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

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

(b) (6)
(b) (6)
(b) (6)
July 8, 2011

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

Dear [Name],

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 [Name], on or about July 16-18, 2011, aboard the non-coastwise qualified vessel. In your letter, you state that you have purchased [Name] 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
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.

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b)(6)
Cell: (b)(6)
July 8, 2011

Plains Marketing, L.P.

Dear [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) on or about July 18-20, 2011 to [Redacted], on or about July 21-23, 2011 aboard the non-coastwise qualified vessel [Redacted]. In your letter, you state that you have purchased [Redacted] 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
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)
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) 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-SC96-11PO097001.

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
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.

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office of Homeland Security
Cell: (b)(6)
July 8, 2011

[b] (b) (6) [br] Supervior, Marine Services [br] Murphy Oil USA Inc. [br] (b) (6) [br] [b] (6) [br] [b] (6) [br]

Dear [b] (b) (6) [br]

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) [br] on or about August 3-5, 2011 to [b] (4) [br] on or about August 5-7, 2011 aboard the non-coastwise qualified vessel [b] (4) [br]. In your letter, you state that you have purchased [b] (4) [br] 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

Respectfully,

[Redacted Information]

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: [Redacted Information]
Cell: [Redacted Information]
July 12, 2011

Plains Marketing, L.P.

Dear [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 [Redacted] on or about July 29-31, 2011 to [Redacted] on or about August 2-4, 2011, aboard the non-coastwise qualified vessel [Redacted]. In your letter, you state that you have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC06-11PO97009.

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.

www.dhs.gov
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
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,
July 14, 2011

Crude Supply and Trading
British Petroleum Products, NA

Dear [Name]

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] on or about July 20-22, 2011, to [b] on or about July 22-24, 2011, aboard the non-coastwise qualified vessel [b]. In your letter, you state that you have purchased [b] 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,

[Signature]
Janet Napolitano
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,

[Redacted]

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: [Redacted]
Cell: [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] [b][4] [b][4] [b][4] [b][4] on or about July 16-18, 2011, to [b][4] [b][4] [b][4] [b][4] [b][4] on or about July 23-25, 2011, aboard the non-coastwise qualified vessel [b][4] [b][4] [b][4] [b][4] [b][4]. In your letter, you state that you have purchased [b][4] [b][4] [b][4] [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,

[Signature]

Janet Napolitano
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,

[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 or about July 19-21, 2011, to the non-coastwise qualified vessel on or about July 29 - August 2, 2011, aboard the non-coastwise qualified vessel. In your letter, you state that you have purchased barrels of crude oil from the SPR pursuant to contract number DES-C96-11PO097013.

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
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.

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office:  
Cell:  
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 [redacted], on or about July 23-25, 2011 to [redacted], on or about July 25-27, 2011, aboard the non-coastwise qualified vessel [redacted]. In your letter, you state that you have purchased [redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97005. This request covers the transportation of [redacted] 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
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

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)]
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 19-21, 2011, to on or about July 22-July 24, 2011, aboard the non-coastwise qualified vessel. You have purchased [redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97005, and this portion represents [redacted] 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
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,

[Redacted]
Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: [Redacted]
Cell: [Redacted]
Chartering and Freight Trading Manager  
Valero Marketing and Supply Company

Dear [Name]

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 25-27, 2011, on or about July 30-August 2, 2011, aboard the non-coastwise qualified vessel. In your letter, you state that you have purchased [redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97020, and this portion represents [redacted] 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.

www.dhs.gov
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
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)
July 20, 2011

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 29-31, 2011, to , on or about August 1-3, 2011, aboard the non-coastwise qualified vessel . You have purchased barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97009, and this portion represents 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
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,

[Redacted]

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security

Office: [Redacted]
Cell: [Redacted]
July 21, 2011

Dear [Name],

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) to [Location], on or about July 28-30, 2011, to [Location] on or about July 29-August 2, 2011, aboard the non-coastwise qualified vessel [Name]. You have purchased [Number] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PD97013. 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.

Sincerely,

[Name]
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
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,

[Redacted]

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security
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 , on or about July 26-28, 2011, to , on or about July 31, 2011, aboard the non-coastwise qualified vessel . You have purchased barrels of crude oil from the SPR pursuant to contract number , and this portion represents 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
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.

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b)(6)
Cell: (b)(6)
July 22, 2011

Dear [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 following transportation of crude oil. The crude oil would be transported from the Strategic Petroleum Reserve (SPR) at [Redacted], on or about August 3-5, 2011, to [Redacted], on or about August 7-9, 2011, aboard the non-coastwise qualified vessel [Redacted]. Subsequently, the same crude oil would be transported from [Redacted], Panama on or about August 19-20, 2011, to [Redacted], on or about August 29-30, 2011, on the non-coastwise qualified [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number [Redacted] and the transportation described above is for [Redacted] 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
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,

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U.S. Department of Homeland Security
July 25, 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 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
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.

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)
July 22, 2011

Tesoro Maritime Corporation

Dear [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 following transportation of crude oil. The crude oil would be transported from the Strategic Petroleum Reserve (SPR) on or about August 6-8, 2011, to [Redacted] on or about August 12-14, 2011, aboard the non-coastwise qualified vessel [Redacted]. Subsequently, the same crude oil would be transported from [Redacted] on or about September 15-16, 2011, to [Redacted] on or about September 30-October 1, 2011, on the non-coastwise qualified [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97017 and the transportation described above is for [Redacted] 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
Attached please find a letter from the Department of Homeland Security approving ConocoPhillips Company's request for a Jones Act Waiver. Please confirm receipt.
July 22, 2011

Dear [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 following transportation of crude oil. The crude oil would be transported from the Strategic Petroleum Reserve (SPR) at [Redacted], on or about August 1-3, 2011, to the [Redacted] on or about August 3-5, 2011, aboard the non-coastwise qualified vessel [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97001 and the transportation described above is for [Redacted] 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
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,

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U.S. Department of Homeland Security
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 on or about July 29-31, 2011, to on or about August 1-3, 2011, aboard the non-coastwise qualified vessel . In your letter, you state that you have purchased barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97009, and this portion represents 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,

[Signature]

Janet Napolitano
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.

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)
July 26, 2011

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

Dear [Name]

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 [location], on or about August 2-4, 2011, to the [location] on or about August 5-7, 2011, aboard the non-coastwise qualified vessel [vessel name]. You have purchased [number] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97014, and this portion represents [number] 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.

Sincerely,

[Name]
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
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,

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security

[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 on or about August 5-7, 2011 to on or about August 7-9, 2011 aboard the non-coastwise qualified vessel. You have purchased barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97014, and this portion represents 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
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.

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: [redacted]
Cell: [redacted]
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 [redacted], on or about August 7-9, 2011, to [redacted], on or about August 10-12, 2011, aboard the non-coastwise qualified vessel [redacted]. You have purchased [redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97006, and this portion represents [redacted] 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
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.

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

9/21/2011
August 5, 2011

Valero Marketing and Supply Company

Dear

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 August 8-10, 2011, to on or about August 29-31, 2011, aboard the non-coastwise qualified vessel. You have purchased barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97022, and this portion represents 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,

\[Signature\]

Janet Napolitano
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)
August 5, 2011

Plains Marketing L.P.

Dear Plains Marketing L.P.,

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 [redacted], on or about August 8-10, 2011, to [redacted], on or about August 10-12, 2011, aboard the non-coastwise qualified vessel [redacted]. You have purchased [redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97009, and this portion represents [redacted] 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
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.

Senior Liaison Officer, Team 1
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)
August 5, 2011

Buddle Petroleum Company

Dear [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 [Redacted], on or about August 10-12, 2011, to [Redacted], on or about August 13-15, 2011, aboard the non-coastwise qualified vessel [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97007, and this portion represents [Redacted] 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
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,

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security
August 8, 2011

Tesoro Maritime Corporation

Dear [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 following transportation of crude oil. The crude oil was loaded from the Strategic Petroleum Reserve (SPR) at [Redacted], on August 6, 2011, destined to [Redacted], on or about August 7-9, 2011, aboard the non-coastwise qualified vessel [Redacted]. Subsequently, the same crude oil would be transported from [Redacted], on or about August 14-15, 2011, to [Redacted], on or about August 26-27, 2011, on the non-coastwise qualified [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97017 and the transportation described above is for [Redacted] 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
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,

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U.S. Department of Homeland Security
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), on or about August 9-11, 2011, to the on or about August 13-15, 2011, aboard the non-coastwise qualified vessel ExxonMobil Corporation has purchased barrels of crude oil from the SPR pursuant to contract number DE-SC96-11P097003, 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
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.
August 5, 2011

Dear [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 [Redacted], on or about August 10-12, 2011, to [Redacted], on or about August 14-16, 2011, aboard the non-coastwise qualified vessel [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97022, and this portion represents [Redacted] 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
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.
August 5, 2011

Valero Marketing and Supply Company

Dear [Name] (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 [Redacted] on or about August 10-12, 2011, to [Redacted], on or about August 14-16, 2011, aboard the non-coastwise qualified vessel [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97022, and this portion represents [Redacted] 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
Attached please find a letter from the Department of Homeland Security approving Sunoco Inc.'s request for a Jones Act Waiver. Please confirm receipt.

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b)(6)
August 5, 2011

Manager Marine Chartering
Sunoco Inc.

Dear [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 [Redacted], on or about August 19-21, 2011, to [Redacted], on or about August 26-28, 2011, aboard the non-coastwise qualified vessel [Redacted]. In your letter, you state you have purchased [Redacted] 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
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.

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b)(6)
Cell: (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 August 11-13, 2011, to , on or about August 16-18, 2011, aboard the non-coastwise qualified vessel. You have purchased barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97021, and this portion represents 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,

[Signature]

Janet Napolitano
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.

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)
August 5, 2011

Hess Energy Trading Company, LLC

Dear [name]

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 [date], on or about August 9-11, 2011, to [date], on or about August 12-13, 2011, aboard the non-coastwise qualified vessel [name]. You have purchased [quantity] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97004, and this portion represents [quantity] 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,

[Signature]

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

Thank you.

Respectfully,

[Redacted]

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U.S. Department of Homeland Security
August 8, 2011

[b] (6) [b] (6)

JP Morgan Ventures Energy Corp.

[b] (6) [b] (6)

Dear [b] (6) [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) [b] (4), on or about August 12-14, 2011, to [b] (4) [b] (4), on or about August 14-16, 2011, aboard the non-coastwise qualified vessel [b] (4) [b] (4). You have purchased [b] (4) [b] (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11P097005, and this portion represents [b] (4) [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,

[Signature]

Janet Napolitano
From: [Redacted]
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 [Redacted] Approval Signed 08.08.11.pdf
FYI

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

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,

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of 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-SC96-11P007005, 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,

[Signature]

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

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b)(6)
Cell: (b)(6)
Dear [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 [Redacted], on or about August 14-16, 2011, to [Redacted], on or about August 29-31, 2011, aboard the non-coastwise qualified vessel [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97002, and this portion represents [Redacted] 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
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

[Redacted]"
August 10, 2011

Hess Energy Trading Company, LLC

Dear [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 [Redacted] on or about August 11-13, 2011, to [Redacted] on or about August 17-19, 2011, aboard the non-coastwise qualified vessel [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11P097004, and this portion represents [Redacted] 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.

www.dhs.gov
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
From: 
Sent: Thursday, August 11, 2011 6:13 PM 
To: 
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 Approval Signed 08.11.11.pdf 

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.

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: 
Cell: 
August 11, 2011

Marathon Petroleum Company

Dear

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) [b] (4) [b] (4) [b] (4), on or about August 17-19, 2011, to [b] (4) [b] (4) [b] (4) [b] (4), on or about August 20-22, 2011, aboard the non-coastwise qualified vessel [b] (4) [b] (4) [b] (4) [b] (4). You have purchased [b] (4) [b] (4) [b] (4) [b] (4) barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97007, and this portion represents [b] (4) [b] (4) [b] (4) [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
Attached please find a letter from the Department of Homeland Security approving Sunoco Inc.'s request for a Jones Act Waiver. Please confirm receipt.

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

Office: (b) (6)
Cell: (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 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
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,

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)
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-SC06-11PO97012, 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.

www.dhs.gov
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
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,

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security
August 15, 2011

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

Dear [Name],

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 [dates] aboard the non-coastwise qualified vessel [name of vessel]. You have purchased [quantity] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97012, and this portion represents [quantity] 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,

[Signature]
Janet Napolitano
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)
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 on or about August 19-21, 2011, to , on or about August 25-27, 2011, aboard the non-coastwise qualified vessel . You have purchased barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97010, and this portion represents 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
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)
August 18, 2011

Dear [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 [Redacted], on or about August 23-25, 2011, to [Redacted], on or about August 31-September 2, 2011, aboard the non-coastwise qualified vessel [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97025 and this portion represents [Redacted] 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
Attaching please find a letter from the Department of Homeland Security approving Vitol Inc.'s request for a Jones Act Waiver. Please confirm receipt.

Respectfully,

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U.S. Department of 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-SC96-11F097025 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
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,

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security
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) on or about August 6, 2011, destined to a location offshore on or about August 21-23, 2011; and, barrels of the crude oil would be lightered aboard the non-coastwise qualified vessel on or about August 24-25, 2011. Upon completion of lightering operations, the non-coastwise qualified vessels would transit the offshore area. The crude oil from both vessels would be lightered offshore on or about August 26-August 30, 2011. Subsequently, the same crude oil would then be transported from offshore, arriving on or about September 11-13, 2011. You have purchased barrels of crude oil from the SPR pursuant to contract number DE-SC96-11P097017 and the transportation described above is for 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...
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
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,

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security
August 22, 2011

Dear [Name]

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 [Date], on or about August 23-25, 2011, to [Date] on or about September 10-12, 2011, aboard the non-coastwise qualified vessel [Name]. You have purchased [Number] barrels of crude oil from the SPR pursuant to contract number DE-SC96-1 IPO97025 and this portion represents [Number] 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.

[End of Letter]
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
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
August 22, 2011

Dear Trafignura AG:

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 [redacted], on or about August 25-27, 2011, to a point other than the point of lading at [redacted], on or about August 30-September 1, 2011, aboard the non-coastwise qualified vessel [redacted]. In your letter, you state you have purchased [redacted] 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:

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

Senior Liaison Officer, Team 1
Office of the Executive Secretary
Department of Homeland Security
Office: (b) (6)
Cell: (b) (6)
August 18, 2011

Dear [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 [Redacted], on or about August 21-23, 2011, to [Redacted], on or about September 20-22, 2011, aboard the non-coastwise qualified vessel [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97025 and this portion represents [Redacted] 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
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,

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U. S. Department of Homeland Security
August 19, 2011

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 [redacted], on or about August 25-27, 2011, to [redacted], on or about August 30-31, 2011, aboard the non-coastwise qualified vessel [redacted]. You have purchased [redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO097021, and this portion represents [redacted] 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. § 55101) 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 or before August 31, 2011.

Yours very truly,

Janet Napolitano
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,

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security
Office: (b)(6)
Cell: (b)(6)
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) [redacted], on or about August 27-29, 2011, to (b) (4) [redacted], on or about September 5-7, 2011, aboard the non-coastwise qualified vessel (b) (4) [redacted]. You have purchased (b) (4) [redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97025 and this portion represents (b) (4) [redacted] 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.

www.dhs.gov
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
Per 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,

[Redacted]

Correspondence Analyst
Office of the Secretary
Office of the Executive Secretary
Department of Homeland Security

Office: [Redacted]
Cell: [Redacted]

---Original Message-----
From: [Redacted]
Sent: Friday, August 26, 2011 10:22 AM
To: [Redacted]
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 [Redacted] and note his contact details below:

[Redacted]
Office = [Redacted]
email = [Redacted]

Thanks again,

Brgs,

[Redacted]
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.
August 26, 2011

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](6) barrels of crude oil from the SPR pursuant to contract number DE-SC96-111PO97025 and this portion represents [b](6) 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
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,

[Redacted]
Executive Secretariat
Office of the Secretary
U.S. Department of Homeland Security
August 26, 2011

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

Respectfully,

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

Respectfully,
August 26, 2011

Vitol Inc.

Dear [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 [redacted], on or about August 29-31, 2011, to [redacted], on or about September 1-2, 2011, aboard the non-coastwise qualified vessel [redacted]. You have purchased [redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11P097026 and this portion represents [redacted] 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
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, [snip] was the only one provided to me.

Respectfully,

[snip] Correspondence Analyst Office of the Secretary Office of the Executive Secretary Department of Homeland Security Office: [snip] Cell: [snip]

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,

[snip] Correspondence Analyst Office of the Secretary Office of the Executive Secretary Department of Homeland Security Office: [snip] Cell: [snip]
August 29, 2011

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 [redacted], to be transported [redacted] on or about September 5-7, 2011, aboard the non-coastwise qualified vessel [redacted]. You have purchased [redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97026 and this portion represents [redacted] 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, by or 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,

[Signature]

Janet Napolitano
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,

Executive Secretariat
Office of the Secretary
U.S. Department of Homeland Security
August 29, 2011

Dear [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 [Redacted] on or about August 31-September 2, 2011, to the [Redacted] on or about September 10-12, 2011, aboard the non-coastwise qualified vessel [Redacted]. You have purchased [Redacted] barrels of crude oil from the SPR pursuant to contract number DE-SC96-11P097002, and this portion represents [Redacted] 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,

Janet Napolitano
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,

Correspondence Analyst, Team 1
Office of the Executive Secretariat
U.S. Department of Homeland Security
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 on or about August 23-25, 2011, to on or about September 5-7, 2011, aboard the non-coastwise qualified vessel. You have purchased barrels of crude oil from the SPR pursuant to contract number DE-SC96-11PO97025 and this portion represents 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
Attached please find a letter from the Department of Homeland Security approving Vitoll Inc.'s request for a Jones Act Waiver. Please confirm receipt.

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

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