

5. This Delegation of Authority is effective May 15, 2003. This Delegation is subject to review on May 14, 2004. By March 15, 2004, the Secretary of the Treasury and the Secretary of Homeland Security shall consult with the Chairman and Ranking Member of the Committee on Ways and Means and the Chairman and Ranking Member of the Committee on Finance to discuss the upcoming review of this Delegation.

6. The Secretary of the Treasury reserves the right to rescind or modify this Delegation of Authority, promulgate regulations, or exercise authority at any time based upon the statutory authority reserved to the Secretary by the Act.

John W. Snow, *Secretary of the Treasury*.

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- AUTHORITY: 5 U.S.C. 301; 19 U.S.C. 66, 1431, 1433, 1434, 1624, 2071 note; 46 U.S.C. App. 3, 91; Section 4.1 also issued under 19 U.S.C. 1581(a), 46 U.S.C. App. 163; Section 4.2 also issued under 19 U.S.C. 1441, 1486; Section 4.3 also issued under 19 U.S.C. 288, 1441; 46 U.S.C. App. 111; Section 4.3a also issued under 19 U.S.C. 1433, 1436; Section 4.5 also issued under 19 U.S.C. 1441; Section 4.7 also issued under 19 U.S.C. 1581(a); 46 U.S.C. App. 883a, 883b; Section 4.7a also issued under 19 U.S.C. 1498, 1584; Section 4.7b also issued under 8 U.S.C. 1221; Section 4.8 also issued under 19 U.S.C. 1448, 1486; Section 4.9 also issued under 42 U.S.C. 269;

- Section 4.10 also issued under 19 U.S.C. 1448, 1451;
- Section 4.12 also issued under 19 U.S.C. 1584;
- Section 4.14 also issued under 19 U.S.C. 1466, 1498;
- Section 4.20 also issued under 46 U.S.C. 2107(b), 8103, 14306, 14502, 14511, 14512, 14513, 14701, 14702, 46 U.S.C. App. 121, 128;
- Section 4.21 also issued under 19 U.S.C. 1441, 46 U.S.C. App. 121-125, 128, 129, 132, 135;
- Section 4.22 also issued under 46 U.S.C. App. 121, 128, 141;
- Section 4.24 also issued under 46 U.S.C. 2108;
- Section 4.30 also issued under 19 U.S.C. 288, 1446, 1448, 1450-1454, 1490;
- Section 4.31 also issued under 19 U.S.C. 1453, 1586;
- Section 4.32 also issued under 19 U.S.C. 1449;
- Section 4.35 also issued under 19 U.S.C. 1447;
- Section 4.36 also issued under 19 U.S.C. 1431, 1457, 1458, 46 U.S.C. App. 100;
- Section 4.37 also issued under 19 U.S.C. 1448, 1457, 1490;
- Section 4.38 also issued under 19 U.S.C. 1448, 1505;
- Section 4.39 also issued under 19 U.S.C. 1446;
- Section 4.40 also issued under 19 U.S.C. 1446;
- Section 4.50 also issued under 19 U.S.C. 1431; 46 U.S.C. 3502;
- Section 4.51 also issued under 19 U.S.C. 1433;
- Section 4.52 also issued under 19 U.S.C. 1433;
- Section 4.61 also issued under 46 U.S.C. App. 883;
- Section 4.64 also issued under 8 U.S.C. 1221;
- Section 4.65a also issued under 46 U.S.C. 5101-5102, 5106-5109, 5112-5114, 5116;
- Section 4.66 also issued under 46 U.S.C. App. 91;
- Section 4.66a also issued under 33 U.S.C. 1321, 46 U.S.C. App. 91;
- Section 4.66b also issued under 33 U.S.C. 407, 1321;
- Section 4.68 also issued under 46 U.S.C. App. 817d, 817e;
- Section 4.69 also issued under 46 U.S.C. 10301, 10302, 10314, and 10315.
- Section 4.74 also issued under 46 U.S.C. App. 91;
- Section 4.75 also issued under 46 U.S.C. App. 91;
- Section 4.80 also issued under 28 U.S.C. 2461 note; 46 U.S.C. 12106; 46 U.S.C. App. 251, 289, 319, 802, 808, 883, 883-1;
- Section 4.81 also issued under 19 U.S.C. 1442, 1486; 46 U.S.C. 251, 883;
- Section 4.81a also issued under 46 U.S.C. App. 883;
- Section 4.82 also issued under 19 U.S.C. 293, 294, 46 U.S.C. App. 123;

Section 4.83 also issued under 46 U.S.C. App. 91, 111, 123;

Section 4.84 also issued under 46 U.S.C. App. 883-1;

Section 4.85 also issued under 19 U.S.C. 1442, 1623;

Section 4.86 also issued under 19 U.S.C. 1442;

Section 4.88 also issued under 19 U.S.C. 1442, 1622, 1623;

Section 4.92 also issued under 28 U.S.C. 2461 note; 46 U.S.C. App. 316(a);

Section 4.93 also issued under 19 U.S.C. 1322(a), 46 U.S.C. App. 883;

Section 4.94 also issued under 19 U.S.C. 1441; 46 U.S.C. App. 104;

Section 4.94a also issued under 19 U.S.C. 1484b;

Section 4.96 also issued under 46 U.S.C. 12101(a)(1), 12108, 46 U.S.C. App. 251;

Section 4.98 also issued under 31 U.S.C. 9701;

Section 4.100 also issued under 19 U.S.C. 1706.

SOURCE: 28 FR 14596, Dec. 31, 1963, unless otherwise noted.

#### ARRIVAL AND ENTRY OF VESSELS

#### § 4.0 General definitions.

For the purposes of this part:

(a) *Vessel*. The word *vessel* includes every description of water craft or other contrivance used or capable of being used as a means of transportation on water, but does not include aircraft. (19 U.S.C. 1401.)

(b) *Vessel of the United States*. The term *vessel of the United States* means any vessel documented under the laws of the United States.

(c) *Documented*. The term *documented vessel* means a vessel for which a valid Certificate of Documentation, form CG 1270, issued by the U.S. Coast Guard is outstanding. Upon qualification and proper application to the appropriate Coast Guard office, the Certificate of Documentation may be endorsed with a: (1) Registry endorsement (generally, available to a vessel to be employed in foreign trade, trade with Guam, American Samoa, Wake, Midway, or Kingman Reef, and other employments for which another endorsement is not required), (2) coastwise endorsement (generally, entitles a vessel to employment in the coastwise trade, and other employments for which another endorsement is not required), (3) Great Lakes endorsement (generally, entitles a vessel to engage in the coastwise

trade on the Great Lakes and their tributary and connecting waters, in trade with Canada, and in other employments for which another endorsement is not required), (4) fishery endorsement (generally, subject to federal and state laws regulating the fisheries, entitles a vessel to fish within the Exclusive Economic Zone (16 U.S.C. 1811) and landward of that zone and to land its catch) or (5) recreational endorsement (entitles a vessel to recreational use only). Any other terminology used elsewhere in this part to describe the particular documentation of a vessel shall be read as synonymous with the applicable terminology contained in this paragraph. Generally, any vessel of at least 5 net tons and wholly owned by a United States citizen or citizens is eligible for documentation except that for a coastwise, Great Lakes, or fisheries endorsement a vessel must also be built in the United States. Detailed Coast Guard regulations on documentation are set forth in Title 46, Code of Federal Regulations, §67.01-67.45.

(d) *Noncontiguous territory of the United States*. The term *noncontiguous territory of the United States* includes all the island territories and possessions of the United States, but does not include the Canal Zone.

(e) *Citizen*. The word *citizen* is as defined by the U.S. Coast Guard for purposes of vessel documentation (see subpart 67.03 of title 46, Code of Federal Regulations.)

(f) *Arrival of a vessel*. The phrase "arrival of a vessel" means that time when the vessel first comes to rest, whether at anchor or at a dock, in any harbor within the Customs territory of the U.S.

(g) *Departure of a vessel*. The phrase "departure of a vessel" means that time when the vessel gets under way on its outward voyage and proceeds on the voyage without thereafter coming to rest in the harbor from which it is going.

[T.D. 69-266, 34 FR 20422, Dec. 31, 1969, as amended by T.D. 83-214, 48 FR 46511, Oct. 13, 1983; T.D. 93-78, 58 FR 50256, Sept. 27, 1993; T.D. 93-96, 58 FR 67315, Dec. 21, 1993]