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To Whom It May Concern:

On March 17, 2026, the President of the United States issued an unprecedented and unjustified waiver of the Jones Act. While the waiver was purportedly justified on national security grounds following the President's unconstitutional war in Iran, it has become clear that the intent of the waiver is to try to lower gas prices. The Administration's decision to waive the Jones Act appears increasingly disconnected from market realities. To date, there is little evidence that the waiver has meaningfully reduced gas prices for Americans at the pump. In fact, months after the issuance of the Jones Act waiver, fuel prices continue to rise—reflecting the volatility of global oil markets stemming from the conflict with Iran and disruptions to international energy supplies. This demonstrates that the Jones Act was not a significant contributor to higher fuel prices facing American consumers.

On April 23, 2026, Congress received notification of an unprecedented extension of the waiver for an additional 90 days. The waiver has done nothing to support national security, but instead, has invited foreign interests to exploit our national and economic security.

This Administration has repeatedly tested the limits of its authority. It has regularly ignored the Constitution, Congress, the laws meant to serve the American people. In 2021, Congress revised the waiver statute being currently used to provide explicit limitations on their use to address “an immediate adverse impact on military operations.”

The Maritime Administration (MARAD) maintains records of voyages conducted pursuant to the waiver, including information submitted by participating operators. In reviewing these records, it appears that several operators provided either vague justifications or, in some cases, identified the national security rationale as 'not applicable.' This is not how Congress intended the waiver to be used.

While this Administration may play fast and loose with the law, your requirements under the law are clear. Even when operating under a Jones Act waiver, every vessel that operates in the domestic trades must comply with all other federal and state statutes. As Ranking Member of the Coast Guard and Maritime Transportation subcommittee, I have always been an outspoken supporter of the Jones Act, and this waiver has shown that now is the time to engage in rigorous oversight to protect the American maritime industry.

The Jones Act waiver does not exempt foreign operators from federal tax obligations. Foreign-flag vessels engaged in domestic commerce remain subject to applicable provisions of the Internal

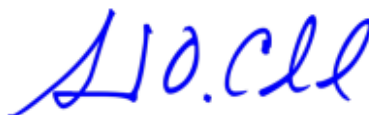
Revenue Code, including those governing transportation income and compensation earned by crewmembers working in domestic trade. Foreign employers are also required to pay federal insurance and unemployment taxes.

Further, the current Jones Act waiver does nothing to relieve you of your requirements under America's immigration laws. Currently, most foreign crew are permitted temporary entry into the United States via visa, most often utilizing a crewmember visa (D or D-3). These visas carry specific limitations regarding employment and domestic trade activities. Accordingly, Congress has an interest in understanding how operators utilizing the waiver are ensuring compliance with all applicable immigration laws and regulations. Immigration regulations provide that "[a]n alien [in D] status ... may not be employed in connection with domestic ... movements of a vessel..." 8 C.F.R. 214(2)(d).

Although the waiver applies to certain navigation and vessel-inspection requirements, vessels operating in U.S. waters remain subject to a broad range of federal and state oversight authorities, including port-state control inspections, environmental compliance requirements, and pollution prevention laws. This includes all port-state control matters, not simply limited to immigration. All vessels are subject to 33 U.S. Code Chapter 33 and the Federal Water Pollution Control Act, among other various environmental laws that may be applicable within state waters. At a minimum, all vessels must follow federal discharge standards and trash and sewage reclamation requirements.

While this letter is not exhaustive, it outlines the baseline legal and regulatory requirements applicable to foreign flag operators who have chosen to take advantage of the waiver and displace American companies and American workers. I intend to work with relevant federal and state agencies to ensure that all operators utilizing the waiver have complied with applicable U.S. laws and regulations. Accordingly, I request that you provide detailed information regarding your compliance with all applicable federal and state laws for any vessel that has operated, is operating, or intends to operate in domestic commerce pursuant to the current Jones Act waiver. This information will assist Congress in evaluating both compliance with existing law and the broader impacts of the waiver on U.S. maritime interests.

Sincerely,



Salud Carbajal  
Member of Congress