

Customs Affirms “Voyage-to-Nowhere” Jones Act Exception



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In a ruling issued on July 22, Customs and Border Protection affirmed the application of the “voyage-to-nowhere” exception to the Jones Act in connection with whale watching voyages. The Jones Act and related laws limit the transportation of merchandise and passengers between two points in the United States to U.S.-built, U.S. citizen owned and operated U.S.-flag vessels. A “voyage-to-nowhere” occurs for passengers where the vessel sails from one point in the United States, proceeds beyond the limits of U.S. territorial waters and returns to the same point in the United States (without the passengers having embarked, even temporarily, at another U.S. point). The ruling request affirmed that a foreign-built vessel could be used for whale watching voyages so long as the vessel left U.S. territorial waters and returned to the same point.

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