



Joint Statement from U.S. Maritime Labor on BP Jones Act Waiver

Our unions represent American Merchant Mariners who sail aboard Jones Act vessels, including those that serve Puerto Rico. Every day, our mariners go to work to ensure that Puerto Rico and the rest of the United States have safe and dependable domestic shipping, helping to move all the goods they need to live, work, and raise their families. And, every day, our mariners subject themselves to the dangers of the sea. Not all of them make it home.

The Jones Act is critical to our continued ability to maintain a domestic U.S.-flag merchant marine. As such, we take protecting it seriously. That's why we are shocked and outraged at the U.S. Department of Homeland Security's decision to issue an illegal, unjustified and unnecessary Jones Act waiver for a British Petroleum tanker that took active steps to ignore and then circumvent fundamental American law.

This waiver is a betrayal of the principles of federal maritime law dating back centuries, made worse by the facts of the case. A foreign ship with a foreign crew loaded fuel in an American port and diverted to Puerto Rico to take advantage of increased fuel prices after the island was hit by Hurricane Fiona. There was no national security crisis. There were American ships available – indeed, the ship was at sea four days before a waiver was even applied for. This cargo was not humanitarian aid. It was a blatant cash grab and a bald-faced political stunt. The companies behind this vessel gambled that they could pressure the U.S. government into ignoring our laws and policy because of the hurricane and they were correct.

Let us repeat – this waiver was unnecessary. U.S.-flagged vessels and foreign flagged vessels carrying legal cargoes of fuel, either from American ports or from foreign ports, had safely discharged their cargoes in Puerto Rico after the storm. American ships were available. American crews were available. But none of that mattered, because the political optics of a ship waiting to bring fuel to the island apparently matters more than a century of bedrock American law.

This waiver is an undeserved slap in the face to American mariners and U.S.-flag vessel operators. It potentially opens the door for future incursions by foreign-flag interests by giving them a roadmap of what they need to do in order to bully our government into giving them what they want – just show up on our doorstep and call the press. It sets a dangerous precedent, and it threatens the domestic industry at a time when we – like many other sectors of the economy – are challenged with worker shortages.

In the strongest possible terms, we condemn the issuance of this waiver, and we urge the Department of Homeland Security to never approve a waiver like this again.

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Seafarers International Union
American Maritime Officers

International Organization of Masters, Mates and Pilots
Marine Engineers' Beneficial Association