



## RAILROAD COMMISSION OF TEXAS

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**WAYNE CHRISTIAN**  
COMMISSIONER

**April 17, 2017**

The Honorable John Kelly  
Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

RE: Proposed Modification and Revocation of Ruling Letters Relating to Customs Application of the Jones Act to the Transportation of Certain Merchandise and Equipment Between Coastwise Points

Dear Secretary Kelly,

As a Commissioner of the Railroad Commission of Texas and an appointed representative of the Interstate Oil and Gas Compact Commission, I am concerned by the planned adjustment in the U.S. Customs and Border Protection's (CBP) interpretation and application of the Jones Act. As I understand it, the CBP's adjusted interpretation and application of the Jones Act occurred hurriedly during the final days of the Obama Administration, is being finalized without a notice-and-comment rulemaking, and will likely cause an interruption of oil and gas activities and investment in the Gulf of Mexico.

To engage in such a significant policy change outside of the normal rulemaking process during the final days of a presidential administration deprives interested parties of their voice. This is why I am respectfully asking for the CBP to halt its current plans to adjust its interpretation and application of the Jones Act and replace them with a rulemaking process so that all interested parties have a voice to ensure that all potential impacts of this policy change can be thoughtfully examined and fully understood.

CBP's adjusted interpretation and application will, in my opinion, revoke established precedent to safely and efficiently develop oil and gas resources in the Gulf of Mexico that the Texas oil and gas industry has relied on for more than 40 years and does so without seemingly considering the immediate and potentially harmful impacts it may have on existing and future offshore oil and gas development projects. If CBP's actions are finalized, it will cost Texas jobs, businesses, investments, and reduce our domestic energy supply. As regulator of the oil and gas industry in the state of Texas and a member of the Interstate Oil and Gas Compact Commission, I strongly urge you to halt the CBP's plan to alter its interpretation and application of the Jones Act and replace the CBP's action with a notice-and-comment rulemaking that allows all interested parties an opportunity to share their perspectives to ensure the best public policy outcome is achieved.

Best,

A handwritten signature in black ink, appearing to read "Wayne Christian", with a stylized flourish at the end.

Wayne Christian  
Commissioner  
Railroad Commission of Texas

CC:

U.S. Department of Energy Secretary Rick Perry  
Governor Greg Abbott (R – Texas)  
Senator John Cornyn (R - Texas)  
Senator Ted Cruz (R - Texas)  
Congressman Louis Gohmert (R - Tyler)  
Congressman Ted Poe (R - Humble)  
Congressman Sam Johnson (R - Plano)  
Congressman John Ratcliffe (R - Heath)  
Congressman Jeb Hensarling (R - Dallas)  
Congressman Joe Barton (R - Arlington)  
Congressman John Culberson  
Congressman Kevin Brady (R - The Woodlands)  
Congressman Al Green (D - Houston)  
Congressman Michael McCaul (R - Austin)  
Congressman Mike Conaway (R - Midland)  
Congressman Mac Thornberry (R - Amarillo)  
Congressman Randy Weber (R - Galveston)  
Congressman Vicente González (D - McAllen)  
Congressman Beto O'Rourke (D - El Paso)  
Congressman Bill Flores (R - Bryan)  
Congressman Sheila Jackson (D - Houston)  
Congressman Jodey Arrington (R - Lubbock)  
Congressman Joaquin Castro (D - San Antonio)  
Congressman Lamar Smith (R - San Antonio)  
Congressman Pete Olson (R - Sugar Land)  
Congressman Will Hurd (R - Helotes)  
Congressman Kenny Marchant (R - Dallas/Fort Worth)  
Congressman Roger Williams (R - Austin)  
Congressman Michael Burgess (R - Denton)  
Congressman Blake Farenthold (R - Corpus Christi)  
Congressman Henry Cuellar (D - Laredo)  
Congressman Gene Green (D - Houston)  
Congressman John Carter (R - Round Rock)  
Congressman Pete Sessions (R - Dallas)  
Congressman Kay Granger (R – Ft. Worth)  
Congressman Marc Veasey (D - Fort Worth)  
Congressman Filemon Vela Jr. (D - Brownsville)  
Congressman Lloyd Doggett (D - Austin)  
Congressman Brian Babin (R - Woodville)