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With Puerto Rico Running Low on Diesel, Biden Waives Jones Act, Allowing BP Vessel to Deliver 300,000 Gallons of the Much-Needed Fuel

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Puerto Ricans on Sept. 20, 2022 lined a gas station to purchase fuel following the passage of Cat. 1 Hurricane Fiona.

In a move aimed at bolstering Puerto Rico's dwindling diesel supply which has caused gas stations and grocery stores among other business to close early, the U.S. Department of Homeland Security on Wednesday approved a temporary and targeted Jones Act waiver allowing 300,000 gallons of much-needed diesel fuel to be discharged to Puerto Rico.

Along with waiving the federal law, the Biden administration urged all petroleum refiners to help ensure that Puerto Rico has adequate fuel supplies, and to use Jones Act-compliant vessels

whenever possible.

The administration's action follows calls by leaders in Puerto Rico, including Governor Pedro Pierluisi, for the president to temporarily suspend the Merchant Marine Act of 1920 which mandates that all goods brought into Puerto Rico via vessel be on ships built in the United States and with a crew of U.S. citizens. The ship must also be carrying a U.S. flag, according to the law, better known as the Jones Act.

Mr. Pierluisi had warned that the island commonwealth of 3.2 million was running dangerously low on diesel fuel following the passage of Category 1 Hurricane Fiona. Along with disruptions at grocery stores and other local businesses, the diesel shortage also left apartment complexes in the dark.

Meanwhile, a British Petroleum ship with 300,000 gallons of diesel fuel had been awaiting entry on Puerto Rico's southern coast since Sunday.

According to the Associated Press, as of Wednesday 311,000 of 1.47 million electric customers were still without power nearly two weeks after Fiona, and several hospitals were still operating on generator power.

Luma, a private firm that took over Puerto Rico's transmission and distribution operation in 2021, said last week that floodwaters from Fiona left several power substations underwater and inaccessible. The company also believes that its current manpower is adequate, with Luma engineer Daniel Hernández stating, "We have all the resources we believe we need."

On Wednesday, the company said it would take another week to restore 90 percent of customers in Puerto Rico's western and southern regions.

"Hurricane Fiona severely impacted critical parts of the electric grid and generation facilities across Puerto Rico, especially in the Ponce and Mayagüez regions that suffered severe damage to roads and critical infrastructure," Luma said in a statement Wednesday evening.

The Biden administration has activated several emergency services in response to Fiona's destruction on Puerto Rico. See the fact sheet [here](#).