

(b) (6)

From: (b) (6)
Sent: Friday, July 08, 2011 7:09 PM
To: (b) (6)
Cc: OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR; ESLIAISON1; (b) (6)
(b) (6)
Subject: SPR Drawdown: Shell Trading (US) Company Jones Act Waiver Request
Attachments: 11-2908.01 (b) (4) Approval Signed 07.08.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Shell Trading Company's request for a Jones Act Waiver.

(b) (6)
Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 8, 2011

(b) (6)

Team Lead – International Crude Operations
Shell Trading (US) Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) on or about July 15-17, 2011, to (b) (4) (b) (4), on or about July 16-18, 2011, aboard the non-coastwise qualified vessel (b) (4). In your letter, you state that you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97011.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated “petroleum availability is crucial to economic security and the national defense” and:

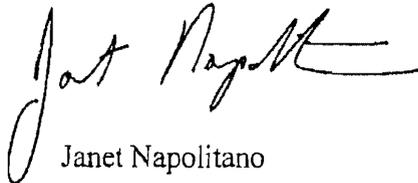
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,

A handwritten signature in black ink, appearing to read "Janet Napolitano". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, July 08, 2011 7:31 PM
To: (b) (6)
Cc: OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR; ESLIAISON1 (b) (6), (b) (6)
Subject: SPR Drawdown: Plains Marketing, L.P. Jones Act Waiver Request
Attachments: 11-2908.02 Plains Marketing LF (b) (4) Approval Signed 07.08.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Plain Marketing, L.P.'s request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)



Homeland Security

July 8, 2011

(b) (6)

Plains Marketing, L.P.

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) on or about July 18-20, 2011 to (b) (4), (b) (4), on or about July 21-23, 2011 aboard the non-coastwise qualified vessel (b) (4). In your letter, you state that you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97010.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated “petroleum availability is crucial to economic security and the national defense” and:

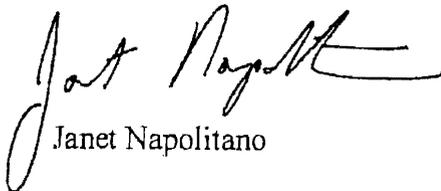
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, July 08, 2011 8:37 PM
To: (b) (6)
Cc: OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR; ESLIAISON1; (b) (6)
(b) (6)
Subject: SPR Drawdown: ConocoPhillips Company Jones Act Waiver Request
Attachments: 11-2908.03 Conoco Phillips (b) (4) Approval Signed 07.08.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving ConocoPhillips Company's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)
Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

July 8, 2011

(b) (6)

Lead, Americas Chartering
ConocoPhillips Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) on or about July 18-20, 2011, to (b) (4) (b) (4) on or about July 21-23, 2011, aboard the non-coastwise qualified vessel (b) (4). In your letter, you state that you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97001.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

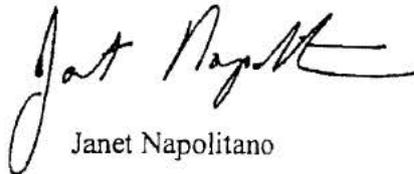
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, July 08, 2011 8:37 PM
To: (b) (6)
Cc: OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR; ESLIAISON1; (b) (6); (b) (6)
Subject: SPR Drawdown: Murphy Oil USA, Inc. Jones Act Waiver Request
Attachments: 11-2908.04 Murphy Oil (b) (4) Approval Signed 07.08.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Murphy Oil USA, Inc.'s request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

July 8, 2011

(b) (6)

Supervisor, Marine Services
Murphy Oil USA Inc.

(b) (6)

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from (b) (4), on or about August 3-5, 2011 to (b) (4), on or about August 5-7, 2011 aboard the non-coastwise qualified vessel (b) (4). In your letter, you state that you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97008.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

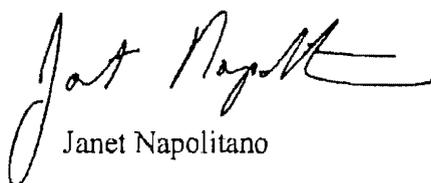
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Tuesday, July 12, 2011 6:08 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Plains Marketing, L.P. Jones Act Waiver Request
Attachments: 11-2908.05 Plains Marketing (b) (4) Approval Signed 07.12.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Plains Marketing, L.P. request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)
Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 12, 2011

(b) [REDACTED]

Plains Marketing, L.P.

(b) (6) [REDACTED]

(b) (6) [REDACTED]

Dear (b) (6) [REDACTED]:

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4) [REDACTED] on or about July 29-31, 2011 to (b) (4) [REDACTED], on or about August 2-4, 2011, aboard the non-coastwise qualified vessel (b) (4) [REDACTED]. In your letter, you state that you have purchased (b) (4) [REDACTED] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97009.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Thursday, July 14, 2011 9:26 AM
To: (b) (6)
Cc: OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR; ESEC SPR Jones Act
Subject: SPR Drawdown: BP Products North America Jones Act Waiver Request
Attachments: 11-2908.06 BP Products North America (b) (4) Approval Signed 07.14.11.pdf

(b) (6)

Attached, please find a letter from the Department of Homeland Security approving BP Products North America's request for a Jones Act Waiver. Please confirm receipt.

Thank you,

(b) (6)
Office of the Executive Secretariat
Department of Homeland Security
(b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

July 14, 2011

(b) (6)

Crude Supply and Trading
British Petroleum Products, NA

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve at (b) (4), on or about July 20-22, 2011, to (b) (4) on or about July 22-24, 2011, aboard the non-coastwise qualified vessel (b) (4). In your letter, you state that you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97027.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

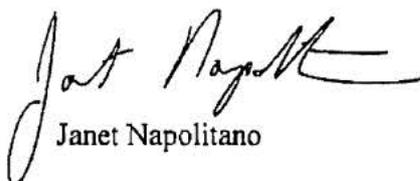
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, July 15, 2011 4:31 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Shell Trading Company Jones Act Waiver Request
Attachments: 11-2908.07 Shell Oil (b) (4) Approval signed 07.15.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Shell Trading Company's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)
Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 15, 2011

(b) (6)

Team Lead – International Crude Operations
Shell Trading (US) Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about July 16-18, 2011, to (b) (4), on or about July 23-25, 2011, aboard the non-coastwise qualified vessel (b) (4). In your letter, you state that you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97011.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, July 15, 2011 4:30 PM
To: (b) (6)
Cc: OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR; ESEC SPR Jones Act
Subject: SPR Drawdown: Shell Oil Jones Act Waiver Request
Attachments: 11-2908.08 Shell Oil (b) (4) Approval signed 07.15.11.pdf

(b) (6):

Attached, please find a letter from the Department of Homeland Security approving Shell Oil's request for a Jones Act Waiver. Please confirm receipt.

Thank you,

(b) (6)
Office of the Executive Secretariat
Department of Homeland Security
(b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 15, 2011

(b) (6)

Team Lead – International Crude Operations
Shell Trading (US) Company

(b) (6)

(b) (6)

Dear (b) (6):

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4) on or about July 19-21, 2011, to the (b) (4) on or about July 29 - August 2, 2011, aboard the non-coastwise qualified vessel (b) (4). In your letter, you state that you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97013.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated “petroleum availability is crucial to economic security and the national defense” and:

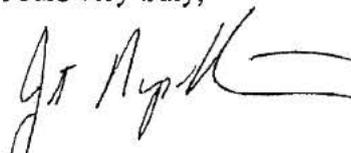
... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Monday, July 18, 2011 5:47 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: JP Morgan Ventures Energy Corp. Jones Act Waiver Request
Attachments: 11-2908.09 JP Morgan (b) (4) Approval Signed 07.18.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving JP Morgan Venture Energy Corp.'s request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security

Office: (b) (6)

Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 18, 2011

(b) (6)

JP Morgan Ventures Energy Corp.

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about July 23-25, 2011 to (b) (4), on or about July 25-27, 2011, aboard the non-coastwise qualified vessel (b) (4). In your letter, you state that you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97005. This request covers the transportation of (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

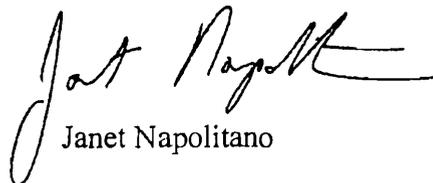
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Wednesday, July 20, 2011 2:28 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: JP Morgan Ventures Energy Corp. Jones Act Waiver Request
Attachments: 11-2908.10 JP Morgan (b) (4) Approval Signed 07.20.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving JP Morgan Venture Energy Corp.'s request for a Jones Act Waiver. Please confirm receipt.

(b) (6)
Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 20, 2011

(b) (6)

JP Morgan Ventures Energy Corporation

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about July 19-21, 2011, to (b) (4) on or about July 22-July 24, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97005, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated “petroleum availability is crucial to economic security and the national defense” and:

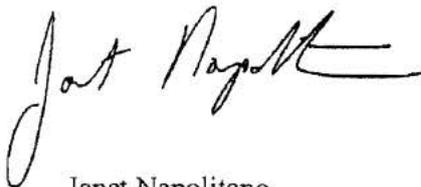
... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,

A handwritten signature in black ink, appearing to read "Janet Napolitano". The signature is written in a cursive, flowing style with a large initial "J".

Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Wednesday, July 20, 2011 2:30 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Valero Marketing and Supply Company Jones Act Waiver Request
Attachments: 11-2908.11 Valero (b) (4) approval signed 07.20.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Valero Marketing and Supply Company's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)
Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

July 20, 2011

(b) (6)
Chartering and Freight Trading Manager
Valero Marketing and Supply Company

(b) (6)
(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about July 25-27, 2011, to (b) (4), on or about July 30-August 2, 2011, aboard the non-coastwise qualified vessel (b) (4). In your letter, you state that you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97020, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Wednesday, July 20, 2011 5:26 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Plains Marketing L.P. Jones Act Waiver Request
Attachments: 11-2908.12 Plains Marketing (b) (4) Approval Signed 07.20.11.pdf

(b) (6):

Attached, please find a letter from the Department of Homeland Security approving Plains Marketing L.P.'s request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

July 20, 2011

(b) (6)

Plains Marketing L.P.

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about July 29-31, 2011, to (b) (4), on or about August 1 – 3, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97009, and this portion represents (b) (4) barrels. Your request supersedes your previous request which was granted on July 12, 2011.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Thursday, July 21, 2011 2:32 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Shell Trading Company Jones Act Waiver Request
Attachments: 11-2908.13 Shell (b) (4) Approval Signed 07.21.11.pdf

(b) (6)

Attached, please find a letter from the Department of Homeland Security approving Shell Trading Company's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)
Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 21, 2011

(b) (6)

Team Lead, International Crude Operations
Shell Trading (US) Company

(b) (6)

(b) (6)

Dear (b) (6):

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about July 28-30, 2011, to the (b) (4) on or about July 29-August 2, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97013. Your request supersedes your previous request which was granted on July 15, 2011.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

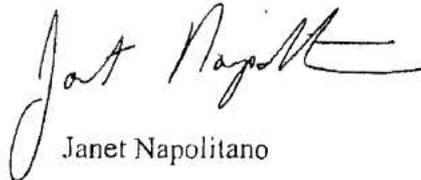
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, July 22, 2011 2:05 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Valero Overseas Rebecca Jones Act Waiver Request
Attachments: 11-2908.14 Valero (b) (4) approval signed 07.22.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Valero Marketing and Supply Company's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)

Secretary

U.S. Department of Homeland Security
Washington, DC 20526



Homeland Security

July 22, 2011

(b) (6)

Chartering and Freight Trading Manager
Valero Marketing and Supply Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about July 26-28, 2011, to (b) (4), on or about July 31, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97020, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, July 22, 2011 6:40 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Tesoro Maritime Corporation Jones Act Waiver Request
Attachments: 11-2908.15 Tesoro (b) (4) and (b) (4) Approval Signed 07.22.11.pdf

(b) (6):

Attached, please find a letter from the Department of Homeland Security approving Tesoro Maritime Corporation's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)
Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 22, 2011

(b) (6)

Tesoro Maritime Corporation

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the following transportation of crude oil. The crude oil would be transported from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 3-5, 2011, to (b) (4) on or about August 7-9, 2011, aboard the non-coastwise qualified vessel (b) (4) (b) (4). Subsequently, the same crude oil would be transported from (b) (4) Panama on or about August 19-20, 2011, to (b) (4), on or about August 29-30, 2011, on the non-coastwise qualified (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97017 and the transportation described above is for (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

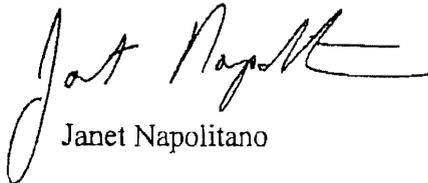
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Monday, July 25, 2011 6:17 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Marathon Petroleum; (b) (4), request for a Jones Act Waiver.
Attachments: 11-2908.16 Marathan Petroleum Approval 07.25.11.pdf

(b) (6):

Attached, please find a letter from the Department of Homeland Security approving Marathon Petroleum Company's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 25, 2011

(b) (6)

Marathon Petroleum Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 1-3, 2011, to (b) (4), on or about August 5-7, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97006, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

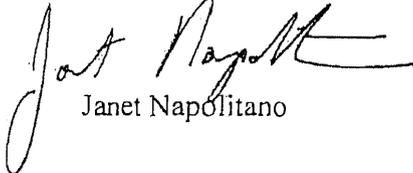
... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, July 22, 2011 7:43 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Tesoro Maritime Corporation Jones Act Waiver Request
Attachments: 11-2908.17 Tesoro (b) (4) Approval Signed 07.22.11.pdf

(b) (6):

Attached, please find a letter from the Department of Homeland Security approving Tesoro Maritime Corporation's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 22, 2011

(b) (6)
Tesoro Maritime Corporation

(b) (6)
(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the following transportation of crude oil. The crude oil would be transported from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 6-8, 2011, to (b) (4) on or about August 12-14, 2011, aboard the non-coastwise qualified vessel (b) (4). Subsequently, the same crude oil would be transported from (b) (4) on or about September 15-16, 2011, to (b) (4), on or about September 30-October 1, 2011, on the non-coastwise qualified (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97017 and the transportation described above is for (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

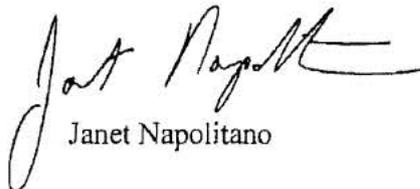
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded onto the vessel (b) (4) on or before August 31, 2011, and subsequently onto the vessel (b) (4)

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, July 22, 2011 7:41 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: ConocoPhillips Company Jones Act Waiver Request
Attachments: 11-2908.18 ConocoPhillips (b) (4) Approval Signed 07.22.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving ConocoPhillips Company's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)
Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 22, 2011

(b) (6)

ConocoPhillips

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the following transportation of crude oil. The crude oil would be transported from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 1-3, 2011, to the (b) (4) (b) (4) on or about August 3-5, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97001 and the transportation described above is for (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501 (b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

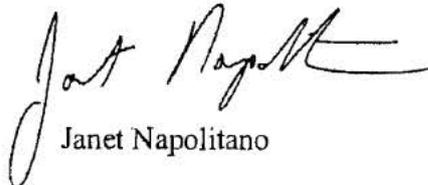
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Monday, July 25, 2011 6:11 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Plains Marketing, L.P. Jones Act Waiver Request
Attachments: 11-2908.19 Plains Marketing (b) (4) Approval 07.25.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Plain Marketing, L.P.'s request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)
(b) (6) (C)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

July 25, 2011

(b) (6)

Plains Marketing L.P.

(b) (6)

(b) (6)

Dear (b) (6):

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about July 29-31, 2011, to (b) (4), on or about August 1-3, 2011, aboard the non-coastwise qualified vessel (b) (4). In your letter, you state that you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97009, and this portion represents (b) (4) barrels. Your request supersedes your previous requests which were granted on July 12 and 20, 2011.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

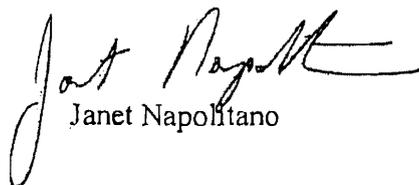
... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Tuesday, July 26, 2011 5:05 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Shell Trading Company Jones Act Waiver Request
Attachments: 11-2908.20 SHELL OIL (b) (4) Approval Signed 07.26.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Shell Trading Company's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

July 26, 2011

(b) (6)

Team Lead - International Crude Operations
Shell Trading (US) Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 2-4, 2011, to the (b) (4) on or about August 5-7, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97014, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

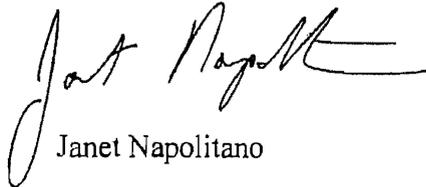
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, July 29, 2011 3:23 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Shell Trading Company Jones Act Waiver Request
Attachments: 11-2908.21 Shell Trading Company (b) (4) Approval Signed 07.29.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Shell Trading Company's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

July 29, 2011

(b) (6)

Team Lead – International Crude Operations
Shell Trading (US) Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4) on or about August 5-7, 2011 to the (b) (4) on or about August 7-9, 2011 aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97014, and this portion represents (b) (4) barrels. Your request supersedes your previous request which was granted on July 26, 2011.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Tuesday, August 02, 2011 5:55 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Marathon Petroleum Company Jones Act Waiver Request
Attachments: 11-2908.22 Marathon Petroleum (b) (4) Approval Signed 08.02.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Marathon Petroleum Company's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)
Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

August 2, 2011

(b) (6)
Marathon Petroleum Company

(b) (6)
(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 7-9, 2011, to (b) (4), on or about August 10-12, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97006, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

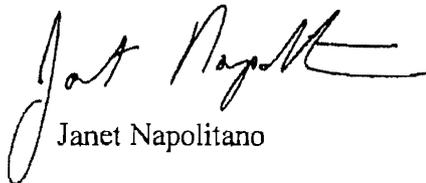
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 05, 2011 2:18 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Valero Marketing and Supply Company Jones Act Waiver Request
Attachments: 11-2908.23 Valero (b) (4) Approval Signed 08.05.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Valero Marketing and Supply Company's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)
Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)



Homeland Security

August 5, 2011

(b) (6)

Valero Marketing and Supply Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 8-10, 2011, to (b) (4), on or about August 29-31, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97022, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

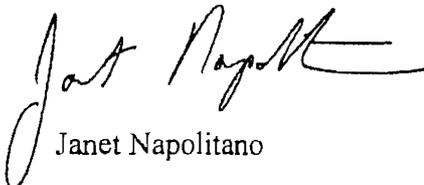
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 05, 2011 6:40 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Plains Marketing L.P. Jones Act Waiver Request
Attachments: 11-2908.24 Plains Marketing (b) (4) Approval Signed 08.05.11.pdf

(b) (6):

Attached, please find a letter from the Department of Homeland Security approving Plains Marketing L.P.'s request for a Jones Act Waiver. Please confirm receipt.

(b) (6)
Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 5, 2011

(b) (6)

Plains Marketing L.P.

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 8-10, 2011, to (b) (4), on or about August 10-12, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97009, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

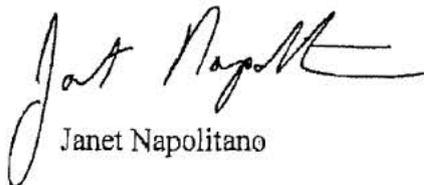
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 05, 2011 2:25 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Marathon Petroleum Company Jones Act Waiver Request
Attachments: 11-2908.25 Marathon Petroleum Company (b) (4) Approval Signed 08.05.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Marathon Petroleum Company's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

August 5, 2011

(b) (6)

Marathon Petroleum Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 10-12, 2011, to (b) (4), on or about August 13-15, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97007, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

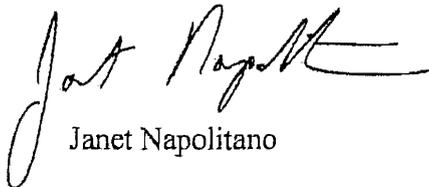
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Monday, August 08, 2011 6:08 PM
To: (b) (6)
Cc: OIIL-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR; ESEC SPR Jones Act
Subject: SPR Drawdown: Tesoro Maritime Corporation Jones Act Waiver Request
Attachments: 11-2908.26 Tesoro Maritime Corporation (b) (4) Approval Signed 08.08.11.pdf

(b) (6);

Attached, please find a letter from the Department of Homeland Security approving Tesoro Maritime Corporation's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 8, 2011

(b) (6)

Tesoro Maritime Corporation

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the following transportation of crude oil. The crude oil was loaded from the Strategic Petroleum Reserve (SPR) at (b) (4), on August 6, 2011, destined to (b) (4), on or about August 7-9, 2011, aboard the non-coastwise qualified vessel (b) (4). Subsequently, the same crude oil would be transported from (b) (4), on or about August 14-15, 2011, to (b) (4), on or about August 26-27, 2011, on the non-coastwise qualified (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97017 and the transportation described above is for (b) (4) barrels. Your request supersedes your request which was granted on July 22, 2011.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

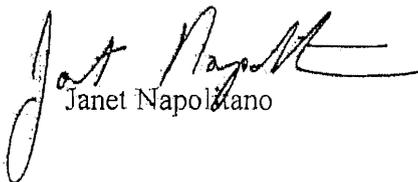
... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 05, 2011 2:35 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Marathon Petroleum Company Jones Act Waiver Request
Attachments: 11-2908.27 Sea River Maritime Inc. Approval signed 08.05.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Sea River Maritime Inc. request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)



Homeland Security

August 5, 2011

(b) (6)

Sea River Maritime, Inc.
SRM-EMB-4.024

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the following transportation of crude oil. The crude oil would be transported from the Strategic Petroleum Reserve (SPR) (b) (4), on or about August 9-11, 2011, to the (b) (4) (b) (4) on or about August 13-15, 2011, aboard the non-coastwise qualified vessel (b) (4). ExxonMobil Corporation has purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97003, and the above transportation is for the entire contract.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 05, 2011 6:04 PM
To: CBP Jones Act Waiver - SPR
Subject: FW: SPR Drawdown: Valero Marketing and Supply Company Jones Act Waiver Request
Attachments: 11-2908.28 Valero Marketing and Supply Company (b) (4) Approval Signed 08.05.11.pdf

FYI

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

From: (b) (6)
Sent: Friday, August 05, 2011 6:03 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Valero Marketing and Supply Company Jones Act Waiver Request

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Valero Marketing and Supply Company's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Executive Secretariat
Office of the Secretary
U.S. Department of Homeland Security
T: (b) (6) F: (b) (6)
(b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 5, 2011

(b) (6)

Valero Marketing and Supply Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 10-12, 2011, to (b) (4), on or about August 14-16, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97022, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

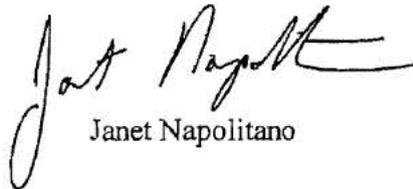
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 05, 2011 6:04 PM
To: OIIL-SIT Jones Act Waiver - SPR
Subject: FW: SPR Drawdown: Valero Marketing and Supply Company Jones Act Waiver Request
Attachments: 11-2908.28 Valero Marketing and Supply Company (b) (4) Approval Signed 08.05.11.pdf

From: (b) (6)
Sent: Friday, August 05, 2011 6:03 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Valero Marketing and Supply Company Jones Act Waiver Request

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Valero Marketing and Supply Company's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Executive Secretariat
Office of the Secretary
U.S. Department of Homeland Security
T: (b) (6) F: (b) (6)
(b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 5, 2011

(b) (6)

Valero Marketing and Supply Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4) on or about August 10-12, 2011, to (b) (4), on or about August 14-16, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97022, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

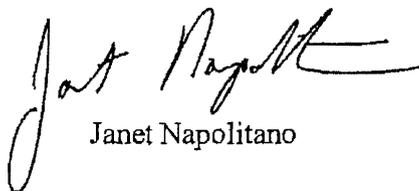
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 05, 2011 6:48 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIIL-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Sunoco Inc. Jones Act Waiver Request
Attachments: 11-2908.29 Sunoco (b) (4) Approval Signed 08.05.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Sunoco Inc.'s request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 5, 2011

(b) (6)
Manager Marine Chartering
Sunoco Inc.

(b) (6)
(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 19-21, 2011, to (b) (4), on or about August 26-28, 2011, aboard the non-coastwise qualified vessel (b) (4). In your letter, you state you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97015.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501 (b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

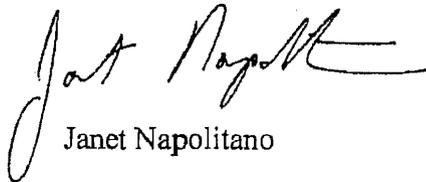
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 05, 2011 6:33 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIOC-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Valero Marketing and Supply Company Jones Act Waiver Request
Attachments: 11-2908.30 Valero Marketing and Supply Company (b) (4) Approval Signed 08.05.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Valero Marketing and Supply Company's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 5, 2011

(b) (6)
Valero Marketing and Supply Company
(b) (6)
(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 11-13, 2011, to (b) (4), on or about August 16-18, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97021, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

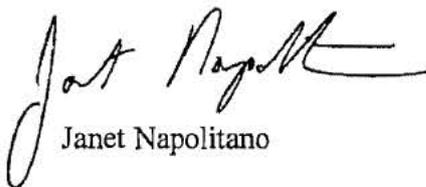
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 05, 2011 6:36 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIOC-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Hess Energy Trading Company, LLC Jones Act Waiver Request
Attachments: 11-2908.31 Hess (b) (4) Approval Signed 08.05.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Hess Energy Trading Company LLC's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 5, 2011

(b) (6)

Hess Energy Trading Company, LLC

(b) (6)

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 9-11, 2011, to (b) (4), on or about August 12-13, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97004, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated “petroleum availability is crucial to economic security and the national defense” and:

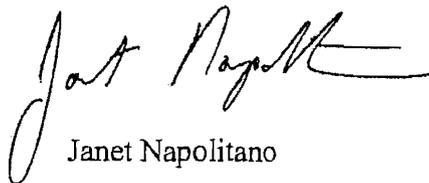
... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Monday, August 08, 2011 5:30 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: JP Morgan Ventures Energy Corp. Jones Act Waiver Request
Attachments: 11-2908.32 JP Morgan (b) (4) Approval Signed 08.08.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving JP Morgan Venture Energy Corp.'s request for a Jones Act Waiver. Please confirm receipt.

Thank you.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 8, 2011

(b) (6)

JP Morgan Ventures Energy Corp.

(b) (6)

Dear Mr. (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 12-14, 2011, to (b) (4), on or about August 14-16, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97005, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

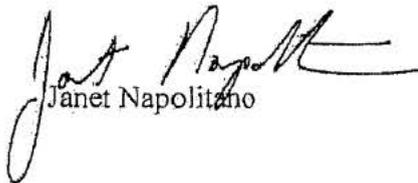
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Monday, August 08, 2011 5:31 PM
To: CBP Jones Act Waiver - SPR
Subject: FW: SPR Drawdown: JP Morgan Ventures Energy Corp. Jones Act Waiver Request
Attachments: 11-2908.32 JP Morgan (b) (4) Approval Signed 08.08.11.pdf

FYI

From: (b) (6)
Sent: Monday, August 08, 2011 5:30 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: JP Morgan Ventures Energy Corp. Jones Act Waiver Request

(b) (6)

Attached please find a letter from the Department of Homeland Security approving JP Morgan Venture Energy Corp.'s request for a Jones Act Waiver. Please confirm receipt.

Thank you.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 8, 2011

(b) (6)

JP Morgan Ventures Energy Corp.

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 12-14, 2011, to (b) (4), on or about August 14-16, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97005, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

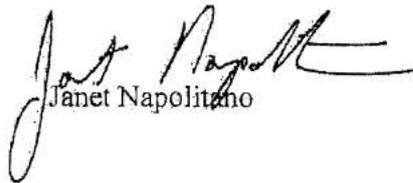
... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Saturday, August 13, 2011 2:37 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: ConocoPhillips Company Jones Act Waiver Request
Follow Up Flag: Follow up
Flag Status: Completed
Attachments: 11-2908.33 ConocoPhillips (b) (4) Approval Signed 08.13.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving ConocoPhillips Company's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)
Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 13, 2011

(b) (6)
ConocoPhillips

(b) (6)
(b) (6)

Dear (b) (6):

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 14-16, 2011, to (b) (4), on or about August 29-31, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97002, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

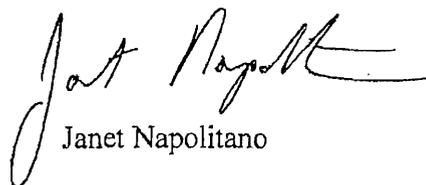
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Wednesday, August 10, 2011 6:13 PM
To: (b) (6)
Cc: OIIL-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR; ESEC SPR Jones Act
Subject: SPR Drawdown: Hess Energy Trading Company Jones Act Waiver Request
Attachments: 11-2908.34 Hess (b) (4) Approval Signed 08.10.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Hess Energy Trading Company's request for a Jones Act Waiver. Please confirm receipt.

Respectfully

(b) (6)
Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 10, 2011

(b) (6)

Hess Energy Trading Company, LLC

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4) on or about August 11-13, 2011, to (b) (4), on or about August 17-19, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97004, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

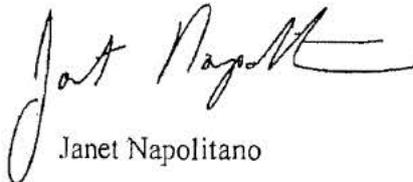
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Thursday, August 11, 2011 6:13 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Marathon Petroleum Company Jones Act Waiver Request
Attachments: 11-2908.35 Marathon Petroleum Company (b) (4) Approval Signed 08.11.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Marathon Petroleum Company's request for a Jones Act Waiver. Please confirm receipt.

(b) (6)
Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 11, 2011

(b) (6)

Marathon Petroleum Company

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 17-19, 2011, to (b) (4), on or about August 20-22, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97007, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

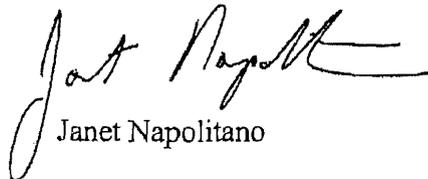
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 12, 2011 5:37 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIIL-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Sunoco Inc. Jones Act Waiver Request
Attachments: 11-2908.36 Sunoco (b) (4) Approval Letter Signed 08.12.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Sunoco Inc.'s request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 12, 2011

(b) (6)
Manager Marine Chartering
Sunoco Inc.
(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4) on or about August 25-27, 2011, to (b) (4), on or about September 1-3, 2011, aboard the non-coastwise qualified vessel (b) (4). In your letter, you state you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97016.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

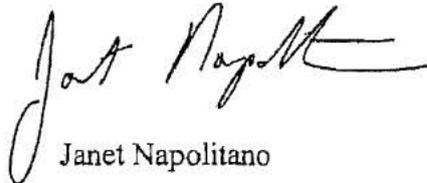
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 12, 2011 5:37 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OILL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Shell Trading Company Jones Act Waiver Request
Attachments: 11-2908.37 Shel (b) (4) approval letter signed 08.12.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Shell Trading Company's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)



Homeland Security

August 12, 2011

(b) (6)

Team Lead – International Crude Operations
Shell Trading (US) Company

(b) (6)

(b) (6)

Dear (b) (6):

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4) on or about August 17-19, 2011, to the (b) (4) on or about August 22-24, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97012, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Monday, August 15, 2011 5:16 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Shell Trading Company Jones Act Waiver Request
Attachments: 11-2908.38 Shell (b) (4) Approval signed 08.15.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Shell Trading Company's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 15, 2011

(b) (6)

Team Lead – International Crude Operations
Shell Trading (US) Company

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4) on or about August 19-21, 2011 to (b) (4) on or about August 21-23, 2011 aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97012, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Wednesday, August 17, 2011 3:33 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Plains Marketing L.P. Jones Act Waiver Request
Attachments: 11-2908.39 Plains Marketing (b) (4) Approval Signed 08.17.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Plains Marketing's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)
Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 17, 2011

(b) (6)

Plains Marketing L.P.

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 19-21, 2011, to (b) (4), on or about August 25-27, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97010, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

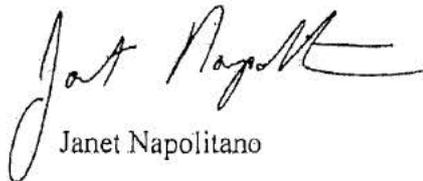
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Thursday, August 18, 2011 4:09 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Vitol Inc. Jones Act Waiver Request
Attachments: 11-2908.40 Vitol (b) (4) Approval Signed 08.18.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

(b) (6)
Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 18, 2011

(b) (6)

Vitol Inc.

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 23-25, 2011, to (b) (4), on or about August 31-September 2, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97025 and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

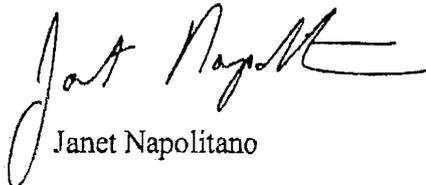
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Thursday, August 18, 2011 4:10 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Vitol Inc. Jones Act Waiver Request
Attachments: 11-2908.41 Vitol Inc (b) (4) Approval signed 08.18.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)



Homeland Security

August 18, 2011

(b) (6)

Vitol Inc.

(b)

(6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 22-23, 2011, to (b) (4), on or about September 20-22, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97025 and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

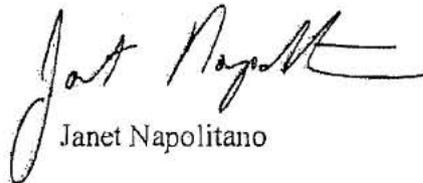
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 19, 2011 6:18 PM
To: (b) (6)
Cc: OIIL-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR; ESEC SPR Jones Act
Subject: SPR Drawdown: Tesoro Maritime Corporation Jones Act Waiver Request
Attachments: 11-2908.42 Tesoro (b) (4) Approval signed 08.19.11.pdf

(b) (6)

Attached, please find a letter from the Department of Homeland Security approving Tesoro Maritime Corporation's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)



Homeland Security

August 19, 2011

(b) (6)

Tesoro Maritime Corporation

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the following transportation of crude oil. The crude oil was loaded from the Strategic Petroleum Reserve (SPR) at (b) (4) on August 6, 2011, destined to a location offshore (b) (4), aboard the non-coastwise qualified vessel (b) (4). Upon arrival offshore (b) (4), (b) (4) barrels of the crude oil would be lightered aboard the non-coastwise qualified vessel (b) (4) on or about August 21-23, 2011; and, (b) (4) barrels of the crude oil would be lightered aboard the non-coastwise qualified vessel (b) (4) on or about August 24-25, 2011. Upon completion of lightering operations, the non-coastwise qualified vessels (b) (4) and (b) (4) would transit the (b) (4). The crude oil from both vessels would be lightered offshore (b) (4), (b) (4) aboard the non-coastwise qualified (b) (4) on or about August 26-August 30, 2011. Subsequently, the same crude oil would then be transported from offshore (b) (4), arriving on or about September 11-13, 2011. You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97017 and the transportation described above is for (b) (4) barrels. Your request supersedes your request which was granted on August 8, 2011.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified

U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

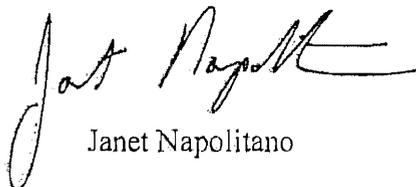
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Monday, August 22, 2011 7:14 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Marathon Petroleum Company Jones Act Waiver Request
Attachments: 11-2908.43 Vitol (b) (4) Approval Signed 08.22.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

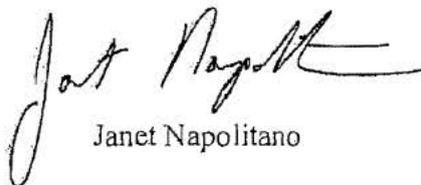
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Monday, August 22, 2011 7:07 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Marathon Petroleum Company Jones Act Waiver Request
Attachments: 11-2908.44 Trafigura (b) (4) Approval Signed 08.22.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Trafigura AG's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 22, 2011

(b) (6)

Trafigura AG

(b) (6)

Dear (b) (6):

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 25-27, 2011, to a point other than the point of lading at (b) (4), on or about August 30-September 1, 2011, aboard the non-coastwise qualified vessel (b) (4). In your letter, you state you have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97019.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated “petroleum availability is crucial to economic security and the national defense” and:

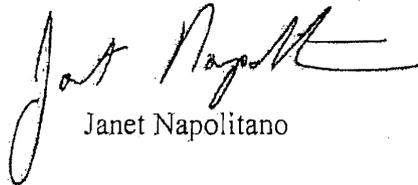
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Thursday, August 18, 2011 5:57 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Vitol Inc. Jones Act Waiver Request
Attachments: 11-2908.45 Vito (b) (4) Approval Signed 08.18.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

August 18, 2011

(b) (6)

Vitol Inc.

(b) (6)

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 21-23, 2011, to (b) (4), on or about September 20-22, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97025 and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

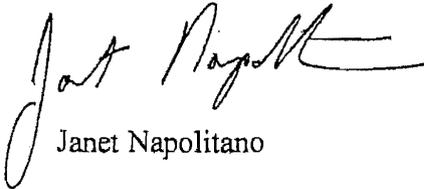
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 19, 2011 6:23 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Valero Marketing and Supply Company Jones Act Waiver Request
Attachments: 11-2908.46 Valero (b) (4) Approval signed 08.19.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Valero Marketing and Supply Company's request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 19, 2011

(b) (6)

Valero Marketing and Supply Company

(b) (6)

Dear (b) (6):

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 25-27, 2011, to (b) (4), on or about August 30-31, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97021, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

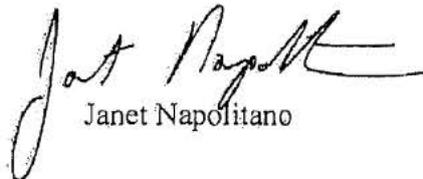
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,


Janet Napolitano

(b) (6) [redacted]

From: (b) (6)
Sent: Friday, August 26, 2011 10:22 AM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Vitol Inc. Jones Act Waiver Request
Attachments: 11-2908.47 Vitol (b) (4) Approved Signed 08.26.11.pdf

(b) (6) [redacted]

Attached please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6) [redacted]
Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 26, 2011

(b) (6)

Vitol Inc.

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 27-29, 2011, to (b) (4), on or about September 5-7, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97025 and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

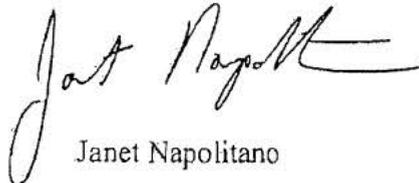
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,

A handwritten signature in black ink, appearing to read "Janet Napolitano". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 26, 2011 10:32 AM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Vitol Inc. Jones Act Waiver Request

Attachments: 11-2908.47 Vitol (b) (4) Approved Signed 08.26.11.pdf



11-2908.47 Vitol

(b) (4)

(b) (6)

Per (b) (6) out of office auto reply, please find attached a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

(b) (6)

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

-----Original Message-----

From: (b) (6)
Sent: Friday, August 26, 2011 10:22 AM
To: (b) (6)
Subject: Out of Office AutoReply: SPR Drawdown: Vitol Inc. Jones Act Waiver Request

I will be out on vacation starting 8/26 and returning 9/06.

In my absence, please contact (b) (6) and note his contact details below:

(b) (6)

Office = (b) (6)

email = (b) (6)

Thanks again,

Brgs,

(b) (6)

Vitol Inc.

Office: (b) (6)

Cell: (b) (6)

Email: (b) (6)

IMPORTANT: This e-mail (including all attachments) is confidential and may be privileged. It may be read, copied and used only by the intended recipients, and must not be re-transmitted in any form without our consent. If you have received it in error, please contact us immediately by return e-mail. Please then delete it and do not disclose its contents to any other person.

Security and reliability of email is not guaranteed. Communications should be verified from a mailed or faxed copy. All emails to anyone (b) (6) are communications to the firm and are not private or confidential to any named individual.

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 26, 2011

(b) (6)

Vitol Inc.

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 27-29, 2011, to (b) (4), on or about September 5-7, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97025 and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

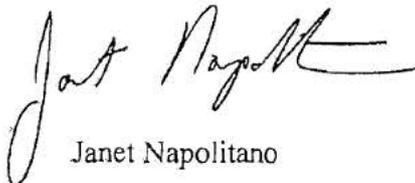
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 26, 2011 10:32 AM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Vitol Inc. Jones Act Waiver Request
Attachments: 11-2908.48 Vitol (b) (4) Approved Signed 08.26.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)
Executive Secretariat
Office of the Secretary
U.S. Department of Homeland Security
T: (b) (6) F: (b) (6)
(b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 26, 2011

(b) (6)

Vitol Inc.

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4) on or about August 29-31, 2011, to (b) (4), on or about September 1-2, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97026 and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

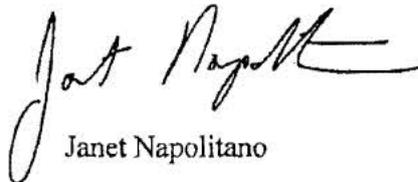
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, August 26, 2011 10:50 AM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: FW: SPR Drawdown: Vitol Inc. Jones Act Waiver Request
Attachments: 11-2908.48 Vito (b) (4) Approved Signed 08.26.11.pdf

(b) (6):

Attached is the second waiver you were inquiring about, (b) (4) approving Vitol Inc.'s request for a Jones Act Waiver. I am looking into the location of (b) (4) and will keep you posted. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6) 1
Cell: (b) (6)

From: (b) (6)
Sent: Friday, August 26, 2011 10:32 AM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Vitol Inc. Jones Act Waiver Request

(b) (6):

Attached please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Executive Secretariat
Office of the Secretary
U.S. Department of Homeland Security
T: (b) (6) F: (b) (6)
(b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 26, 2011

(b) (6)

Vitol Inc.

(b) (6)

Dear (b) (6):

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 29-31, 2011, to (b) (4), on or about September 1-2, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97026 and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states “a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port” unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is “coastwise-qualified.” The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is “necessary in the interest of national defense.” 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department’s usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

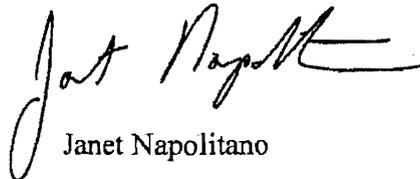
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Tuesday, August 30, 2011 9:52 AM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: FW: SPR Drawdown: Vitol Inc. Jones Act Waiver Request
Attachments: 11-2908.49 Vitol (b) (4) Approval signed 08.29.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt. I apologize for sending to the wrong email address yesterday, (b) (6) was the only one provided to me.

Respectfully,

(b) (6)
Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

From: (b) (6)
Sent: Monday, August 29, 2011 3:19 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; (b) (6)
Subject: SPR Drawdown: Vitol Inc. Jones Act Waiver Request

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)
Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

August 29, 2011

(b) (6)

Vitol Inc.

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow crude oil loaded on August 29, 2011, at the Strategic Petroleum Reserve (SPR) in (b) (4), to be transported to (b) (4), on or about September 5-7, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97026 and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

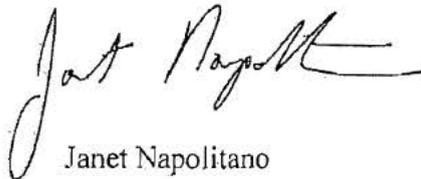
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,

A handwritten signature in black ink, appearing to read "Janet Napolitano", written in a cursive style.

Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Monday, August 29, 2011 3:34 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OILL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Vitol Inc. Jones Act Waiver Request
Attachments: 11-2908.50 ConocoPhillips (b) (4) Approval Signed 08.29.11.pdf

(b) (6):

Attached please find a letter from the Department of Homeland Security approving ConocoPhillips's request for a Jones Act Waiver. Please confirm receipt.

Thank you,

(b) (6)

(b) (6)

Executive Secretariat
Office of the Secretary
U.S. Department of Homeland Security

T: (b) (6) F: (b) (6)

(b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

August 29, 2011

(b) (6)

ConocoPhillips

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 31-September 2, 2011, to the (b) (4) on or about September 10-12, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97002, and this portion represents (b) (4) barrels.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

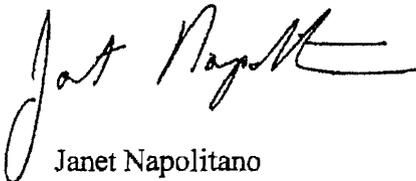
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before September 2, 2011.

Yours very truly,

A handwritten signature in black ink, appearing to read "Janet Napolitano". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Tuesday, September 06, 2011 4:08 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; CBP Jones Act Waiver - SPR; OIIL-SIT Jones Act Waiver - SPR
Subject: SPR Drawdown: Vitol Inc. Jones Act Waiver Request
Attachments: 11-2908.51 Vito(b) (4) Approval Signed 09.06.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

(b) (6)

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security

(b) (6) (O)

(b) (6) (C)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

September 6, 2011

(b) (6)

Vitol Inc.

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4), on or about August 23-25, 2011, to (b) (4), on or about September 5-7, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97025 and this portion represents (b) (4) barrels. Your request supersedes your previous request which was granted on August 18, 2011.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "petroleum availability is crucial to economic security and the national defense" and:

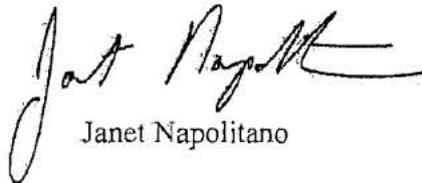
... to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on or before August 31, 2011.

Yours very truly,



Janet Napolitano

(b) (6)

From: (b) (6)
Sent: Friday, September 09, 2011 5:02 PM
To: (b) (6)
Cc: ESEC SPR Jones Act; OIIL-SIT Jones Act Waiver - SPR; CBP Jones Act Waiver - SPR
Subject: SPR Drawdown: Vitol Inc. Jones Act Waiver Request
Attachments: 11-2908.52 Vitol Inc (b) (4) Approval Signed 09.09.11.pdf

(b) (6)

Attached please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

(b) (6)

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

September 9, 2011

(b) (6)

Vitol Inc.

(b) (6)

Dear (b) (6)

Thank you for your letter and supporting documentation requesting a *Merchant Marine Act of 1920* (Jones Act) waiver. You requested this waiver to allow the transportation of crude oil from the Strategic Petroleum Reserve (SPR) at (b) (4) on August 29, 2011, to (b) (4), on or about September 9-10, 2011, aboard the non-coastwise qualified vessel (b) (4). You have purchased (b) (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97025 and this portion represents (b) (4) barrels. Your request supersedes your request which was granted on August 26, 2011.

The Jones Act, 46 United States Code (U.S.C.) § 55102, states "a vessel may not provide any part of the transportation of merchandise by water, or by land and water, between points in the United States to which the coastwise laws apply, either directly or via a foreign port" unless the vessel was built in and documented under the laws of the United States and is wholly owned by persons who are citizens of the United States. Such a vessel, after obtaining a coastwise endorsement from the U.S. Coast Guard, is "coastwise-qualified." The coastwise laws generally apply to points in the territorial sea, which is defined as the belt, three nautical miles wide, seaward of the territorial sea baseline, and to points located in internal waters, landward of the territorial sea baseline.

The navigation laws, including the coastwise laws, can only be waived under the authority provided by 46 U.S.C. § 501. That statute provides in relevant part that the Secretary of Homeland Security can grant a waiver of the Jones Act requirements only if (1) the Maritime Administration (MARAD) at the Department of Transportation determines there is no qualified U.S.-flagged vessel available and (2) the waiver is "necessary in the interest of national defense." 46 U.S.C. § 501 (b).

In accordance with the provisions of 46 U.S.C. § 501(b) and the Department's usual practice, U.S. Customs and Border Protection (CBP) sought advice regarding your request from MARAD, the Department of Energy and the Department of Defense. MARAD has made a non-availability determination regarding the subject request.

Both the Departments of Energy and Defense concur in the issuance of a waiver in the circumstances presented here. The Department of Energy stated "the terms of the Vitol [waiver request] are consistent with the goals of the SPR release," that "petroleum availability is crucial to economic security and the national defense" and:

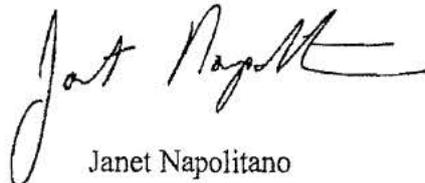
. . . to the extent qualified U.S.-flagged vessels are not available to transport the volume of petroleum the President has ordered to be released, the Department of Energy supports a decision by the Department of Homeland Security to waive the Jones Act for petroleum released from the SPR from now through August 31, 2011.

The Department of Defense stated:

The Department of Defense recognizes that the Department of Homeland Security under 46 U.S.C. § 501(b) may grant waivers based on national defense interests and the non-availability of qualified U.S. flag vessels. If the Maritime Administrator, while acting in his capacity as Director, National Shipping Authority, determines that qualified U.S. flag capacity is unavailable, the Department of Defense has no objection to the waiving of the Jones Act (46 U.S.C. § 55102) pursuant to 46 U.S.C. § 501(b) for petroleum released from the SPR from now through August 31, 2011 and concurs with the issuance of waivers in these circumstances.

We have carefully considered your request for a waiver of the Jones Act and the input of other Government entities. Based in part on the views of the Departments of Energy and Defense and on the other information we received, we find that such a waiver is in the interest of national defense. Accordingly, your request for a waiver of the Jones Act is granted. This waiver is in effect for SPR crude oil loaded on the subject vessel on August 29, 2011 at (b) (4) under contract DE-SC96-11PO97025 (awarded July 11, 2011) for transport from (b) (4), to (b) (4), on or about September 9-10, 2011.

Yours very truly,



Janet Napolitano