

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 99-662, 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
CEIWR-NDC-CE
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 milepoint of any 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 reference the Water Resources Development Act of 1986, Public Law 99-662, 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 March 30, 1987 and amended in a [Federal Register](#) Announcement dated July 14, 1987. The HMF information must be provided 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:

| Code | Definition |
|------|---|
| A | No Custom port subject to the fee was used by the vessel carrying the passenger. |
| F | The passengers are carried on a ferry. A ferry is a vessel engaged primarily in the ferrying of passengers (including their vehicles) between points within the U. S. or between the U. S. and contiguous countries, and arrives in the U. S. on a regular schedule during its operating seasons at intervals of at least once each business day. |
| J | The passengers are moved on this vessel on an inland waterway, and the fuel used to move the vessel is subject to the inland waterway fuel tax. |
| L | The shipper is a U. S. agency. |
| N | The passengers were loaded and unloaded at the same Customs port* (i.e., an intra-port move). |

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