



THE JONES ACT

ESSENTIAL TO AMERICAN BORDER
AND HOMELAND SECURITY &
THE PREVENTION OF ILLEGAL
IMMIGRATION



THE JONES ACT requires all cargo moved by water between two points in the United States be transported on American vessels with American crews. A mostly unseen, yet essential, Jones Act benefit relates to border protection, homeland security, and the prevention of illegal immigration.

America is a maritime nation. Much of its water is navigable—on the coasts, in the Gulf of Mexico, on the Great Lakes, and on the inland waterways of the United States. Centered on the Mississippi River and its connecting tributaries, the intracoastal waterways and the inland river system directly benefit 38 states in America’s heartland. These rivers cut through the heart of Middle America, often coursing through major cities and population centers, near bridges, schools, and sports stadiums.

“The requirement that ships in the domestic fleet be U.S.-flagged and operated by crews of U.S. citizens or permanent residents reduces the likelihood foreign ships and mariners will illegally gain access to America’s inland waterways and associated infrastructure. Although geography limits how far inland large foreign-flagged ships would be able to travel, without the Jones Act’s requirements, foreign companies could buy domestic carriers that operate smaller vessels and barges that ply U.S. rivers and intercoastal waterways.”¹

The Jones Act makes America stronger and its borders more secure by ensuring that the U.S. Coast Guard and Customs and Border Protection (CBP) carefully screen the owners, crewmembers, and builders of those vessels before receiving their licenses. They operate under specific regulations to ensure that America remains safe and secure.

The Department of Homeland Security considers the illegal entry of aliens through U.S. seaports by exploitation of maritime industry practices to be a key security concern.²

CURRENT JONES ACT SECURITY MEASURES

- American-built vessels
- American-crewed vessels
- American-owned vessels

POTENTIAL RISKS OF REPEAL

- Insufficient supply of militarily-crucial civilian mariners
- Reduction of militarily-vital shipbuilding capacity
- Reduced military sealift capacity
- Decreased homeland security
- Loss of economically vital American industry, including reduced transportation capacity, outsourced jobs, and lesser economic impact



**12,000 miles of
inland waterways**

The Jones Act and related coastwise laws “simplify efforts to ensure that rogue regimes and international terrorists cannot strike this country via its ports and waterways.”³

Each year, upwards of five million seafarers enter U.S. ports, 85 percent of whom are aliens.⁴ Foreign-flag vessels entering U.S. seaports pose a variety of inherent risks to U.S. border security, including the threat of drug trafficking, arms smuggling, illegal immigration, cargo theft, and a variety of other transnational crimes.⁵ Entry of a foreign flagship into an American port triggers a number of security measures, which are costly and designed to mitigate security risks. The U.S. Government Accountability Office has found that the CBP already struggles with managing the volume of foreign seafarers. Without the Jones Act, the volume of seafarers entering the United States would

grow exponentially, as would the cost of monitoring and enforcement and the security risks.

“The consequences of the Jones Act [repeal] could have severe repercussions as well. All of our coastwise trade will probably be done by a third nation, namely China, [and] not just coastwise trade, but plying our inland river systems as well.... The next thing that goes away is the [U.S. and state] maritime academies. You don’t need them because we have foreign mariners. We don’t know who they are, but they’re foreign mariners plying our waters and our internal waters as well to conduct maritime commerce, which is a \$4.6 trillion enterprise in the United States.”

Former Commandant Paul F. Zukunft.

American mariners – sometimes called merchant mariners – are the eyes and ears of American homeland security. Replacing these mariners and the vessels on which they work with foreign vessels and foreign mariners would negate this critical surveillance capability.

Imagine a world in which foreign ships and crews could move freely throughout 12,000 miles of inland waterways and American communities without supervision by the Coast Guard or the CBP.

“Were the Jones Act not in existence, the Department of Homeland Security would be confronted by the difficult and very costly requirement of monitoring, regulating, and overseeing foreign-controlled, foreign-crewed vessels in internal U.S. waters.”⁶

ABOUT AMERICAN MARITIME PARTNERSHIP

American Maritime Partnership (AMP) is the voice of the U.S. domestic maritime industry, a pillar of our nation’s economic, national, and homeland security. More than 40,000 American vessels built in American shipyards, crewed by American mariners, and owned by American companies, operate in our waters 24/7, and this commerce sustains nearly 650,000 American jobs, \$41 billion in labor compensation, and more than \$150 billion in annual economic output.

REFERENCES

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3. Dr. Daniel Goure, Lexington Institute, The contributions of the Jones Act to U.S. Security 17 (2011).
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1601 K Street NW
Washington, DC 20006-1600
Phone: 202-661-3740

Email: info@americanmaritimepartnership.com
www.americanmaritimepartnership.com