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Help Hawaii wildfire victims, offshore wind by abolishing the Jones Act

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The gut-wrenching destruction on the island of Maui, the annihilation of the historic city of Lahaina, and the still-growing death toll from wildfires there cry out for more than mere platitudes and far more than short-term relief. Maui will take years to rebuild and billions of dollars. And, not to belabor the obvious, but that task is made infinitely more difficult and costly because it is an island.

As a nation, we have been here before. Every time Puerto Rico faces the devastation that comes with a major hurricane — Maria in 2017, Fiona in 2022 — the issue is the same. Relief efforts for Americans who happen to live on islands are hampered by a century-old shipping law that delays the arrival of short-term aid and makes long-term recovery more difficult and costly.

And so it will be on Maui.

“My heart, my prayers, and my focus are on the victims of the Maui wildfires and their families,” President Biden said in a prepared statement released before his arrival on the island Monday. “I know how profoundly loss can impact a family and a community, and I know nothing can replace the loss of life. I will do everything in my power to help Maui recover and rebuild from this tragedy.”

Everything, eh? One not so small suggestion, Mr. President: Ask Congress to repeal the Jones Act, which continues to be a hindrance every time disaster strikes islands. It’s the same law, by the way, that puts at risk this nation’s long-term plans for offshore wind power.

The Jones Act requires that all goods transported between US ports must be carried on US-built and owned ships, crewed by US citizens. The 1920 law was passed after World War I in an effort to encourage US shipbuilding, and likely was a good idea at the time. But its time has come and gone.

Foreign shipbuilding long ago outstripped that being done in the US — and it’s far less expensive. A recently constructed container ship built to serve Hawaii from the mainland carried a price tag of more than \$225 million, according to the CATO Institute, compared to \$41 million for a similar South Korean-built ship. Operating costs of American vessels, that same study noted, are roughly three times that of their international counterparts.

Maui's Long Cleanup: Lingering Health Risks After Devastating Fire

Thus, the protectionist Jones Act simply adds to the cost of everything carried on those US vessels. A 2020 study by the Grassroot Institute of Hawaii estimated that the Jones Act cost the average Hawaiian family some \$1,800 a year and cost the islands overall some \$1.2 billion a year. So, yes, it will constitute a substantial burden on Maui's recovery.

Closer to home, the act is also proving a burden on the development of offshore wind, as the Globe pointed out in a report on the maritime surveillance effort aimed at making sure the Vineyard Wind project, 13 miles off the coast of Martha's Vineyard, is toeing the line and abiding by the Jones Act, however difficult that might be.

The problem is that since Europe has been light years ahead of the United States in the development of offshore wind energy, so too has it developed the ships needed to build the massive turbines at sea. So to comply with the Jones Act generally requires a work-around involving two ships — a Jones Act-compliant ship to transport materials to a foreign-flagged vessel capable of doing the actual installation. Again, adding to the cost of an already complex project.

Construction has only just begun on what will be this nation's first Jones-compliant ship capable of installing offshore wind turbines. But the \$246 million Acadia, being built in Philadelphia, isn't expected to be finished until 2025.

Biden, who attended the Acadia's steel-cutting ceremony last month, said at the time: "There are some who are content to rely on ships built overseas, without American crews to operate them. . . not on my watch. We're strengthening American shipbuilding, supporting good union jobs, and bringing offshore-wind supply chains back home."

But at what cost — in money and in time lost? And we're talking just *one* ship here for that "supply chain."

There's something deeply incongruous about claiming to believe climate change is an existential problem requiring immediate action, while also insisting on rules that make an important component of that response slower, more expensive, and maybe even less achievable. And when it comes to Hawaii, how can this president justify delays in aid and additional costs to the people of Maui as they struggle to survive and rebuild their homes and their lives?

At the very least, Biden owes Maui a waiver of the Jones Act for the duration of this humanitarian crisis and for the recovery effort that must follow. (Then-President Donald Trump issued a 10-day waiver in 2017 to allow relief efforts for Puerto Rico.)

But more to the point, the shipbuilding industry — the president's talking points notwithstanding — is more myth than reality. A 2015 report by the Maritime Administration found there are only seven active major shipbuilding yards in the country (major defined as being able to produce ships longer than 150 meters), compared to some 60 major shipyards in Europe.

The ship now making possible the Vineyard Wind project is Danish. Does its use somehow endanger our national security? Our economy?

That's not to say a revived domestic shipbuilding industry wouldn't be a nice thing to have. But there has to be a fairer — and more effective — way to get there. The Jones Act has outlived its usefulness in the global marketplace. Defending it is no longer defensible.