



Vessel Operation Report

(Statement of Passengers Carried)

(Optional Form for Use by Passenger Operators)

THE LAW

Section 11 of the 1922 Rivers and Harbors Act was amended by Section 919 of the 1986 Water Resources Development Act requires

"Owners, agents, masters, and clerks of vessels and other craft plying upon the navigable waters of the United States, and all individuals and corporations engaged in transporting their own goods upon the navigable waters of the United States, shall furnish such statements relative to vessels, passengers, freight and tonnage as may be required by the Secretary of Army. Provided, that this provision not apply to those rafting logs except upon a direct request upon the owner to furnish specific information.

Every person or persons offending against the provisions of this section shall, for each and every offense, be liable to a fine of not more than \$5,000.00 or imprisonment not exceeding two months, to be enforced in any district court in the United States within whose territorial jurisdiction such offense may have been committed. In addition, the Secretary may assess a civil penalty up to \$2,500 per violation, against any person or entity that fails to provide timely, accurate statements required to be submitted pursuant to this section by the Secretary." (33 U.S.C., Section 555)

Every person or persons offending against the provisions of this section shall, for each and every offense, be liable to a fine of not more than \$5,000 or imprisonment not exceeding two months, to be enforced in any district court in the United States within whose territorial jurisdiction such offense may have been committed. In addition, the Secretary may assess a civil penalty of up to \$25,000 per violation, against any person or entity that fails to provide timely, accurate statements required to be submitted pursuant to this section by the Secretary. (33 U.S.C. Section 555)

The collection of commercial statistics, pertaining to rivers, harbors and waterways and annual reports thereon to Congress, are required by the River and Harbor Act of June 23, 1886 (14 Stat. 766), the act of February 21, 1891 (26 Stat. 766), the River and Harbor Act of June 13, 1902 (32 Stat. 376), the River and Harbor Act of May 25, 1912 (937 Stat. 201), the River and Harbor Act of July 16, 1920 (44 Stat. 427), the River and Harbor Act of September 22, 1922 (42 Stat. 1043), and Pub. L. No. 16, February 16, 1932 (47 Stat. 42).

The primary user of this data is the U.S. Army Corps of Engineers. The data are essential to the construction of new navigation projects. Data specific to channeling are considered confidential and protected from unauthorized disclosure under the Trade Secrets Act (16 U.S.C., Chapter 5).¹ Unless otherwise authorized by law, it is prohibited to remove the navigation burden on vessel operating

rule (10 U.S.C. Chapter 35, Section 350) unless otherwise authorized by law. In order to minimize the reporting burden on vessel operating companies, the Corps will furnish data to other federal agencies in accordance with the Paperwork Reduction Act (44 U.S.C. 3510 (a)).

PROJECT CHANNEL USED

(See item 14 General Instructions)

ATLANTIC COAST		GULF COAST		MISSISSIPPI RIVER SYSTEM		GREAT LAKES	
CODE	WATERWAY, CHANNEL, OR LOCK	CODE	WATERWAY, CHANNEL, OR LOCK	CODE	WATERWAY, CHANNEL, OR LOCK	CODE	WATERWAY, CHANNEL, OR LOCK
02	Annisquam Canal, MA	17	Bayou Baptiste Collette	40	Mouth of Mississippi River:	60	Superior Entry, WI
03	Canaipisit Channel, MA	21	ICW - Miami to Key West	42	Southwest Pass	62	Keweenaw Waterway, MI
04	Panlock Rio Shoals, Nantucket Sound, MA	22	Freeport Sulphur Canal, LA	42	South Pass	64	Sturgeon Bay and Lake Michigan Canal, WI
07	Cape Cod Canal MA	30	Gulf Intracoastal Waterway at Apalachicola Bay, FL	47	Mississippi River-Gulf Outlet Ent. Channel, LA	65	Swinomish Channel, WA
10	Port of New York	31	The Rigolets, LA	47	Chicago Harbor (Entrance), IL	65	Wrangel Narrows, AK
11	Lower Entrance Channels	32	Calcasieu River Pass, LA	50	Harvey, LA	66	Clarence Strait, AK
12	East Rockaway Inlet	34	Atchafalaya River Bar Channel, LA	51	Aigars Lock, LA	67	Sergius and Whiststone Narrow, AK
13	Long Island Sound Entrance	35	Sabine Pass, TX	53	Achafalaya River Bar Route, LA	68	Revillagigedo Channel, AK
16	Channel to Cedar Bay, NC	36	Ship Island Bar Channel, MS	54	Port Allen Lock, LA	69	Chatham Strait, AK
18	Chesapeake and Delaware Canal	37	Horn Island Pass, MS	57	Kentucky Lock, KY	70	Stephen's Passage, AK
19	Knaps Narrow, MD	38	Mobile Bay Bar Channel, AL	58	Barkley Lock, KY	71	Summer Strait, AK
20	Broad Creek, Somerset Co., MD	39	Pensacola Ent. Channel, FL	59	Tennessee-Tombigbee Waterway(Thru Traffic)	91	Icy Strait Coastal Access, AK
23	Atlantic Intracoastal Waterway	Waterway connecting Lookout Bluff and Back Sound, NC		Tennessee-Tombigbee Waterway(Thru Traffic)		92	Nichols Passage, AK
24	Waterway from Norfolk, VA to Beaufort Sounds (Dismal Swamp)	Tennessee-Tombigbee Waterway(Thru Traffic)		Tennessee-Tombigbee Waterway(Thru Traffic)		93	
25	Waterway from Pamlico Sound to Beaufort, Hr., NC via Core Sound	Tennessee-Tombigbee Waterway(Thru Traffic)		Tennessee-Tombigbee Waterway(Thru Traffic)		94	
26	Okeechobee Cross-Florida Waterway	Tennessee-Tombigbee Waterway(Thru Traffic)		Tennessee-Tombigbee Waterway(Thru Traffic)		95	
29	York River with Back Creek	Tennessee-Tombigbee Waterway(Thru Traffic)		Tennessee-Tombigbee Waterway(Thru Traffic)		96	
BF	Beaufort Inlet, NC	Tennessee-Tombigbee Waterway(Thru Traffic)		Tennessee-Tombigbee Waterway(Thru Traffic)		97	
55	Wilmington Harbor, NC	Tennessee-Tombigbee Waterway(Thru Traffic)		Tennessee-Tombigbee Waterway(Thru Traffic)		98	
61	Oracke Inlet, NC	Tennessee-Tombigbee Waterway(Thru Traffic)		Tennessee-Tombigbee Waterway(Thru Traffic)		99	
TS	New Top Sail Inlet, NC	Tennessee-Tombigbee Waterway(Thru Traffic)		Tennessee-Tombigbee Waterway(Thru Traffic)		100	
79	Barnegat Inlet, NJ	Tennessee-Tombigbee Waterway(Thru Traffic)		Tennessee-Tombigbee Waterway(Thru Traffic)		101	
83	Abecon Inlet, NJ	Tennessee-Tombigbee Waterway(Thru Traffic)		Tennessee-Tombigbee Waterway(Thru Traffic)		102	
	Cold Springs Inlet, NJ	Tennessee-Tombigbee Waterway(Thru Traffic)		Tennessee-Tombigbee Waterway(Thru Traffic)		103	

GENERAL INSTRUCTIONS

PRIVACY ACT STATEMENT: Submission of an Internal Review Service Number or a Social Security Number is mandatory for cargo moves subject to the harbor maintenance fee. These identification numbers are solicited under the authority of Executive Order 9397 and Public Law 99-662. The identification number provides unique identification of the party liable for the payment of the harbor maintenance fee. The number will be given to the U.S. Customs Service to compare the information provided on the ENG Form 3925 with information submitted on summary sheets accompanying the payment of the fee. Failure to submit the appropriate identification number can result in a fine of not more than \$5,000.00 or imprisonment not to exceed 2 months and/or an assessment of a civil penalty up to \$2,500.00 per violation. (Section 11 of the Rivers and Harbors Act of 1992 as amended by PL 98-662, 33 USC 555).

1. WHO SHALL FILE:

a. In general the entity receiving remuneration for the movement of vessels or for the transportation of goods or passengers on the navigable waters is responsible for ensuring that the statement of commercial activity is filed with the U.S. Army Corps of Engineers.

b. In the case of lease/charter agreements the lessee or charterer of any vessel engaged in commercial transportation will be responsible for the filing of said reports for all vessels under lease or charter.

c. Ultimately the vessel owner (or his designated agent) becomes the responsible party for ensuring that all commercial activity of the vessel is reported to the Corps of Engineers.

2. ENG FORM 3925P: This is an optional form which may be used in lieu of ENG Form 3925 by inland and coastal vessel operators transporting passengers. Information submitted on this form will be held in confidence. The data released to the public by the Corps of Engineers is in aggregated form and does not reveal the activity of any individual respondent.

3. VESSEL MOVES TO REPORT: All movements of domestic waterborne commercial vessels carrying passengers shall be reported. All idle vessels during a given month must also be reported.

4. HOW TO REPORT: The Corps will furnish ENG Form 3925P to vessel operating companies required to report. The companies shall complete the forms monthly for all voyages terminated during the month. Upon approval of the Corps instead of completing the forms, companies may submit computer printouts, computer tapes, or diskettes containing the information required on the forms. Vessels that did not complete a move during the month shall be reported as inactive or intransit. Reports of monthly vessel activity shall be forwarded to the Corps within 30 days after the close of the month in which the vessel moves took place.

Forms and reporting instructions can be obtained by writing the

Department of the Army
Waterborne Commerce Statistics Center
CEWR-NDC-C
US Army Corps of Engineers
Institute for Water Resources
PO Box 61280
New Orleans, LA 70161-1280

or
By logging on to the Institute for Water Resources Web site:
www.iwr.usace.army.mil/ndc/wcsc.htm

5. YEAR: Enter calendar year such as 01, 02, etc.

6. VESSEL TYPE: Data entry provided as type 1, a self-propelled passenger vessel.

7. NAME AND NUMBER OF VESSEL: Enter vessel name and number, if appropriate.

8. VESSEL NET REGISTER TONS: Self-explanatory.

9. COAST GUARD NUMBER: Enter official Coast Guard number of the vessel.

10. PASSENGER DATA – LOADED AT (ORIGIN):

a. Number of Trips: All completed trips during the month by a vessel between the same two points, using the same alternate waterways may be combined and included as an entry on this form. Report the total number of passengers carried by the vessel between the same two points during the month; otherwise, enter 1.

b. Port/Locality Name and Dock Name: For each vessel movement enter the port/locality name and dock name where the vessel was loaded.

c. Date: Enter the month and day that the vessel was loaded.

d. Actual Draft: Self-explanatory.

11. TURN AROUND POINT (TAP) (RIVER/MILEPOINT/OFFSHORE):

a. The TAP for a passenger vessel movement may be a river, bay, sound, inlet, offshore location, ocean, etc. Enter the river name and midpoint of other appropriate description of the location where the vessel movement started back toward the origin to unload passengers.

b. A passenger movement may transit one or more waterways, channels, or bodies of water enroute to and from the TAP. You are requested to note these waterways, channels, or bodies of water on this form in the space provided.

12. PASSENGER DATA:

a. Passenger Code: The commodity code for passengers is 00040. Consequently, this data entry has been provided.

b. Number of Passengers: Enter the total number of passengers carried for the number of trips specified in the trip column.

13. ALTERNATE WATERWAYS: Included in the maintenance work at the U.S. Army Corps of Engineers are many channel and waterway projects wherein a choice of route exists. For example, masters of vessels may elect to use any one of three passes in going from Gulf waters to New Orleans. In cases where

alternate routes exist, an indication of which alternate channel was used must be entered on the form by number or name or both.

14. HARBOR MAINTENANCE FEE INFORMATION: Vessel operating companies reporting domestic movements of commodities on vessels transiting channels in Customs ports subject to the Harbor Maintenance Fee (HMF) must also report the shipper information (name of shipper and the shipper's IRS or social security number (SSN) or exemption code). This HMF information is required for commodities unloaded on or after 1 April 1987. Please refer to the Water Resources Development Act of 1986, Public Law 99-652, Title 14: 19 CFR Parts 3, 24, 146, 178 (Customs). (Also see Corps Federal Register Announcement dated March 25, 1987; Customs Service Federal Register Announcement dated July 14, 1987 and amended in a Federal Register for each commodity carried. If the commodity movement is exempt from the fee because of one of the exemptions listed below, the applicable exemption code must be entered in the last column of the form and the name of the shipper and the shipper's IRS number (or SSN) may be omitted. If the commodity movement is not exempt, then the shipper's name and IRS number (or SSN) must be entered on the form. Please indicate whether the number is an IRS number or social security number by prefixing the number with "SSN" or "IRS".

The "shipper" is defined as the company or person paying the freight charges to the vessel operating company. The shipper should provide the vessel operating company all the information necessary to fill in the user fee information items.

Harbor Maintenance Fee Exemption Codes:

<u>Code</u>	<u>Definition</u>
A	No Custom port subject to the fee was used by the vessel carrying the passenger.

15. REMARKS: Enter any information that may be necessary for clarifying any data record.

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The primary user of this data is the U.S. Army Corps of Engineers. The data is essential to the justification of new navigation projects. Data specific to individual reporting companies are considered confidential by law. In order to minimize the reporting burden on vessel operators for navigation project applications, maintenance, rehabilitation, and improvement, and for assisting the construction of new navigation projects.

rule (10 U.S.C., chapter 35, section 3505) unless otherwise authorized by law. In order to minimize use reporting burdens on vessel operating companies, the Corps will furnish data to other federal agencies in accordance with the Paperwork Reduction Act (44 U.S.C. 3505 (a)).

PROJECT CHANNEL USED

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	Cold Springs Inlet, NJ						

EING FORM 3923P-3 (WCSC MUNICIPAL EXEMPTION FORM), Dec 2004