Negative Brief: Jones Act

By “Coach Vance” Trefethen

AFF Plan repeals the Jones Act. Jones Act requires all ships that move cargo between two US ports to be constructed and registered in the USA. Example: A ship transporting goods from Shanghai (China) to Los Angeles would not be subject to the Jones Act (any ship could do it). A ship transporting goods from Los Angeles to Honolulu (Hawaii) would be subject to the Jones Act, so only a few ships could qualify. This rules out a lot of foreign ships from engaging in transportation of goods between US cities, and in particular it reduces the number of ships that can transport stuff between the US mainland and places like Alaska, Hawaii and Puerto Rico (as well as simply moving stuff between places like Boston and New Orleans). Key policy issues for the Negative are Affirmative misunderstanding of the statistics on shipping, lost jobs in US shipbuilding, and essential national security of having US-owned ships that can meet shipping needs in war time.  
  
Biggest debate strategy problem this year is that the Jones Act has nothing to do with international trade. It is entirely dealing with movement of goods between two US cities, internally within the US and its territories. International import/export movement of goods is already not restricted by the Jones Act.

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All of these come from this card: 20

Negative Brief: Jones Act

TOPICALITY

1. Not reforming international trade

Violation: Jones Act has nothing to do with imports or exports within the bounds of international trade

[Ernest Istook](https://www.realcleardefense.com/authors/ernest_istook/) 2017. (f*ormer Congressman***Ernest Istook***served on the House subcommittees that funded national defense, homeland security, and transportation. He* now teaches political science at Utah Valley Univ.) 14 Sept 2017 Stay the Course: Maintaining America’s Maritime Security <https://www.realcleardefense.com/articles/2017/09/14/stay_the_course_maintaining_americas_maritime_security_112296.html> (accessed 10 Sept 2022)

The Jones Act does not restrict foreign-flagged vessels from engaging in international trade at our ports. But for cargo moving solely within and along our own borders, the Act requires using American-built vessels that are at least 75% American-owned with crews who are at least 75% American staffed.

Jones Act has no impact on foreign trade

Reeve Associates and ETI 2018. (Reeve & Associates is a management consulting firm based in Massachusetts. The principal of the firm, John Reeve, has substantial experience in the Jones Act shipping markets, having advised several clients since the 1980s in all of the noncontiguous Jones Act markets, as well as providing counsel on competitive conditions in those markets to the U.S. Dept of Transportation and the Government Development Bank of Puerto Rico. Estudios Técnicos, Inc. ETI is one of the largest and most respected consulting firms in Puerto Rico; leading provider of economic analysis, as well as disaster preparedness, management, and recovery-related consulting services.) (accessed 10 Sept 2022) " Impact of the U.S. Jones Act on Puerto Rico" July 2018 https://3snn221qaymolkgbj4a0vpey-wpengine.netdna-ssl.com/wp-content/uploads/2018/07/Report\_Impact-of-the-Jones-Act-on-Puerto-Rico\_FINAL2.pdf

The Jones Act has no impact on the nation’s foreign trade and shipping services, including that of Puerto Rico. Foreign vessels carrying foreign trade regularly call at Puerto Rican ports.

Impact: No Affirmative team

No one in this round is affirming we should reform anything regarding imports or exports within the bounds of international trade. Since there is effectively no one affirming the resolution, no matter who wins, you should vote Negative.

COUNTER-CRITERION: National Security

National Security should be the standard for judging the Jones Act

Dr. Daniel Goure 2011. (PhD; Vice President of the Lexington Institute; spent two years as the director of the Office of Strategic Competitiveness in the Office of the Secretary of Defense; served as a senior analyst on national security and defense issues with the Center for Naval Analyses, Science Applications International Corporation, SRS Technologies, R&D Associates and System Planning Corporation) 2011 THE CONTRIBUTION OF THE JONES ACT TO U.S. SECURITY (accessed 10 Sept 2022) <http://www.offshoreinjuries.com/media/pdfs/Contribution-of-the-JonesAct-to-National-Security.pdf>

The relevance of the Jones Act to U.S. national security now and in the future must be judged in light of the continuing threats America faces overseas and this nation’s requirements for naval power and sealift. Also, the relevance of the Jones Act has to be evaluated in the context of the new threat posed by international terrorism.

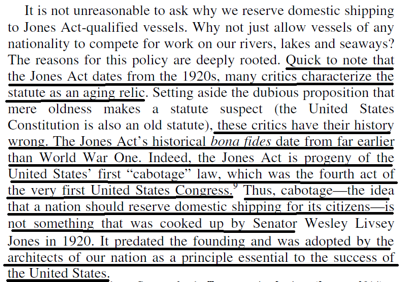
Reasons to Prefer Our Counter-Criterion

1) It’s supported by evidence from a PhD specifically referring in context to the Jones Act  
2) National security outweighs. If we lose a war or lose our country or lose American lives to terrorism, that outweighs any benefits offered in today’s round by the Affirmative. Even if they manage to uphold their criterion and win every advantage, they will still lose today’s debate round.  
3) We don’t claim this is the only reason to vote Negative - there are lots more reasons besides National Security. It’s just the biggest one and by itself it’s enough to justify a Negative ballot.

NEGATIVE PHILOSOPHY

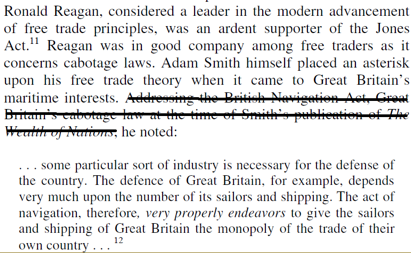
Founding Fathers originated the principles of the Jones Act because it’s essential to the nation

Samuel Giberga and John Henry Tab Thompson 2015. (Giberga is Executive VP and General Counsel of Hornbeck Offshore Services Inc., owner & operator of one of the largest fleet of Jones Act qualified offshore service vessels supporting offshore energy development. Thompson is a first year law student at Univ. of Chicago Law School) JOURNAL OF MARITIME LAW & COMMERCE, Oct 2015 “We and Mr. Jones: How the Misunderstood Jones Act Enhances Our Security and Economy” <http://hornbeckoffshore.com/company/news/sam-giberga-explains-the-jones-act>

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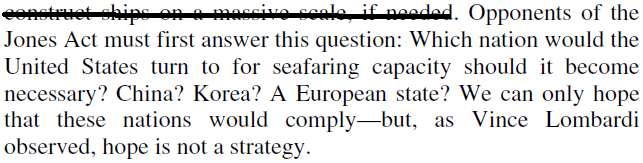
Jones Act doesn’t conflict with “free trade” principles

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Hope is not a strategy. But it may be the Affirmative philosophy…

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HARMS / SIGNIFICANCE

1. A/T “Declining fleet”

Fleet isn’t declining, it’s growing – 40,000 ships now! AFF confuses “US registry endorsement ships” with “Jones Act”

Samuel Giberga and John Henry Tab Thompson 2015. (Giberga is Executive VP and General Counsel of Hornbeck Offshore Services Inc., owner & operator of one of the largest fleet of Jones Act qualified offshore service vessels supporting offshore energy development. Thompson is a first year law student at Univ. of Chicago Law School) JOURNAL OF MARITIME LAW & COMMERCE, Oct 2015 “We and Mr. Jones: How the Misunderstood Jones Act Enhances Our Security and Economy” (accessed 10 Sept 2022) <http://hornbeckoffshore.com/company/news/sam-giberga-explains-the-jones-act>

There are approximately 200 U.S. flag vessels with registry endorsements. On the other hand, there are currently nearly 40,000 Jones Act qualified vessels. Critics of the Jones Act often misunderstand the distinction between these two fleets and cite the declining size of the registry fleet to illustrate the “historic decline” of U.S. shipping as a whole. While the U.S. registry fleet has faced decline for reasons that will not be discussed in this paper, that decline does not characterize the 40,000 vessel strong Jones Act Fleet, which has consistently grown in size and capacity.

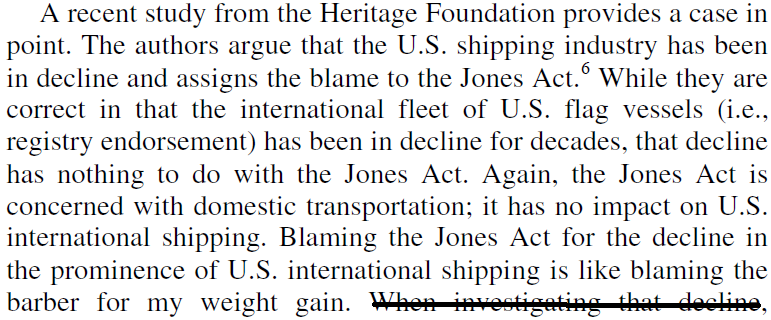
Jones Act fleet capacity is growing. Example: Hawaii

American Maritime Partnership 2020. (AMP is an association of vessel owners and operators, shipboard and shoreside workers, shipbuilders and repair yards, equipment manufacturers and vendors, dredging and marine construction contractors, maritime trade associations and national security organizations) July 2020 "IMPACT OF THE U.S. JONES ACT IN HAWAII" https://www.americanmaritimepartnership.com/hawaii-economy/ (accessed 10 Sept 2022)

Jones Act carriers have introduced five new U.S. vessels, as well as three more on the way in the fourth quarter of 2020. According to the study, with these most recent additions, there is more than ample capacity to meet the needs of Hawaii families and businesses. In fact, Jones Act carriers have increased capacity by 22% since 2015 with the addition of new vessels.

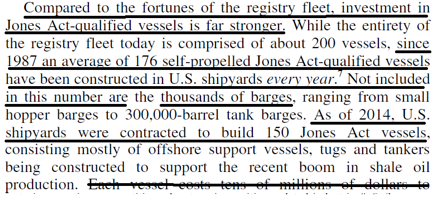
Heritage study uses wrong numbers: “Declining Fleet” argument has nothing to do with Jones Act

Samuel Giberga and John Henry Tab Thompson 2015. (Giberga is Executive VP and General Counsel of Hornbeck Offshore Services Inc., owner & operator of one of the largest fleet of Jones Act qualified offshore service vessels supporting offshore energy development. Thompson is a first year law student at Univ. of Chicago Law School) JOURNAL OF MARITIME LAW & COMMERCE, Oct 2015 “We and Mr. Jones: How the Misunderstood Jones Act Enhances Our Security and Economy” (accessed 10 Sept 2022) <http://hornbeckoffshore.com/company/news/sam-giberga-explains-the-jones-act>



Jones Act shipping capacity is growing rapidly

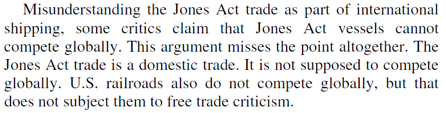
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1. A/T “US shipping not competing globally”

No impact and misses the point. US railroads don’t compete globally either

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3. A/T "Harms Hawaii economy"

Extra-Topical

Shipping goods from the US mainland to Hawaii, even if it were more expensive, is not "within the bounds of international trade," so there's nothing AFF can do about it. Hawaii isn't a foreign nation.

Reeve/TZ Economics Study: Jones Act is net beneficial to Hawaii's economy

American Maritime Partnership 2020. (AMP is an association of vessel owners and operators, shipboard and shoreside workers, shipbuilders and repair yards, equipment manufacturers and vendors, dredging and marine construction contractors, maritime trade associations and national security organizations.  **TZ Economics**is an economic consulting firm based in Hawaii; Paul H. Brewbaker, the Principal of TZ Economics spent  25 years with Bank of Hawaii, concluding as its Chief Economist.) 21 July 2020 "[Comprehensive Jones Act Study Finds No Effect on Cost of Living in Hawaii](https://www.americanmaritimepartnership.com/general/comprehensive-jones-act-study-finds-no-effect-on-cost-of-living-in-hawaii/)" https://www.americanmaritimepartnership.com/general/comprehensive-jones-act-study-finds-no-effect-on-cost-of-living-in-hawaii/ (accessed 10 Sept 2022)

Economists from Boston based Reeve & Associates (Reeve) and Hawaii based TZ Economics have released a joint report, “The Impact of the Jones Act on Hawaii,” that concluded the Jones Act has no significant impact on the cost of living in Hawaii. In addition, the report found that freight rates in the U.S. Mainland-Hawaii trade lane have declined in real terms over the last ten years, while the Jones Act has delivered positive and substantial economic contributions, including job creation, new infrastructure investments, and a reliable pipeline for critical consumer and industrial goods moving to and from the Islands.

Reeve/TZ Economics Study: Jones Act has no impact on higher cost of living in Hawaii

American Maritime Partnership 2020. (AMP is an association of vessel owners and operators, shipboard and shoreside workers, shipbuilders and repair yards, equipment manufacturers and vendors, dredging and marine construction contractors, maritime trade associations and national security organizations.  **TZ Economics**is an economic consulting firm based in Hawaii; Paul H. Brewbaker, the Principal of TZ Economics spent  25 years with Bank of Hawaii, concluding as its Chief Economist.) 21 July 2020 "[Comprehensive Jones Act Study Finds No Effect on Cost of Living in Hawaii](https://www.americanmaritimepartnership.com/general/comprehensive-jones-act-study-finds-no-effect-on-cost-of-living-in-hawaii/)" https://www.americanmaritimepartnership.com/general/comprehensive-jones-act-study-finds-no-effect-on-cost-of-living-in-hawaii/ (accessed 10 Sept 2022)

“There has been a lot of contention regarding whether the Jones Act negatively affects Hawaii’s cost of living,” **said John Reeve, the principal in Reeve & Associates and the lead economist on the study.**“The findings of our study indicate that the Jones Act has no appreciable impact on Hawaii’s cost of living, and that Jones Act carriers provide immense benefits to consumers and business owners, while delivering reliable, high frequency and fast transit services at healthy and competitive rates.” “Our findings based on various indicators show that higher living costs – partly the premium assigned to the desirability of living in Hawaii – reflect housing costs, not the cost of consumer products relative to the U.S. Mainland,”**said Paul Brewbaker, the principal of TZ Economics.**

Reeve/TZ Economics study finds: Jones Act has no impact on cost of living in Hawaii

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The Jones Act does not impact the cost of living in Hawaii. A market basket study of 200 consumer goods purchased from major retailers such as Costco, Home Depot, Target and Walmart found no significant difference in the price of consumer goods. 142 out of 200 items (71%) were precisely the same in stores in Hawaii as they were in California. In some cases, retail prices of goods were cheaper in Hawaii. The study found that while Hawaii does have a high cost of living, that cost is primarily driven by housing expenses and other factors, not the type of consumer goods carried to Hawaii by Jones Act carriers.

Canceling the Jones Act wouldn't benefit Hawaii at all

American Maritime Partnership 2020. (AMP is an association of vessel owners and operators, shipboard and shoreside workers, shipbuilders and repair yards, equipment manufacturers and vendors, dredging and marine construction contractors, maritime trade associations and national security organizations.  **TZ Economics**is an economic consulting firm based in Hawaii; Paul H. Brewbaker, the Principal of TZ Economics spent  25 years with Bank of Hawaii, concluding as its Chief Economist.) 21 July 2020 "[Comprehensive Jones Act Study Finds No Effect on Cost of Living in Hawaii](https://www.americanmaritimepartnership.com/general/comprehensive-jones-act-study-finds-no-effect-on-cost-of-living-in-hawaii/)" https://www.americanmaritimepartnership.com/general/comprehensive-jones-act-study-finds-no-effect-on-cost-of-living-in-hawaii/ (accessed 10 Sept 2022)

“The findings of this exhaustive study regarding the economic impact of Jones Act-related transportation costs in Hawaii are clear — the Jones Act does not drive up the cost of living in Hawaii. American shipping companies operating under the Jones Act provide an efficient and reliable pipeline for consumer and industrial goods moving to and from the Islands,” **said Mike Roberts, president of the American Maritime Partnership.** “Waiving the Jones Act would replace American Mariners and ships with foreign ships and mariners, threaten Hawaii’s supply chain, and degrade Hawaii’s and our nation’s security – yet produce no cost of living benefit to Hawaii residents.”

4. A/T "Harms Puerto Rico economy"

Extra-topical

Shipping goods from the US mainland to Puerto Rico, even if it were more expensive, is not "within the bounds of international trade," because Puerto Rico is a territory of the U.S. There's nothing AFF can do about it with this year's resolution.

Reeve/ETI Study: Consumer prices in Puerto Rico are NOT more expensive than the US mainland

Reeve Associates and ETI 2018. (Reeve & Associates is a management consulting firm based in Massachusetts. The principal of the firm, John Reeve, has substantial experience in the Jones Act shipping markets, having advised several clients since the 1980s in all of the noncontiguous Jones Act markets, as well as providing counsel on competitive conditions in those markets to the U.S. Dept of Transportation and the Government Development Bank of Puerto Rico. Estudios Técnicos, Inc. ETI is one of the largest and most respected consulting firms in Puerto Rico; leading provider of economic analysis, as well as disaster preparedness, management, and recovery-related consulting services.) (accessed 10 Sept 2022) " Impact of the U.S. Jones Act on Puerto Rico" July 2018 https://3snn221qaymolkgbj4a0vpey-wpengine.netdna-ssl.com/wp-content/uploads/2018/07/Report\_Impact-of-the-Jones-Act-on-Puerto-Rico\_FINAL2.pdf

For the record, as shown in Exhibit II-1, a sample of the prices of an assortment of consumer goods in San Juan and Jacksonville, Florida, that was done in March 2018 shows no significant difference in the prices of either grocery items or durable goods between the two locations. In fact, for a few items, the prices of goods in San Juan were actually lower than those on the mainland and were otherwise the same. None were higher. The survey was done online in order to ensure that prices were representative of a specific point in time and were “apples to apples” comparisons of exactly the same items and not influenced by special discounts or sales at either location at the time.

Retail prices and shipping costs in Puerto Rico are essentially the same as on the mainland

Reeve Associates and ETI 2018. (Reeve & Associates is a management consulting firm based in Massachusetts. The principal of the firm, John Reeve, has substantial experience in the Jones Act shipping markets, having advised several clients since the 1980s in all of the noncontiguous Jones Act markets, as well as providing counsel on competitive conditions in those markets to the U.S. Dept of Transportation and the Government Development Bank of Puerto Rico. Estudios Técnicos, Inc. ETI is one of the largest and most respected consulting firms in Puerto Rico; leading provider of economic analysis, as well as disaster preparedness, management, and recovery-related consulting services.) (accessed 10 Sept 2022) " Impact of the U.S. Jones Act on Puerto Rico" July 2018 https://3snn221qaymolkgbj4a0vpey-wpengine.netdna-ssl.com/wp-content/uploads/2018/07/Report\_Impact-of-the-Jones-Act-on-Puerto-Rico\_FINAL2.pdf

The retail prices of goods in Puerto Rico are essentially the same as on the mainland, and freight rates for shipments between the mainland and Puerto Rico are very similar or lower than rates for shipping between CONUS and neighboring islands of Puerto Rico, such as the U.S. Virgin Islands, Haiti, and the Dominican Republic.

Jones Act has no impact on consumer prices in Puerto Rico

American Maritime Partnership 2021. (AMP is an association of vessel owners and operators, shipboard and shoreside workers, shipbuilders and repair yards, equipment manufacturers and vendors, dredging and marine construction contractors, maritime trade associations and national security organizations) "The True Cost of Shipping To Puerto Rico" (accessed 10 Sept 2022) https://www.americanmaritimepartnership.com/wp-content/uploads/2021/02/TrueCostofShippingPR-EN-2021.pdf

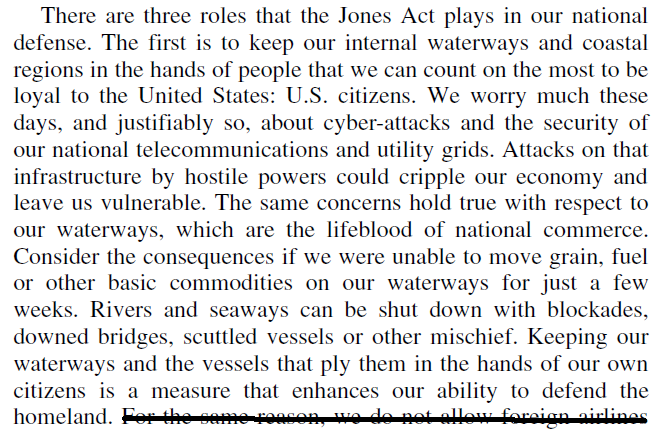
As depicted in the chart to the right, consumer prices in Puerto Rico are consistent or lower than in Miami, Jacksonville and Orlando. The cost of ocean shipping is a tiny fraction of the consumer price to Puerto Rico. A can of soup that retails in Puerto Rico for $1.58 costs just $.03 to ship. If consumer goods are sometimes more expensive in Puerto Rico, it is not because of the Jones Act. Consumers buy goods from retailers and grocers, not from shipping companies. Retailers buy the goods from shippers and determine the price of the goods to make a profit. This price mark up reflects labor and real estate costs as well as supply, demand and profit margin for retailers. These costs are not affected by the Jones Act.

DISADVANTAGES

1. Homeland Security / Terrorism

Jones Act protects homeland security by reducing opportunities for terrorism

Samuel Giberga and John Henry Tab Thompson 2015. (Giberga is Executive VP and General Counsel of Hornbeck Offshore Services Inc., owner & operator of one of the largest fleet of Jones Act qualified offshore service vessels supporting offshore energy development. Thompson is a first year law student at Univ. of Chicago Law School) JOURNAL OF MARITIME LAW & COMMERCE, Oct 2015 “We and Mr. Jones: How the Misunderstood Jones Act Enhances Our Security and Economy” (accessed 10 Sept 2022) <http://hornbeckoffshore.com/company/news/sam-giberga-explains-the-jones-act>



Jones Act improves anti-terrorism efforts against threats to ports and waterways

Dr. Daniel Goure 2011. (PhD; Vice President of the Lexington Institute; spent two years as the director of the Office of Strategic Competitiveness in the Office of the Secretary of Defense; served as a senior analyst on national security and defense issues with the Center for Naval Analyses, Science Applications International Corporation, SRS Technologies, R&D Associates and System Planning Corporation) 2011 THE CONTRIBUTION OF THE JONES ACT TO U.S. SECURITY (accessed 10 Sept 2022) <http://www.offshoreinjuries.com/media/pdfs/Contribution-of-the-JonesAct-to-National-Security.pdf>

Critical land lines of communications and oil and gas pipelines traverse a number of these waterways. Guarding every potential target along the inland waterways against terrorist attack is an impossible task. Although the Jones Act was not written with today’s threats to homeland security in mind, its provisions provide an important base on which to build the systems, processes and procedures needed to secure America. The provisions in the Jones Act regarding vessel ownership and manning simplify efforts to ensure that rogue regimes and international terrorists cannot strike at this country via its ports and waterways. One could readily assert that were there no Jones Act, Congress would have to invent one.

2. Weaker National Defense.

Link: Gen. Silva says: Direct threat to national defense without the Jones Act (plus it’s good for the economy)

General Paul Selva 2015 (4-star US Air Force general; commander of US Transportation Command) 11 March 2015 “[USTRANSCOM Head Stands Firm with Maritime Industry and Jones Act](https://www.americanmaritimepartnership.com/2015/03/11/ustranscom-head-stands-firm-with-industry-jones-act/)” quoted in American Maritime Partnership Press Release <https://www.americanmaritimepartnership.com/2015/03/11/ustranscom-head-stands-firm-with-industry-jones-act/> (ellipses in original) (accessed 10 Sept 2022)

And that’s why I am committed to supporting the Jones Act. The Jones Act isn’t about a political statement, and to be honest, while it is an incredibly patriotic piece of legislation, my interest in it has nothing to do with patriotism. It has to do with coldhearted math.” He continued, “The Jones Act trades – all of that trade that happens on our interior and coastal waterways – supports the industry that allows this nation to be successful. If I run the numbers, it’s an easy call. There are … merchant sailors who operate on ships that participate in Jones Act trade that have crewed and will crew Ready Reserve ships and surge sealift ships…. It’s easy for me to say the economics favor the Jones Act; national security favors the Jones Act; and my operational requirements demand access to the labor pool that is supported by the jobs that are provided by the Jones Act. “Without the contribution that the Jones Act brings to support of our industry, there is a direct threat to national defense,” he concluded.

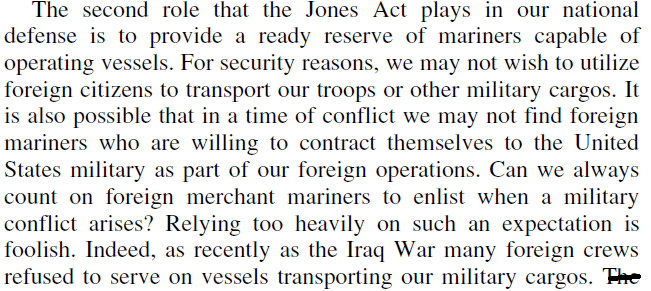
Link: Admiral Buzby says: No brainer - Jones Act is vital to US national security

Joe Pyne 2013. (Chairman and Chief Executive Officer of Kirby Corporation, the nation’s largest inland and coastal tank barge operator) testimony before the Subcommittee on Coast Guard and Maritime Transportation of the House Transportation & Infrastructure Committee 21 May 2013 (ellipses in original) (accessed 10 Sept 2022)<http://transportation.house.gov/uploadedfiles/documents/2013-05-21-pyne.pdf>

The domestic U.S.-flag fleet supports U.S. national and homeland security. Rear Admiral Mark Buzby, Commander of Military Sealift Command, put it best last year when he said: When it comes to backing the Jones Act, from my standpoint, it’s a no-brainer. We need a strong maritime industry, and part of a strong industry is highly trained merchant mariners, so many of whom are employed on Jones Act ships. We need a strong shipbuilding industry . . . . We need the current shipping capacity to move the lifeblood of this country where it needs to go, when it needs to go. The Jones Act supports all these things. It’s vital to our national security.

Can’t count on foreign shipping to accomplish missions during war time

Samuel Giberga and John Henry Tab Thompson 2015. (Giberga is Executive VP and General Counsel of Hornbeck Offshore Services Inc., owner & operator of one of the largest fleet of Jones Act qualified offshore service vessels supporting offshore energy development. Thompson is a first year law student at Univ. of Chicago Law School) JOURNAL OF MARITIME LAW & COMMERCE, Oct 2015 “We and Mr. Jones: How the Misunderstood Jones Act Enhances Our Security and Economy” (accessed 10 Sept 2022) <http://hornbeckoffshore.com/company/news/sam-giberga-explains-the-jones-act>



Link & Brink: Jones Act key to US naval power

Joe Pyne 2013. (Chairman and Chief Executive Officer of Kirby Corporation, the nation’s largest inland and coastal tank barge operator) testimony before the Subcommittee on Coast Guard and Maritime Transportation of the House Transportation & Infrastructure Committee 21 May 2013 (ellipses in original) (accessed 10 Sept 2022) <http://transportation.house.gov/uploadedfiles/documents/2013-05-21-pyne.pdf>

In a study on The Contribution of the Jones Act to National Security, Dr. Daniel Goure of the Lexington Institute said “the relevance of the Jones Act to national security now and in the future must be judged in light of continuing threats America faces overseas and this nation’s requirements for naval power and sealift.” Dr. Goure concluded that “the greatest danger to the role and function of the United States as a seafaring nation is the decline of its maritime industry and merchant marine.”

Voting Impact: National security outweighs any possible benefits of repealing Jones Act

Joe Pyne 2013. (Chairman and Chief Executive Officer of Kirby Corporation, the nation’s largest inland and coastal tank barge operator) testimony before the Subcommittee on Coast Guard and Maritime Transportation of the House Transportation & Infrastructure Committee 21 May 2013 (ellipses in original) (accessed 10 Sept 2022) <http://transportation.house.gov/uploadedfiles/documents/2013-05-21-pyne.pdf>

The domestic maritime industry has long been recognized as an important element to the nation’s military strategy, by Republicans and Democrats alike, all of whom recognize that defense of a nation is far more important than any perceived benefits of allowing foreign ships to operate in domestic waters.

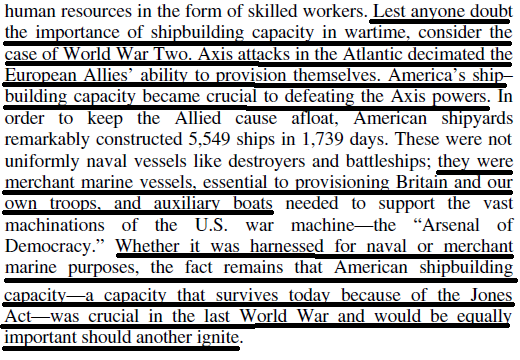
Impact: Navy is key to preventing war and vital to national security

Attorneys for Donald C. Winter, Secretary of the Navy 2008. Brief filed by the petitioners in Supreme Court case of Donald C. Winter, Secretary of the Navy v. Natural Resources Defense Council (accessed 10 Sept 2022) <https://www.justice.gov/osg/brief/winter-v-nrdc-brief-merits>

The existence of a well-equipped and well-trained Navy has long been regarded as vital to the Nation’s security. See 2 State of the Union Messages of the Presidents 1790-1966, at 2038 (Fred L. Israel ed. 1966) (Theodore Roosevelt) (“an adequate and highly trained navy is the best guaranty against war”); The Federalist No. 24 at 160-162 (Alexander Hamilton) (Clinton Rossiter ed. 1961). Congress accordingly has directed that the Navy “shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations at sea,” and it “is responsible for the preparation of naval forces necessary for the effective prosecution of war.”

US shipbuilding capacity is key to winning a major war, and makes Jones Act essential

Samuel Giberga and John Henry Tab Thompson 2015. (Giberga is Executive VP and General Counsel of Hornbeck Offshore Services Inc., owner & operator of one of the largest fleet of Jones Act qualified offshore service vessels supporting offshore energy development. Thompson is a first year law student at Univ. of Chicago Law School) JOURNAL OF MARITIME LAW & COMMERCE, Oct 2015 “We and Mr. Jones: How the Misunderstood Jones Act Enhances Our Security and Economy” (accessed 10 Sept 2022) <http://hornbeckoffshore.com/company/news/sam-giberga-explains-the-jones-act>



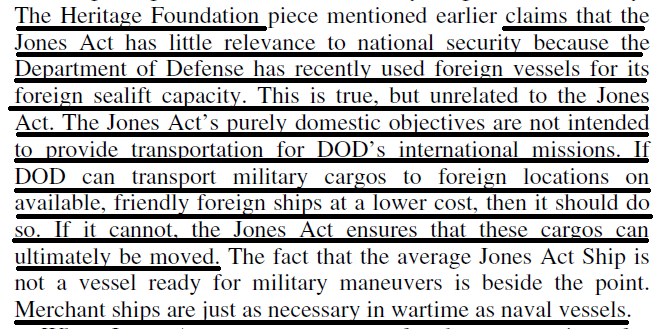
Examples and in-depth analysis of sea power critical to US national security

Dr. Daniel Goure 2011. (PhD; Vice President of the Lexington Institute; spent two years as the director of the Office of Strategic Competitiveness in the Office of the Secretary of Defense; served as a senior analyst on national security and defense issues with the Center for Naval Analyses, Science Applications International Corporation, SRS Technologies, R&D Associates and System Planning Corporation) 2011 THE CONTRIBUTION OF THE JONES ACT TO U.S. SECURITY (accessed 10 Sept 2022) <http://www.offshoreinjuries.com/media/pdfs/Contribution-of-the-JonesAct-to-National-Security.pdf>

The ability of the U.S. military to operate in, from and through the global commons will be of increasing importance in the decades to come. This is particularly the case with respect to the oceans. The seas and oceans provide a sovereign base for military operations. As demonstrated in recent military operations from Iraq and Afghanistan to Libya and Somalia, the ability to project power from the seas is vital to U.S. national security. Sea lines of communications (SLOCs) will be the most critical means of providing for the resupply of U.S. forward deployed forces and sustainment of allies overseas.

A/T “Dept of Defense uses foreign ships for international transport” – Doesn’t matter, we still need the Jones Act.

Samuel Giberga and John Henry Tab Thompson 2015. (Giberga is Executive VP and General Counsel of Hornbeck Offshore Services Inc., owner & operator of one of the largest fleet of Jones Act qualified offshore service vessels supporting offshore energy development. Thompson is a first year law student at Univ. of Chicago Law School) JOURNAL OF MARITIME LAW & COMMERCE, Oct 2015 “We and Mr. Jones: How the Misunderstood Jones Act Enhances Our Security and Economy” (accessed 10 Sept 2022) <http://hornbeckoffshore.com/company/news/sam-giberga-explains-the-jones-act>



3. Lost jobs

Jones Act = 650,000 jobs

Transportation Institute 2019. (established in 1967 as a Washington-based, non-profit organization dedicated to maritime research education and promotion. The Institute companies participate in all phases of the nation’s deep- sea, foreign and domestic shipping trades, and barge and tugboat operations) (ethical disclosure: Article is undated. It is copyrighted 2020 and references material published in 2019) " Jones Act: Critical to Economic and National Security" https://transportationinstitute.org/jones-act/#1571078231070-2ea7ec73-064d (accessed 10 Sept 2022)

According to PWC, an estimated 650,000 jobs were directly attributable to the Jones Act fleet and provided U.S. citizens with employment. These  jobs include the crewing of vessels, the building, maintenance, and repair of those vessels, and the shore-side management and support of trade. A proportion of these jobs arise from indirect and induced employment. In addition to being a major source of employment, the Jones Act has many additional benefits to our national security, tax base, and even the environment.

Devastating loss of jobs if Jones Act were repealed

Transportation Institute 2019. (established in 1967 as a Washington-based, non-profit organization dedicated to maritime research education and promotion. The Institute companies participate in all phases of the nation’s deep- sea, foreign and domestic shipping trades, and barge and tugboat operations) (ethical disclosure: Article is undated. It is copyrighted 2020 and references material published in 2019) " Jones Act: Critical to Economic and National Security" https://transportationinstitute.org/jones-act/#1571078231070-2ea7ec73-064d (accessed 10 Sept 2022)

If the Jones Act was repealed, the U.S. would experience a devastating loss of maritime jobs — a loss to the U.S. In addition to the economic damage that would result from the thousands of lost jobs, shipyards would stop investing in cost-efficient operations. Long-term shipping contracts would cease, thus the economy of scale built into those contracts would disappear. The current Jones Act fleet would begin to erode and defaults on federally-guaranteed mortgages would escalate dramatically, costing the federal government millions of dollars. Total exposure of the federal government and the owners of the vessels has been estimated to be over $1 billion, thus the government has a compelling financial incentive in seeing that the Jones Act fleet is not undermined and wiped out by foreign competition.

4. Higher oil prices

Link: Jones Act is key to Navy capabilities

Dr. Daniel Goure 2011. (PhD; Vice President of the Lexington Institute; spent two years as the director of the Office of Strategic Competitiveness in the Office of the Secretary of Defense; served as a senior analyst on national security and defense issues with the Center for Naval Analyses, Science Applications International Corporation, SRS Technologies, R&D Associates and System Planning Corporation) 2011 THE CONTRIBUTION OF THE JONES ACT TO U.S. SECURITY (accessed 10 Sept 2022) <http://www.offshoreinjuries.com/media/pdfs/Contribution-of-the-JonesAct-to-National-Security.pdf>

Today, hundreds of seagoing vessels from larger container ships to tankers and barges and worldclass deep-ocean drilling platforms are built every year. The projects keep American shipyards in operation, employing approximately 100,000 skilled workers. Moreover, tens of thousands of merchant mariners are at work every day as a consequence of the Jones Act. As a result, the nation retains the means to build and repair Navy vessels, and provide critical sea lift for the military.

Link: Iran threatens to block the Strait of Hormuz, which is key to global energy supplies

Omid Lahabi 2019 (journalist) 28 June 2019 " Strait of Hormuz: Why does Iran threaten to close it?" (accessed 10 Sept 2022) EURONEWS https://www.euronews.com/2019/06/28/strait-of-hormuz-why-does-iran-threaten-to-close-it

Iran had threatened for years that it would close the Strait of Hormuz during a war of words with the US for control over the strategically important waterway. The shooting down last week of a US drone by the Iranian Revolutionary Guard Corps showed the country is prepared to follow through on its threat.  
  
**END QUOTE. HE CONTINUES LATER IN THE CONTEXT QUOTE:**  
  
 The Strait of Hormuz — located south of Iran and north of Oman — is the most important waterway for global energy supply and the only way through from the Persian Gulf to the Arabia Sea and the Indian Ocean. Between 40% and 46% of the world's oil exports pass through it and this figure could grow. A study by the International Energy Agency (IEA), which planned for steady annual demand growth of 2%, forecasted that by 2030 two-thirds of the world's oil supply would flow through the Persian Gulf. Huge amounts of natural gas are also transported on that route. According to IEA statistics, 33 billion cubic metres of gas, including from Iran and Qatar, pass each year through the Strait of Hormuz — more than double the 14 billion cuter metres passing through the Strait of Gibraltar. A possible interruption of oil and gas exports through the Strait of Hormuz would therefore have a significant, negative, impact of the global economy, which is why Iran has put the threat of it at the core of its asymmetric war strategy.

Link: US military action would be needed to clear the Strait of Hormuz and stabilize oil prices.

**Analysis: We wouldn’t be able to do that if the AFF weakens or eliminates our Navy’s capabilities**

Dr. Ariel Cohen, Dr. David W. Kreutzer, James Phillips, and Michaela Bendikova 2012. (Cohen - PhD; Senior Research Fellow in Russian & Eurasian Studies and International Energy Policy in the Allison Center for Foreign Policy Studies, Heritage Foundation. Kreutzer - Ph.D., Research Fellow in Energy Economics and Climate Change in the Center for Data Analysis at Heritage Foundation. Phillips - Senior Research Fellow for Middle Eastern Affairs. Bendikova - Research Assistant for Missile Defense & Foreign Policy in the Allison Center at Heritage Foundation.) Thinking the Unthinkable: Modeling a Collapse of Saudi Oil Production 9 Apr 2012 <http://thf_media.s3.amazonaws.com/2012/pdf/bg2671.pdf> (accessed 10 Sept 2022)

Iranian threats to block oil shipping in the Strait of Hormuz, if acted upon, could disrupt the global energy supply and cause oil prices to spike. However, as this report suggests, this scenario is relatively short term. It leaves the oil-producing infrastructure intact, and prices would stabilize if military action, led by the United States, and a coordinated international response successfully restore security to the sea-lanes.

Impact: Oil price shocks hurt the US and world economy

Dr. Shiu-Sheng Chen & Kai-Wei Hsu 2012. (Chen - PhD economics; professor of economics at National Taiwan University; Hsu - economics department, National Taiwan University) Reverse Globalization: Does High Oil Price Volatility Discourage International Trade? Jan 2012, <http://mpra.ub.uni-muenchen.de/36182/1/MPRA_paper_36182.pdf> (accessed 10 Sept 2022)

It has been shown that the dramatic rise in oil prices during the 1970s was associated with subsequent economic downturns. Although there is some debate as to whether oil price shocks are the main cause of recessions, Hamilton (2009b) asserts that the latest surge in oil prices between June 2007 and June 2008 was an important factor that contributed to the economic recession that began in the US in 2007:Q4. Moreover, a number of recent studies show that oil price shocks have significant effects on a variety of domestic economic activities. An increase in oil prices has a significant negative impact on GDP growth and contributes to a higher inflation rate for most countries (see Hamilton (2009a), Cologni and Manera (2008), and Lardic and Mignon (2008)). Finally, Ordonez et al. (2011) show that the oil price shock is an important driving force of the cyclical labor adjustments in the US labor market, and the job-finding probability is the main transmission mechanism of such a shock.

A/T “Markets solve for oil prices” - Response: If supply problems become severe, oil markets could fail altogether

The Economist 2011 (respected British news magazine) March 3, 2011 “The price of fear” THE ECONOMIST <http://www.economist.com/node/18285768> (accessed 10 Sept 2022)

If the supply situation worsens, opportunities for this type of substitution will be fewer, creating supply bottlenecks, shortages of petrol and spikes within price spikes for different crudes and products, even when spare capacity remains. The price differential of about $15 a barrel that has built up between Brent crude, which more closely reflects global trade, and West Texas Intermediate, the benchmark for oil prices in America, is a good example of how oil markets can become distorted by local patterns of supply and demand. If supply gets even more stretched, oil could fetch a far higher price in some parts of the world than others. If supply problems become really grave, oil companies may even declare *force majeure*, raising the prospect that, as in 1978, oil markets fail altogether.

5. Destitute sailors and families.

**Sailors injured on the job today recover compensation for their injuries through the Jones Act. Since the Affirmative repeals this with no replacement, it means injured or deceased sailors and their surviving families will be left with nothing.**

Link & Brink: Prior to the Jones Act, there were few options for compensation of injured sailors

Sutliff & Stout Law Firm copyright 2022. (law firm specializing in maritime law) Houston Jones Act Attorney <http://www.sutliffstout.com/houston-jones-act-attorney/> <https://www.sutliffstout.com/houston-jones-act-attorney/#:~:text=The%20second%20significant%20part%20of,care%20to%20treat%20the%20injury>. (accessed 10 Sept 2022)

The Jones Act was officially titled the Merchant Marine Act of 1920; however, it became known and recognized as the Jones Act after the man who sponsored it, Senator Wesley Jones. The act was passed in response to concerns about the health of the Merchant Marine, and to establish protections for sailors. Prior to passage of the Jones Act, sailors injured on the job had few options for recovering damages available to them. Recognizing the danger of working at sea, and the value of trained seamen, the Jones Act established a system of benefits for sailors.

Impact: No compensation for injuries and death. Suffering families

Sutliff & Stout Law Firm copyright 2022. (law firm specializing in maritime law) Houston Jones Act Attorney <http://www.sutliffstout.com/houston-jones-act-attorney/> <https://www.sutliffstout.com/houston-jones-act-attorney/#:~:text=The%20second%20significant%20part%20of,care%20to%20treat%20the%20injury>. (accessed 10 Sept 2022)

The second significant part of the Jones Act created benefits for sailors which are very far reaching. Any sailor who is injured at sea is entitled to maintenance and cure. This means that the sailor’s employer is required to pay him or her a daily stipend and provided medical care to treat the injury. In addition, sailors also have the ability to sue for damages in the event that their injuries were caused by negligence on behalf of the ship’s owners or crew members. These damages include death benefits whenever there is a case where a sailor is killed on the job. Any maritime worker who spends at least 30% of their time in active service on a vessel in navigation qualifies as a Jones Act seaman. This includes everyone from the Captain on down. The benefits and legal protections afforded by the Jones Act are significant and it is important to hire an experienced offshore injury attorney that understands this aspect of maritime law and how it applies to those individuals working offshore.

Impact: Jones Act ensures needed compensation for maritime injuries and deaths

Seattle Maritime Attorneys, John Merriam & Gordon Webb 2014. (attorneys specializing in maritime law) Tug Crewman Medevaced from Elliot Bay, Washington 4 Feb 2014 <https://www.cruiselawusa.com/tug-crewman-medevaced-from-elliot-bay-washington.html> (accessed 10 Sept 2022)

Damages under the Jones Act allow recovery for not only injury and illness, but also for the death of a family member who dies at sea. These expenses include loss of companionship, burial or cremation costs, and future earnings. Punitive damages may also be available if there was willful and wanton conduct by the owner that led to the death of the employee. The variety of damages is necessary, as tug and barge workers experience great risks every day. Repetitive motions, overly-long hours, and heavy equipment all contribute to the wear and tear on a crew member, but additional negligence can turn what would have been a minor to moderate injury into a catastrophic injury or death. As a tug or barge crew member, you are entitled to a safe place to work, and should have access to all the monies necessary to make you "whole", or return you to the condition you were prior to the accident, when others failed in the duties required by law.

6. Higher federal deficits

Link: Increased federal spending. Repeal of the Jones Act would lead to massive federal shipping industry subsidies

Dr. Daniel Goure 2011. (PhD; Vice President of the Lexington Institute; spent two years as the director of the Office of Strategic Competitiveness in the Office of the Secretary of Defense; served as a senior analyst on national security and defense issues with the Center for Naval Analyses, Science Applications International Corporation, SRS Technologies, R&D Associates and System Planning Corporation) 2011 THE CONTRIBUTION OF THE JONES ACT TO U.S. SECURITY (accessed 10 Sept 2022) <http://www.offshoreinjuries.com/media/pdfs/Contribution-of-the-JonesAct-to-National-Security.pdf>

Ninety years after it became law, the Jones Act continues to be vital to national security needs. In the face of continuing low-cost subsidized foreign competition, real world economics would dictate that the U.S. shipbuilding industry would decline. Without the Jones Act, the United States would face the danger of a rapid decline in its merchant marine fleet. It would then be required to provide massive subsidies to that industry, pay exorbitant prices for naval vessels and rely on foreign-owned or flagged vessels to carry critical military cargoes or to build and maintain at great expense a unique, government owned fleet of cargo vessels.

Federal government would incur big costs if the Jones Act were repealed

Transportation Institute 2019. (established in 1967 as a Washington-based, non-profit organization dedicated to maritime research education and promotion. The Institute companies participate in all phases of the nation’s deep- sea, foreign and domestic shipping trades, and barge and tugboat operations) (ethical disclosure: Article is undated. It is copyrighted 2020 and references material published in 2019) " Jones Act: Critical to Economic and National Security" https://transportationinstitute.org/jones-act/#1571078231070-2ea7ec73-064d (accessed 10 Sept 2022)

If the Jones Act was repealed, the U.S. would experience a devastating loss of maritime jobs — a loss to the U.S. In addition to the economic damage that would result from the thousands of lost jobs, shipyards would stop investing in cost-efficient operations. Long-term shipping contracts would cease, thus the economy of scale built into those contracts would disappear. The current Jones Act fleet would begin to erode and defaults on federally-guaranteed mortgages would escalate dramatically, costing the federal government millions of dollars. Total exposure of the federal government and the owners of the vessels has been estimated to be over $1 billion, thus the government has a compelling financial incentive in seeing that the Jones Act fleet is not undermined and wiped out by foreign competition.

Impact: Every increase in the deficit hurts the economy

Dr William Gale and Benjamin Harris 2010. (Gale - PhD in economics, Stanford Univ.; senior fellow at the Brookings Institution and co-director of the Urban-Brookings Tax Policy Center; former assistant professor in the Department of Economics at UCLA, and a senior economist for the Council of Economic Advisers under President George H.W. Bush; Harris - master’s degree in economics from Cornell University and a master’s degree in quantitative methods from Columbia University; senior research associate with the Economics Studies Program at the Brookings Institution) “A VAT for the United States: Part of the Solution” (accessed 10 Sept 2022) https://www.brookings.edu/wp-content/uploads/2016/06/0721\_vat\_for\_us\_gale.pdf

But even in the absence of a crisis, sustained deficits have deleterious effects, as they translate into lower national savings, higher interest rates, and increased indebtedness to foreign investors, all of which serve to reduce future national income. Gale and Orszag (2004a) estimate that a 1 percent of GDP increase in the deficit will raise interest rates by 25 to 35 basis points and reduce national saving by 0.5 to 0.8 percentage points of GDP.

7. Global economic instability

Link: Jones Act is key to Navy capabilities. Cross apply DA4 first link card.

Link: US Navy maintains openness of the seas for trade

Brink: US naval power is central to maintaining freedom of the seas

Impact: Global economic order depends on stability of the seas

All of these come from this card:

Dr. Daniel Goure 2011. (PhD; Vice President of the Lexington Institute; spent two years as the director of the Office of Strategic Competitiveness in the Office of the Secretary of Defense; served as a senior analyst on national security and defense issues with the Center for Naval Analyses, Science Applications International Corporation, SRS Technologies, R&D Associates and System Planning Corporation) 2011 THE CONTRIBUTION OF THE JONES ACT TO U.S. SECURITY (accessed 10 Sept 2022) <http://www.offshoreinjuries.com/media/pdfs/Contribution-of-the-JonesAct-to-National-Security.pdf>

The United States has been centrally responsible for creating and maintaining the global commons. “Since the end of World War II, and especially since the end of the Cold War, the openness and stability of the global commons have been protected and sustained by U.S. military dominance and political leadership. The U.S. Navy and Coast Guard have dissuaded naval aggression and fought piracy around the world, ensuring unprecedented freedom of the seas.” The significance of the global commons has increased as a globalized economic order has emerged. Consequently, it is increasingly important that the global commons be rendered secure against a wide range of threats.