

104TH CONGRESS
2D SESSION

S. 1771

To amend the Consolidated Omnibus Reconciliation Act of 1985 to clarify that the fee for providing customs services in connection with passengers arriving on commercial vessels making a single voyage may be collected only one time from each passenger, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 17, 1996

Mr. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Consolidated Omnibus Reconciliation Act of 1985 to clarify that the fee for providing customs services in connection with passengers arriving on commercial vessels making a single voyage may be collected only one time from each passenger, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FEES FOR CERTAIN CUSTOMS SERVICES.**

4 (a) IN GENERAL.—Section 13031(a)(5) of the Con-
5 solidated Omnibus Budget Reconciliation Act of 1985 (19
6 U.S.C. 58c(a)(5)) is amended—

1 (1) in subparagraph (A), by inserting “a place”
2 after “aircraft from”; and

3 (2) in subparagraph (B), by striking “sub-
4 section (b)(1)(A)” and inserting “subsection
5 (b)(1)(A)(i)”.

6 (b) LIMITATION ON FEES.—Section 13031(b)(1) of
7 the Consolidated Omnibus Budget Reconciliation Act of
8 1985 (19 U.S.C. 58c(b)(1)) is amended to read as follows:

9 “(b) LIMITATIONS ON FEES.—(1)(A) No fee may be
10 charged under subsection (a) of this section for customs
11 services provided in connection with—

12 “(i) the arrival of any passenger whose jour-
13 ney—

14 “(I) originated in—

15 “(aa) Canada,

16 “(bb) Mexico,

17 “(cc) a territory or possession of the
18 United States, or

19 “(dd) any adjacent island (within the
20 meaning of section 101(b)(5) of the Immi-
21 gration and Nationality Act (8 U.S.C.
22 1101(b)(5))), or

23 “(II) originated in the United States and
24 was limited to—

25 “(aa) Canada,

1 “(bb) Mexico,
2 “(cc) territories and possessions of the
3 United States, and
4 “(dd) such adjacent islands;
5 “(ii) the arrival of any railroad car the journey
6 of which originates and terminates in the same
7 country, but only if no passengers board or dis-
8 embark from the train and no cargo is loaded or un-
9 loaded from such car while the car is within any
10 country other than the country in which such car
11 originates and terminates;
12 “(iii) the arrival of any ferry; or
13 “(iv) the arrival of any passenger on board a
14 commercial vessel traveling only between ports which
15 are within the customs territory of the United
16 States.
17 “(B) The exemption provided for in subparagraph
18 (A) shall not apply in the case of the arrival of any pas-
19 senger on board a commercial vessel whose journey origi-
20 nates and terminates at the same place in the United
21 States if there are no intervening stops.
22 “(C) The exemption provided for in subparagraph
23 (A)(i) shall not apply to fiscal years 1994, 1995, 1996,
24 and 1997.”.

1 (c) FEE ASSESSED ONLY ONCE.—Section
2 13031(b)(4) of the Consolidated Omnibus Budget Rec-
3 onciliation Act of 1985 (19 U.S.C. 58c(b)(4)) is amend-
4 ed—

5 (1) by redesignating subparagraphs (A) and
6 (B) as clauses (i) and (ii), respectively;

7 (2) by striking “No fee” and inserting “(A) No
8 fee”; and

9 (3) by adding at the end the following new sub-
10 paragraph:

11 “(B) In the case of a commercial vessel making a
12 single voyage involving 2 or more United States ports with
13 respect to which the passengers would otherwise be
14 charged a fee pursuant to subsection (a)(5), such fee shall
15 be charged only 1 time for each passenger.”.

16 (d) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect as if included in the amend-
18 ments made by section 521 of the North American Free
19 Trade Agreement Implementation Act.

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