

117TH CONGRESS
2D SESSION

S. 4999

To provide exemptions from certain Jones Act restrictions to vessels providing disaster relief to Puerto Rico for the areas affected by Hurricane Fiona.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2022

Mr. LEE introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide exemptions from certain Jones Act restrictions to vessels providing disaster relief to Puerto Rico for the areas affected by Hurricane Fiona.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Puerto Rico Recovery
5 Act”.

6 **SEC. 2. TEMPORARY EXEMPTIONS FROM JONES ACT RE-**
7 **STRICTIONS FOR VESSELS PROVIDING HUR-**
8 **RICANE RELIEF TO PUERTO RICO.**

9 (a) TEMPORARY EXEMPTION FOR PUERTO RICAN
10 HURRICANE RELIEF.—

1 (1) IN GENERAL.—Notwithstanding sections
2 12112, 12103, and 55102 of title 46, United States
3 Code, the Secretary of the department in which the
4 Coast Guard is operating (referred to in this section
5 as “the Secretary”) shall exempt a vessel from the
6 requirements of such sections if the Secretary deter-
7 mines that the owner or operator of the vessel has
8 reasonably demonstrated that the exemption is need-
9 ed to provide disaster relief to Puerto Rico for areas
10 affected by Hurricane Fiona.

11 (2) PROCESS.—

12 (A) REQUEST.—An owner or operator of a
13 vessel may request an exemption under para-
14 graph (1), and the Secretary shall approve or
15 deny the request by not later than 72 hours
16 after the request is made.

17 (B) PUBLIC DENIAL STATEMENT.—In any
18 case where the Secretary denies an exemption
19 request under subparagraph (A), the Secretary
20 shall promptly provide a public, detailed state-
21 ment regarding the reasoning and analysis for
22 the denial.

23 (C) DEEMED APPROVAL.—If the Secretary
24 does not approve or deny a request according to

1 the terms of subparagraph (A), the request
2 shall be deemed to be approved.

3 (b) PERIOD OF EXEMPTION.—An exemption ap-
4 proved under subsection (a) shall be valid until the earlier
5 of—

6 (1) the date that is 1 year after the date on
7 which the exemption was approved; or

8 (2) the date on which the major disaster de-
9 clared by the President under section 401 of the
10 Robert T. Stafford Disaster Relief and Emergency
11 Assistance Act (42 U.S.C. 5121) on September 22,
12 2022 expires.

13 (c) APPLICABILITY.—This section, and any exemp-
14 tion issued under this section, shall cease to have effect
15 on the date described in subsection (b)(2).

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