

THE FUTURE Is Now

U.S. Maritime Jobs on the Line

Sen. John McCain and other opponents of the U.S.-flag shipping industry have made the tragic situation in the Gulf of Mexico the centerpiece of a misinformation campaign aimed at bringing about the repeal of the Jones Act. At the core of their strategy is an attempt to convince the public that the Jones Act has impeded clean-up efforts in the Gulf.

As has typically been the case with past attacks on the Jones Act, the instigators refuse to be distracted by reality. There is no evidence in fact that the Jones Act prevented participation in the clean-up by any vessel deemed necessary by the National Incident Command.

A look at the facts

First, the Jones Act covers only an area that extends three nautical miles off U.S. shores. This means that any movement of ships beyond the three-mile limit (the Deepwater Horizon spill occurred approximately 50 miles offshore) is not covered by the Jones Act or its U.S.-flag shipping requirements. In other words, the Jones Act does not even apply in this case. It is disingenuous at best and dishonest at worst to attack the Obama Administration for not waiving a law that does not apply and thus does not need to be waived.

Second, under the existing oil spill clean-up statute, foreign skimmers appropriate for clean-up operations are specifically exempted from the Jones Act, regardless of where they operate. So those calling for waiver or repeal of the Jones Act are once again ignoring the facts: since the Jones Act does not apply to foreign skimmers, there was no need for it to be waived in this case.



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It is important to note that we are not alone in asserting that the Jones Act did not hinder the Gulf clean-up. For example, the Department of Transportation (DOT) issued a statement that “despite allegations to the contrary, the Jones Act has not hindered the BP Deepwater Horizon oil spill clean-up effort.” The statement continues: “If the United Command determines that specific assets are necessary but require a Jones Act waiver, we will do whatever is needed to ensure those assets are deployed. But to be absolutely clear, to date, the Jones Act has not prevented or delayed the mobilization of useful assets.”

It would be reasonable to assume that similar statements by those in the know would bring an end to the unwarranted attacks on the Jones Act. But these are not reasonable times, especially in our nation’s Capital. Instead of standing up for U.S.-flag shipping companies and American mariners, McCain has introduced a bill (S 3525) that would repeal the Jones Act in its entirety.

Think about it: A prominent U.S. senator and his allies are calling on Congress to enact legislation that would give foreign vessels owned by foreign companies, built in foreign shipyards and crewed by foreign mariners, unprecedented authority to operate on our nation’s inland rivers and waterways, and to carry domestic commerce between America’s coastal, inland and Great Lakes ports and between the mainland and Hawaii, Alaska and Puerto Rico.

Think about it: Only American maritime workers are subject to the background and security checks required by the Department of Homeland Security and implemented by the Federal Bureau of Investigation, the Coast Guard and the Transportation Security Administration. Enactment of S 3525 would mean that foreign companies and foreign maritime workers not subject to U.S.

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government background and security checks would have unlimited access to America’s ports, port facilities and coastal and inland waterways.

It would certainly be ill-advised for members of Congress to tell our government—in particular at this dangerous juncture in our nation’s history—to relinquish all control over non-U.S. operators entering our country by sea and to give them complete control over the transportation of our nation’s domestic commerce.

Think about it: The construction and operation of vessels under the Jones Act sustain approximately 500,000 jobs for American workers engaged in the construction, maintenance and repair of vessels for the domestic trades, their operation under the U.S. flag and related service and supply industries. If McCain and his allies were to prevail, the economic benefits generated by the domestic American maritime industry would be shifted to foreign countries and their foreign companies and workers. It would be shortsighted and ill-advised for members of Congress, especially during these difficult economic times, to promote legislation that could drive American shipping companies and shipyards out of business, force thousands of American maritime workers into the ranks of the unemployed, and deny federal and state government the corporate and individual tax revenues these companies and their workers generate.

Think about it: The Jones Act operation of U.S.-flag vessels in the domestic trades helps ensure that our nation will maintain a core capability of maritime skills invested in a cadre of trained, loyal, civilian American merchant mariners who are essential to the Department of Defense in time of war or other national emergency.

As our nation well knows today, with American troops on the ground in Iraq and Afghanistan, it is critical that the United States have the sealift capability needed to bring our forces what they need, when they need it.

It would be especially shortsighted and ill-advised for members of Congress to promote legislation that would

dramatically reduce the number of American mariners available to operate the commercial vessels needed to support our troops. American military personnel and their families have the right to know that the equipment, material and supplies needed to protect our country’s interests overseas will be carried by American ships with American crews, not foreign-flagged ships manned by non-citizens.

In 1997, when we were engaged in the last major battle to preserve the Jones Act, the bipartisan leadership of the House Committee on Rules introduced a resolution reaffirming Congressional support for the principles embodied in the Jones Act. A bipartisan group of 244 Representatives cosponsored the resolution, a show of support that sent a clear message that a majority of members of Congress understood the importance of the Jones Act to the economic and military security of our nation.

Today, almost two-thirds of the members who cosponsored the resolution in 1997 are no longer in Congress. In fact, only 89 of the 244 cosponsors continue to serve.

This presents us with both a challenge and an opportunity. The challenge is to make sure all members of Congress understand that the Jones Act means work for American companies, business for American shipyards and jobs for American workers in the seafaring, shipbuilding and related service and supply industries. The opportunity is to act now to intensify our efforts to elect individuals this year who will put America and American workers first. And to so do, each and every one of us should support the MM&P Political Contribution Fund.

We cannot stand on the sidelines while enemies of our industry and their allies in the media spread untruths about the Jones Act in an attempt to advance their own political careers. We cannot stand on the sidelines while they fight to put the U.S.-flag fleet out of business and our U.S.-citizen mariners out of work.

Instead, we must aggressively support the election of individuals—Republican or Democrat, liberal or conservative—who want American shipping companies to control the movement of cargo between U.S. ports on U.S.-flag ships crewed by American merchant mariners.

The challenge we face is not limited to electing those who would oppose the repeal of the Jones Act. The proponents of free—rather than fair—trade want to force all American workers, including American maritime workers, into “competition” with the lowest paid, worst treated workers in the world. Many proponents of “globalization” argue that U.S.-flag shipping programs like cargo preference should be eliminated because it costs more to operate a U.S.-flag vessel and to employ American crews. If they had their way, American mariners would be forced to relinquish the benefits they have earned over many years and to earn no more than the lowest-paid seafarer on a foreign-flag ship... all while the corporate owners of these foreign-flag vessels increase their own personal wealth, without raising their workers’ living standard.

There is, for example, an effort underway to replace “Food for Peace” and its U.S.-flag shipping requirements with a program that simply gives away U.S. taxpayer dollars. Together, “Food for Peace” and cargo preference programs provide significant economic and employment benefits within the United States: in the agricultural industry, which produces the commodities that are donated, and in the domestic transportation industry, which moves the commodities to American ports where they are loaded onto U.S.-flag vessels for shipment overseas. A recent study concludes that more than 13,000 Americans are directly employed in the transportation of food aid cargoes, from their point of production in America’s heartland to their foreign destinations. The shipment of food aid on U.S.-flag, U.S.-crewed vessels creates approximately \$520 million in U.S. household earnings and generates another \$2 billion in American economic output overall.

“Food for Peace” is the type of program our country should be emulating, not eliminating. Today, at a time of high unemployment in the United States and growing hunger and poverty overseas, our government should be looking to an even greater degree to programs like “Food

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for Peace,” that achieve significant economic objectives for our country while fulfilling humanitarian needs abroad.

We need to promote the election of legislators who will work with us to support “Food for Peace” and who will fight any efforts to change it into a cash giveaway program.

As this issue of *The Master, Mate & Pilot* goes to press, there are fewer than 70 days to go before the 2010 Congressional elections. There is a great deal of uncertainty about who will win and about which party will control the House of Representatives and the Senate over the next two years. Of paramount importance to the readers of this column is that we succeed in electing legislators who support the programs and policies necessary to preserve and expand U.S.-flag vessel operations.

It is important that each of us consider where the candidates stand on our issues. On the side of those who want to repeal the Jones Act or on the side of those who will stand with us to keep its domestic U.S.-flag shipping requirements in place? On the side of those who would weaken or repeal cargo preference or on the side of those who will ensure that a portion of U.S.-taxpayer financed cargoes moves on U.S.-flag ships?

If each one of us supports the MM&P Political Contribution Fund, and if each one of us votes our job by voting for candidates who will stand with us and with the U.S.-flag merchant marine, we will be able to build on the successes we have had in this Congress and overcome the challenges we will face in the next.

For more information on the status of legislation affecting MM&P and the U.S.-flag maritime industry, as well as information on the candidates seeking election this November, please contact me at jpatti@miraid.org or visit the MM&P webpage at www.bridgedeck.org.