



**Homeland
Security**

DEPARTMENT OF HOMELAND SECURITY

Amendment to the Waiver of Compliance with Navigation Laws Issued on November 2, 2012

To address the catastrophic damage caused by Hurricane Sandy and the impact to the energy needs of the affected regions, a waiver of the Jones Act was issued on November 2, 2012 for the transportation of petroleum products from the Gulf of Mexico to the Northeast. In further assessment of these energy needs, the Department of Energy has recommended that the Department of Homeland Security amend the waiver to also facilitate the transportation of the necessary volume of other feedstocks, blending components, and additives used to produce fuels.

In accordance with the provisions of 46 U.S.C. § 501(b), the Department of Homeland Security has consulted with MarAd to ensure that an amendment to the existing waiver does not affect the prior MarAd determination regarding the "non-availability of qualified United States flag capacity to meet national defense requirements." MarAd has advised that amending the waiver to include other feedstocks, blending components, and additives used to produce fuels does not change the prior MarAd determination of non-availability.

In light of the continuing energy needs brought about by Hurricane Sandy, the further recommendations of the Department of Energy, and the continuing non-availability determination by MarAd, I am further exercising my discretion and authority to amend the November 2, 2012 Jones Act waiver to include the transportation of other feedstocks, blending components, and additives used to produce fuels.

A handwritten signature in black ink that reads "Janet Napolitano".

Janet Napolitano
November 3, 2012