



GOVERNOR OF PUERTO RICO
Pedro R. Pierluisi

September 27, 2022

The Honorable Joseph R. Biden, Jr.
President of the United States of America
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. President:

The Government of Puerto Rico continues to respond to the emergency caused by Hurricane Fiona. Pursuant to the Presidential Emergency and Major Disaster Declarations, in collaboration with the Department of Homeland Security, Federal Emergency Management Agency ("FEMA") and other federal agencies, we have deployed a significant number of state and federal resources and supplies to municipalities and government agencies that are actively responding to the emergency. We are also coordinating disaster relief efforts with the private sector and non-governmental organizations.

However, due to the damages caused by Hurricane Fiona to our electrical grid, and as part of the response efforts, the demand for fuel, particularly diesel, has significantly increased on the Island. The Government of Puerto Rico has begun purchasing and distributing diesel to critical facilities, including public hospitals, water pumping stations, wastewater treatment plants, and emergency management centers, among others. At the same time, private citizens, business, and industries are consuming a significant amount of diesel to generate power, as the public electric grid continues to be repaired.

For those reasons, fuel distributors have informed us that diesel supplies continue to decrease at a higher rate than previously anticipated and shortages have been reported around the Island. Multiple suppliers have efforts in place to increase fuel shipments to Puerto Rico to meet the increasing demand, but those will take time. Those entities have notified us that a temporary waiver to the Jones Act provisions that require shipping between domestic ports to be conducted by U.S.-built, owned, crewed, and flagged vessels, would allow them to rapidly increase diesel supplies on the Island.

A shortage of diesel and other fuel products will have an impact on our ability to provide essential services to citizens in Puerto Rico, thus affecting public health, security and continuity of government functions. Given the ongoing emergency, I respectfully request that the Department of Homeland Security temporarily waive the compliance requirements with the relevant provisions of the Jones Act. I must add that Secretary Mayorkas and his team have been proactive in offering assistance and coordinating efforts with my administration during this ongoing emergency, for which I am very grateful.

To be clear, this request is limited to shipping petroleum-derived products and LNG to the following ports in Puerto Rico: (1) Peerless Oil & Chemicals, Inc. dock in Guayanilla (2) Ecoeléctrica LNG Terminal in Guayanilla; (3) CORCO dock in Peñuelas; (4) Port of Tallaboa in Guayanilla; (5) Demaco Terminal in Guayanilla; (6) Buckeye Caribbean Terminals, Inc.'s pier in Yabucoa; (7) Port of Aguirre in Salinas; (8) Port of Las Mareas, in Salinas; (9) Port of San Juan (including COD, Dock B and Dock C) and (10) any other port that can complement the listed ones. This specifically targeted and temporary relief would allow Puerto Rico to diversify its fuel sources, ease supply constraints, and mitigate the risk of a fuel shortage in the middle of the response to the emergency caused by Hurricane Fiona.

I thank you in advance for your attention to this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Rivera', is positioned below the text 'Sincerely,'.

Cc: Honorable Alejandro Mayorkas, Secretary of Department of Homeland Security