

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 562 Session of 2017

INTRODUCED BY VAZQUEZ, CRUZ, YOUNGBLOOD, O'BRIEN, DONATUCCI, PASHINSKI, READSHAW, CALTAGIRONE, BIZZARRO, DRISCOLL, J. HARRIS, D. COSTA, RYAN, SCHWEYER, BULLOCK, ROZZI, HILL-EVANS, KINSEY, DAVIDSON, CONKLIN AND W. KELLER, OCTOBER 12, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 12, 2017

A RESOLUTION

1 Urging the President of the United States and the Acting  
2 Secretary of Homeland Security (DHS) to extend the existing  
3 waiver period of the Merchant Marine Act of 1920, also  
4 referred to as the Jones Act, from 10 days to 365 days.

5 WHEREAS, On Wednesday, September 20, 2017, Hurricane Maria, a  
6 strong Category 4 storm, made landfall in the United States  
7 territory of Puerto Rico and has since been described as the  
8 worst hurricane in the modern history of Puerto Rico; and

9 WHEREAS, With winds exceeding 150 miles per hour, Hurricane  
10 Maria ravaged Puerto Rico and dumped torrential rains on the  
11 island of 3.4 million United States citizens, which has resulted  
12 in the widespread devastation of land, property and electricity  
13 infrastructure and has left most residents without power and  
14 potable drinking water; and

15 WHEREAS, While it is still unclear exactly how many lives  
16 have been lost, it is estimated that Hurricane Maria has caused  
17 between \$40 billion and \$85 billion in insured losses, according

1 to catastrophe-modeling firm AIR Worldwide; and

2 WHEREAS, As humanitarian aid continues to pour in, both  
3 domestically and internationally, to the hurricane-ravaged  
4 island, one of the issues cited as an impediment to the  
5 efficient delivery and dispensation of vitally important  
6 resources is the current statutory restrictions of the Merchant  
7 Marine Act of 1920 (41 Stat. 988, 46 U.S.C. § 861 et seq.), also  
8 referred to as the Jones Act; and

9 WHEREAS, The Jones Act states that a vessel may not provide  
10 any part of the transportation of merchandise by water, or by  
11 land and water, between points in the United States to which the  
12 coastwise laws apply, either directly or via a foreign port,  
13 unless the vessel was built in and documented under the laws of  
14 the United States and is wholly owned by persons who are  
15 citizens of the United States; and

16 WHEREAS, Although the original purpose of the Jones Act was  
17 well-intentioned and predicated on the notion of regulating  
18 maritime commerce in United States waters and ensuring national  
19 security, one of its unintended consequences is that it has  
20 impeded the amount of humanitarian aid that can be both readily  
21 and efficiently delivered by foreign vessels to the island of  
22 Puerto Rico; and

23 WHEREAS, A similar dynamic presented itself following the  
24 devastation of hurricanes Harvey and Irma along the United  
25 States Gulf Coast, which prompted Acting Secretary of Homeland  
26 Security Elaine Duke to initially approve a waiver of the Jones  
27 Act on September 8, 2017, and then subsequently extend the  
28 initial waiver through September 22, 2017; and

29 WHEREAS, On September 28, 2017, following the aftermath of  
30 Hurricane Maria and its catastrophic impact upon the territory

1 of Puerto Rico, Acting Secretary Duke granted a 10-day waiver of  
2 the Jones Act for the purpose of facilitating the movement of  
3 all products to be shipped from United States coastwise points  
4 to Puerto Rico; and

5 WHEREAS, While the authorization of a 10-day waiver of the  
6 Jones Act is certainly appreciated by the residents of Puerto  
7 Rico, the degree of devastation experienced by the territory has  
8 given rise to an urgent set of circumstances that necessitates a  
9 greater extension of time for the waiver; and

10 WHEREAS, All concerned and involved parties agree that given  
11 the magnitude and severity of Hurricane Maria's impact upon the  
12 territory, Puerto Rico's road to recovery will be a very costly  
13 and protracted one which will require a great deal of aid and  
14 assistance from the Federal Government; and

15 WHEREAS, A favorable by-product of extending the waiver of  
16 the Jones Act from 10 days to 365 days is that it will enable  
17 many of our foreign and international allies to more effectively  
18 marshal and deliver critically important aid and resources to  
19 our fellow Americans in Puerto Rico, while simultaneously  
20 enabling our nation to make better use of its own scarcely  
21 available domestic resources; therefore be it

22 RESOLVED, That the House of Representatives of the  
23 Commonwealth of Pennsylvania urge the President of United States  
24 and the Acting Secretary of Homeland Security to extend the  
25 existing waiver period of the Jones Act to 365 days from the  
26 date of the initial waiver granted to Puerto Rico on September  
27 28, 2017; and be it further

28 RESOLVED, That the members of the Congress of the United  
29 States accord serious and careful consideration to the prospect  
30 of either repealing or partially repealing parts of the Jones

1 Act for the purpose of modernizing the scope of the act; and be  
2 it further

3 RESOLVED, That copies of this resolution be sent to the  
4 President of the United States, the Acting Secretary of Homeland  
5 Security, the presiding officers of each house of Congress and  
6 to each member of Congress from Pennsylvania.