Dear Administrator Phillips:

On behalf of the undersigned United States-flag shipping companies, American maritime labor organizations and related maritime associations belonging to the USA Maritime Coalition, I am writing to convey our appreciation for your efforts in support of our nation’s cargo preference laws. As you stated in your testimony before the House Committee on Transportation and Infrastructure in September 2022: “Cargoes paid for by American taxpayers belong on American Ships. Cargo preference requirements are not just ‘Buy America’ requirements, they are requirements that also help to strengthen America.”

The full application and enforcement of the U.S.-flag cargo preference shipping requirements are critically important to our industry’s ability to provide the commercial sealift readiness capability relied upon by the Department of Defense. The repeated failure by Federal agencies and departments to comply with these requirements exacerbate the already serious maritime manpower shortage and further impede our nation’s ability to reliably and consistently support American troops deployed overseas. As President Biden has stated: “I understand that merchant ships do not sail, and U.S. merchant mariners do not work, unless they have cargo to carry. I strongly support America’s cargo preference laws.”

We are therefore extremely pleased the National Defense Authorization legislation signed by President Biden on December 23, 2022, directs the Maritime Administration to issue, within 270 days, a final rule covering the implementation and enforcement of the cargo preference requirements. This provision makes clear that the Maritime Administration has the authority and responsibility to ensure full compliance with the Ship American cargo preference programs.

The members of USA Maritime encourage the Maritime Administration to move expeditiously and to issue an interim final rule prior to the 270-day deadline and without prior notice and comment. Failure by the government to fully enforce the cargo preference laws of the United States only benefits foreign flag shipping companies, to the detriment of U.S.-flag vessel operators, American merchant mariners, our nation’s economic and supply chain security, and the national sealift readiness capabilities that are required by the Department of Defense to deploy and sustain our warfighters.
We welcome your commitment to address this issue and to resolve this problem. We stand ready to provide whatever assistance and support you may require.

Sincerely,

R. Christian Johnsen, Chair
USA Maritime

American Maritime Congress
American Maritime Officers
American Maritime Officers Service
American Roll-on Roll-off Carrier
American President Lines
Hapag-Lloyd USA, LLC
International Organization of Masters, Mates & Pilots
Keystone Shipping Company
Liberty Maritime
Maersk Line, Limited
Marine Engineers’ Beneficial Association
Maritime Institute for Research and Industrial Development
Patriot Contract Services
Sailors’ Union of the Pacific
Schuyler Line Navigation Company
Seafarers International Union
Transportation Institute
US Ocean, LLC
Waterman Logistics