation procedures with a view toward further efforts to streamline the process.

Discussion of Regulations

In various locations in 46 CFR parts 67, 68, and 69, references are made to the "port of documentation," to the "port of record," to variations of "the documentation officer at the port where application for documentation is made," and to the "documentation office nearest where the vessel is located." With consolidation of the regional vessel documentation offices into one location, these references are no longer relevant. Therefore, all of these various references, wherever they appear, are being replaced with an appropriate reference to the National Vessel Documentation Center. Those sections requiring submission of materials to Commandant (G-MVI-5) for decision have also been amended to direct submission of the materials to the Manager, National Vessel Documentation Center. While most of the sections affected are being amended with the simple removal and addition of certain words, a few sections required revision to maintain readability. In addition, the definitions of "Commandant", "Port of documentation", and "Port of record" in § 67.3 are removed, and a definition and address for the "National Vessel Documentation Center" is added. No substantive changes are made to the regulations.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of