
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 62 Session of
2023

INTRODUCED BY GIRAL, MADDEN, SANCHEZ, FREEMAN, GUENST, HANBIDGE,
BURGOS, HILL-EVANS AND NEILSON, APRIL 3, 2023

REFERRED TO COMMITTEE ON COMMERCE, APRIL 3, 2023

A RESOLUTION

1 Urging the Congress of the United States to pass legislation to
2 exempt Puerto Rico and other noncontiguous states and
3 territories from the Jones Act.

4 WHEREAS, Section 27 of the Merchant Marine Act of 1920, more
5 commonly referred to as the Jones Act, (46 U.S.C. § 55102),
6 requires that goods shipped from one American port to another be
7 transported on a ship that is American-built, American-owned and
8 crewed by United States citizens or permanent residents; and

9 WHEREAS, The original purpose of this law was to create a
10 safe network of merchant mariners within the United States after
11 World War I in reaction to the United States fleet being
12 destroyed by the German Navy; and

13 WHEREAS, The Jones Act ensured that in times of war there was
14 a reliable supply of American-made, American-owned, American-
15 crewed ships to supply American commerce even in hazardous
16 conditions; and

17 WHEREAS, Although the Jones Act is well-intentioned, the act
18 has had numerous unintended consequences on Puerto Rico and

1 other noncontiguous states and territories, such as Alaska and
2 Hawaii; and

3 WHEREAS, The Jones Act costs Hawaii and Puerto Rico \$1.2
4 billion and \$1.5 billion a year, respectively; and

5 WHEREAS, The Jones Act drives up prices for imports and
6 exports in places such as Puerto Rico and Alaska, contributing
7 to a high cost of living; and

8 WHEREAS, As a result of higher costs of goods in Puerto Rico,
9 it is at a competitive disadvantage to other places in the
10 Caribbean as a destination for American tourists; and

11 WHEREAS, In the United States Virgin Islands, which is exempt
12 from the Jones Act, United States-made goods are significantly
13 cheaper; and

14 WHEREAS, The United States Virgin Islands has resisted past
15 efforts in Congress to subject the islands to the Jones Act; and

16 WHEREAS, The Jones Act has often been waived in times of
17 disaster; and

18 WHEREAS, Special interests pushed back against granting
19 emergency waivers in the aftermath of Hurricane Katrina,
20 demonstrating the difficulty in granting waivers; and

21 WHEREAS, Special interest groups were furious when, after
22 Hurricane Fiona hit Puerto Rico, the Biden Administration
23 allowed a foreign ship filled with diesel oil a waiver to bypass
24 Federal regulations and dock in Puerto Rico to help the island's
25 recovery efforts and prevent massive blackouts; and

26 WHEREAS, In response, the Jones Act waiver process was
27 amended in the James M. Inhofe National Defense Authorization
28 Act for Fiscal Year 2023 (Public Law 117-263, 136 Stat. 2395);
29 and

30 WHEREAS, These changes include making the President

1 responsible for determining that a waiver is necessary instead
2 of the Secretary of Homeland Security and establishing a
3 mandatory 48-hour delay before a waiver can be approved and
4 published; and

5 WHEREAS, This means that a ship that is already laden with
6 cargo cannot seek out a waiver at all, which was the case with
7 Puerto Rico in the aftermath of Hurricane Fiona; and

8 WHEREAS, These changes will only make it harder for Puerto
9 Rico and other noncontiguous states and territories to respond
10 to emergency situations; therefore be it

11 RESOLVED, That the House of Representatives of the
12 Commonwealth of Pennsylvania urge the Congress of the United
13 States to pass legislation to exempt Puerto Rico and other
14 noncontiguous states and territories from the Jones Act; and be
15 it further

16 RESOLVED, That the House of Representatives of the
17 Commonwealth of Pennsylvania urge the members of the United
18 States Congress to give serious and careful consideration to the
19 impacts of the Jones Act on the people of Puerto Rico and other
20 noncontiguous states and territories; and be it further

21 RESOLVED, That copies of this resolution be sent to the
22 President of the United States, the Secretary of Homeland
23 Security, the presiding officers of each house of Congress and
24 to each member of Congress from Pennsylvania.