

DATE: June 15, 2010 10:14:59 CST

Admiral Allen Provides Guidance to Ensure Expedited Jones Act Waiver Processing Should It Be Needed

Key contact numbers

Report oiled shoreline or request volunteer information: (866) 448-5816

Submit alternative response technology, services or products: (281) 366-5511

Submit your vessel for the Vessel of Opportunity Program: (281) 366-5511

Submit a claim for damages: (800) 440-0858

Report oiled wildlife: (866) 557-1401

Medical support hotline: (888) 623-0287

Deepwater Horizon Incident Joint Information Center

Phone: (985) 902-5231

(985) 902-5240

WASHINGTON — National Incident Commander Admiral Thad Allen today announced the development of specific guidance to ensure accelerated processing of requests for Jones Act waivers should they be received as a part of the BP oil spill response.

Currently, 15 foreign-flagged vessels are involved in the largest response to an oil spill in U.S. history. No Jones Act waivers have been granted because none of these vessels have required such a waiver to conduct their operations in the Gulf of Mexico.

However, in order to prepare for any potential need, Admiral Allen has provided guidance to the Coast Guard Federal On-Scene Coordinator, U.S. Customs and Border Protection (CBP), and the U.S. Maritime Administration to ensure any Jones Act waiver requests receive urgent attention and processing.

“While we have not seen any need to waive the Jones Act as part of this historic response, we continue to prepare for all possible scenarios,” said Admiral Allen. “Should any waivers be needed, we are prepared to process them as quickly as possible to allow vital spill response activities being undertaken by foreign-flagged vessels to continue without delay.”

To date, the administration has leveraged assets and skills from numerous foreign countries and international organizations as part of this historic, all-hands-on-deck response, including Canada, Germany, Mexico, Netherlands, Norway, the United Nations’ International Maritime Organization and the European Union’s Monitoring and Information Centre. In some cases, offers of international assistance have been turned down because the offer didn’t fit the needs of the response.

Generally, federal law prohibits a foreign-flagged vessel from transporting merchandise between points in the United States encompassed by the Coastwise laws. CBP makes determinations as to whether or not the Jones Act applies to the activities of a foreign-flagged vessel operating within U.S. waters.

Even if the Jones Act applies, a foreign flagged vessel can still conduct certain planned operations as part of the BP oil spill response if the vessel is an oil spill response vessel and meets the requirements of 46 USC § 55113.

The guidance provided by Admiral Allen would route waivers related to the BP oil spill response through the Federal On-Scene Coordinator, who will forward requests immediately through the National Incident Commander for expedited clearance.

A Jones Act waiver can be submitted by any interested party, either inside or outside the U.S. government.

The Jones Act, passed in 1920, and similar laws governing coastal shipping were created to encourage development of American merchant marine for national defense and commercial purposes.

The Unified Command continues to look at all available options for assistance as we continue to fight BP's oil from impacting our shores and our communities. Assistance provided to date includes containment and sorbent boom, skimmers and containment vessels, and engineers and scientists with vital experience in oil spill cleanup operations.

For information about the response effort, visit www.deepwaterhorizonresponse.com.