

Coast Guard Provides Jones Act Foreign Rebuilding Clarification

MARCH 5, 2014

U.S.-flag vessels eligible for the U.S. coastwise (Jones Act) trade cannot be “rebuilt” outside the United States without losing permanently their Jones Act eligibility. Pursuant to its regulations, the U.S. Coast Guard issues preliminary determinations to vessel owners seeking to have foreign work done on their vessel so as to confirm that such work will not constitute a “rebuilding” of the vessel and thereby deprive the vessel of further Jones Act eligibility. On February 27, 2014, the U.S. Coast Guard issued a rebuild determination to Lynden, Inc. that confirmed the installation of foreign manufactured container racks and the incidental structuring reinforcements and changes in Canada on to a rail barge would not disqualify that vessel from the Jones Act. The ruling is similar to a ruling issued to the same requestor in 2001.

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Author

[Charlie Papavizas](#)

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