

116TH CONGRESS
1ST SESSION

S. 3124

To improve passenger vessel security and safety, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 19, 2019

Mr. BLUMENTHAL (for himself and Mr. MARKEY) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To improve passenger vessel security and safety, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Cruise Passenger Protection Act of 2019”.

6 (b) REFERENCES TO TITLE 46, UNITED STATES
7 CODE.—Except as otherwise expressly provided, wherever
8 in this Act an amendment or repeal is expressed in terms
9 of an amendment to, or repeal of, a section or other provi-

1 sion, the reference shall be considered to be made to a
 2 section or other provision of title 46, United States Code.

3 **SEC. 2. CRUISE VESSEL SUBCHAPTER.**

4 Chapter 35 is amended—

5 (1) by inserting before section 3501 the fol-
 6 lowing:

7 **“Subchapter I—General Provisions”;**

8 (2) by inserting before section 3507 the fol-
 9 lowing:

10 **“Subchapter II—Cruise Vessels”;**

11 and

12 (3) by redesignating sections 3507 and 3508 as
 13 sections 3523 and 3524, respectively.

14 **SEC. 3. APPLICATION.**

15 Chapter 35, as amended by section 2 of this Act, is
 16 further amended by inserting before section 3523 the fol-
 17 lowing:

18 **“§ 3521. Application**

19 “(a) IN GENERAL.—This subchapter applies to a ves-
 20 sel that—

21 “(1) is authorized to carry at least 250 pas-
 22 sengers;

23 “(2) has onboard sleeping facilities for each
 24 passenger;

1 “(3) is on a voyage that embarks or disembarks
2 passengers in the United States; and

3 “(4) is not engaged on a coastwise voyage.

4 “(b) FEDERAL AND STATE VESSELS.—This sub-
5 chapter does not apply to—

6 “(1) a vessel of the United States operated by
7 the Federal Government; or

8 “(2) a vessel owned and operated by a State.”.

9 **SEC. 4. DEFINITIONS.**

10 Chapter 35, as amended by sections 2 and 3 of this
11 Act, is further amended by inserting after section 3521,
12 as added by section 3, the following:

13 **“§ 3522. Definitions**

14 “In this subchapter:

15 “(1) EXTERIOR DECK.—The term ‘exterior
16 deck’ means any exterior weather deck on which a
17 passenger may be present, including passenger state-
18 room balconies, exterior promenades on passenger
19 decks, muster stations, and similar exterior weather
20 deck areas.

21 “(2) KEY TERMS.—The term ‘key terms’ in-
22 cludes terms related to undisclosed costs and fees,
23 indemnification, waivers, limitations on liability, no-
24 tice of claim and actions, time limitations, arbitra-
25 tion, forum, and jurisdiction.

1 “(3) OWNER.—The term ‘owner’ means the
2 owner, charterer, managing operator, master, or
3 other individual in charge of a vessel.

4 “(4) PASSAGE CONTRACT.—The term ‘passage
5 contract’ means a binding agreement for passage on
6 a passenger vessel.

7 “(5) PASSENGER.—Notwithstanding section
8 2101 of this title, the term ‘passenger’ means a cit-
9 izen of the United States carried on a passenger ves-
10 sel.

11 “(6) PASSENGER VESSEL.—The term ‘pas-
12 senger vessel’ means a passenger vessel to which this
13 subchapter applies.”.

14 **SEC. 5. PASSENGER VESSEL CONSUMER SERVICE IM-**
15 **PROVEMENTS.**

16 (a) IN GENERAL.—Chapter 35, as amended by this
17 Act, is further amended by adding at the end the fol-
18 lowing:

19 **“§ 3525. Passenger vessel consumer service improve-**
20 **ments**

21 “(a) PASSAGE CONTRACTS.—

22 “(1) IN GENERAL.—Not later than 1 year after
23 the date of enactment of the Cruise Passenger Pro-
24 tection Act of 2019, the Secretary of Transportation
25 shall develop standards for use by an owner of a

1 passenger vessel to provide a prospective passenger
2 with a summary that highlights key terms in the
3 passage contract and before such terms are binding.
4 In developing the standards, the Secretary of Trans-
5 portation may consult with other Federal agencies,
6 persons with expertise on admiralty and maritime
7 law, consumer advocates, industry representatives,
8 and such other persons as the Secretary of Trans-
9 portation considers necessary.

10 “(2) STATUTE OF LIMITATIONS.—The statute
11 of limitations for filing a lawsuit against the owner
12 of a passenger vessel, which shall not be shorter
13 than 3 years, shall be clearly identified in the pas-
14 sage contract described in paragraph (1).

15 “(3) RECOMMENDATIONS.—The standards de-
16 veloped under paragraph (1) shall include rec-
17 ommendations regarding—

18 “(A) style, formatting, and placement that
19 ensures that the summary is conspicuous; and

20 “(B) terminology that ensures that the
21 summary is—

22 “(i) clear, unambiguous, and unmis-
23 takable; and

24 “(ii) to the greatest extent possible,
25 uniform, concise, and not complex.

1 “(4) PERIODIC REVIEW.—The Secretary of
2 Transportation shall periodically review and update,
3 as appropriate, the standards developed under para-
4 graph (1).

5 “(5) REQUIREMENTS.—Beginning on the date
6 that is 180 days after the date on which the stand-
7 ards are developed under paragraph (1), an owner of
8 a passenger vessel shall—

9 “(A) provide each prospective passenger
10 with a summary in accordance with those
11 standards;

12 “(B) include a prominently accessible link
13 to the summary on each Internet website that
14 the owner maintains for prospective passengers
15 to purchase or book passage on the passenger
16 vessel; and

17 “(C) include the summary in any pro-
18 motional literature or advertising, through any
19 medium of communication in the United States
20 offering passage or soliciting passengers for
21 ocean voyages anywhere in the world, that the
22 Secretary of Transportation considers necessary
23 to adequately notify a prospective passenger of
24 the key terms in the passage contract before
25 such terms are binding.

1 “(6) PREEMPTION.—The standards developed
2 under paragraph (1) shall preempt any related State
3 standards that require a summary that provides less
4 information to a prospective passenger than the in-
5 formation required to be provided under this sub-
6 section, as determined by the Secretary of Transpor-
7 tation.

8 “(b) CONSUMER COMPLAINTS.—

9 “(1) TOLL-FREE HOTLINE; INTERNET WEBSITE
10 LINK.—The Secretary of Transportation shall—

11 “(A) establish a consumer complaints toll-
12 free hotline telephone number for passenger
13 use;

14 “(B) establish a consumer complaints link
15 for passenger use on the Internet website main-
16 tained under section 3526(i); and

17 “(C) notify the public of—

18 “(i) the telephone number established
19 under subparagraph (A); and

20 “(ii) the Internet website maintained
21 under section 3526(i).

22 “(2) WEBSITE.—The Secretary of Transpor-
23 tation shall—

24 “(A) maintain a statistical compilation of
25 all consumer complaints on the Internet website

1 under section 3526(i) that provides a numerical
2 accounting of each category of consumer com-
3 plaint;

4 “(B) update the data referred to in sub-
5 paragraph (A) not less frequently than quar-
6 terly;

7 “(C) aggregate such data by passenger
8 vessel; and

9 “(D) identify each passenger vessel by
10 name.

11 “(3) INVESTIGATIONS OF CONSUMER COM-
12 PLAINTS.—The Secretary of Transportation, in co-
13 ordination with other relevant Federal agencies, may
14 investigate consumer complaints from passengers,
15 including—

16 “(A) cancellations, delays, and port skip-
17 ping;

18 “(B) lost, damaged, and delayed baggage;

19 “(C) conditions on board the passenger
20 vessel;

21 “(D) problems in obtaining refunds for un-
22 used or lost tickets or fare adjustments;

23 “(E) incorrect or incomplete information
24 about fares, discount fare conditions and avail-
25 ability, overcharges, and fare increases;

1 “(F) deceptive or misleading advertising;
2 and

3 “(G) compliance with Federal regulations.

4 “(4) REFERRAL TO FEDERAL AGENCY.—The
5 Secretary of Transportation may refer any complaint
6 received under this subsection to the Attorney Gen-
7 eral or relevant Federal agency for action, as appro-
8 priate.

9 “(5) NOTICE TO PASSENGERS.—

10 “(A) INTERNET WEBSITES.—Each owner
11 of a passenger vessel shall include in a con-
12 spicuous location on each Internet website that
13 the owner of a passenger vessel maintains for
14 passengers to purchase or book passage on a
15 passenger vessel—

16 “(i) the telephone number established
17 under paragraph (1); and

18 “(ii) any other information necessary
19 for a passenger to submit a consumer com-
20 plaint for resolution.

21 “(B) BOARDING DOCUMENTATION.—The
22 owner of a passenger vessel shall include the
23 telephone number and Internet address for con-
24 sumer complaints established under paragraph
25 (1) on—

1 “(i) any promotional literature or ad-
2 vertising, through any medium of commu-
3 nication in the United States offering pas-
4 sage or soliciting passengers for ocean voy-
5 ages on passenger vessels, that the Sec-
6 retary of Transportation considers nec-
7 essary to adequately notify a prospective
8 passenger of the telephone number and
9 Internet address; and

10 “(ii) any electronic confirmation of
11 the purchase of passage on a passenger
12 vessel.

13 “(c) PENALTIES.—

14 “(1) CIVIL PENALTY.—The Secretary of Trans-
15 portation may impose on any person that violates
16 this section or a regulation under this section a civil
17 penalty of not more than \$25,000 for each day dur-
18 ing which the violation continues, except that the
19 maximum penalty for a continuing violation shall be
20 \$50,000.

21 “(2) CRIMINAL PENALTY.—Any person that
22 willfully violates this section or a regulation under
23 this section shall be fined not more than \$250,000
24 or imprisoned not more than 1 year, or both.

1 “(d) RULEMAKING.—The Secretary of Transpor-
 2 tation shall issue such regulations as are necessary to im-
 3 plement this section.”.

4 (b) BILL OF RIGHTS.—

5 (1) ENFORCEABILITY.—Not later than 180
 6 days after the date of the enactment of this Act, the
 7 Secretary of Transportation shall determine whether
 8 any of the enumerated rights in the international
 9 cruise line passenger bill of rights, which was adopt-
 10 ed in 2013 by the members of the Cruise Lines
 11 International Association, are enforceable under
 12 Federal law.

13 (2) REQUIRED STATEMENT.—The Secretary of
 14 Transportation shall include in the standards devel-
 15 oped under section 3525(a) of title 46, United
 16 States Code, a statement informing a prospective
 17 passenger—

18 (A) which rights referred to in paragraph

19 (1) are legally enforceable;

20 (B) that the passenger has a private right
 21 of action to enforce such rights; and

22 (C) of any legal action that a prospective
 23 passenger may take to enforce such rights.

24 (c) ADVISORY COMMITTEE FOR PASSENGER VESSEL
 25 CONSUMER PROTECTION.—

1 (1) IN GENERAL.—The Secretary of Transpor-
2 tation shall establish an advisory committee for pas-
3 senger vessel consumer protection (referred to in
4 this subsection as the “advisory committee”) to ad-
5 vise the Secretary in carrying out activities relating
6 to passenger vessel customer service improvements.

7 (2) MEMBERSHIP.—The Secretary of Transpor-
8 tation shall appoint the members of the advisory
9 committee, which shall be comprised of 1 representa-
10 tive each of—

11 (A) owners of passenger vessels;

12 (B) international industry-related associa-
13 tions;

14 (C) State or local governments with exper-
15 tise in consumer protection matters;

16 (D) nonprofit public interest groups with
17 expertise in consumer protection matters;

18 (E) nonprofit public interest groups with
19 expertise in victim assistance; and

20 (F) relevant Federal agencies, as deter-
21 mined by the Secretary of Transportation.

22 (3) VACANCIES.—A vacancy in the advisory
23 committee shall be filled in the manner in which the
24 original appointment was made.

1 (4) TRAVEL EXPENSES.—Members of the advi-
2 sory committee shall serve without pay, but shall re-
3 ceive travel expenses, including per diem in lieu of
4 subsistence, in accordance with subchapter I of
5 chapter 57 of title 5, United States Code.

6 (5) CHAIR.—The Secretary of Transportation
7 shall designate, from among the individuals ap-
8 pointed under paragraph (2), an individual to serve
9 as chair of the advisory committee.

10 (6) DUTIES.—The advisory committee shall—

11 (A) evaluate existing passenger vessel con-
12 sumer protection programs or services;

13 (B) recommend improvements to the pro-
14 grams or services under subparagraph (A), as
15 necessary;

16 (C) recommend additional passenger vessel
17 consumer protection programs or services, as
18 necessary; and

19 (D) recommend to the Secretary of Trans-
20 portation which key terms in a passage contract
21 that should be highlighted before such terms
22 are binding, such as—

23 (i) products and services available on
24 board the passenger vessel for an undis-

1 closed cost or fee or otherwise are not in-
2 cluded in the price of passage;

3 (ii) the country under which the pas-
4 senger vessel is registered or flagged;

5 (iii) if the passenger vessel leaves the
6 admiralty and maritime jurisdiction of the
7 United States, a passenger may be subject
8 to the law of a foreign country;

9 (iv) the passenger vessel may not ac-
10 cept responsibility for any health care serv-
11 ices provided to a passenger by medical
12 staff on board the passenger vessel;

13 (v) the maximum amount an owner of
14 a passenger vessel will reimburse a pas-
15 senger for lost or stolen property while on
16 board the passenger vessel; and

17 (vi) where to file a notice of claim or
18 initiate any legal action against the owner
19 of the passenger vessel.

20 (7) REPORT TO CONGRESS.—Not later than
21 February 1 of each of the first 2 calendar years be-
22 ginning after the date of the enactment of this Act,
23 the Secretary of Transportation shall submit to Con-
24 gress a report that contains—

1 (A) the recommendations made by the ad-
 2 visory committee during the preceding calendar
 3 year;

4 (B) an explanation of whether and how the
 5 industry has implemented each recommenda-
 6 tion; and

7 (C) for each recommendation not imple-
 8 mented, the industry's reason for not imple-
 9 menting the recommendation.

10 (8) DEFINITION OF PASSENGER VESSEL.—In
 11 this subsection, the term “passenger vessel” has the
 12 meaning given the term in section 3522 of title 46,
 13 United States Code.

14 **SEC. 6. CRIME REPORTING AND PUBLIC NOTICE.**

15 (a) AVAILABILITY OF LOG BOOK AND ENTRIES TO
 16 FBI AND OTHER INVESTIGATORS.—Section 3523(g)(1),
 17 as redesignated under section 2, is amended—

18 (1) in subparagraph (A), by striking “in a cen-
 19 tralized location readily accessible to law enforce-
 20 ment personnel,”; and

21 (2) in subparagraph (B), by striking “make
 22 such log book available” and inserting “make the log
 23 book described in subparagraph (A), the Captain's
 24 log, security log, engine room log, all other logs, and
 25 all entries of such log books or logs, available with-

1 out regard as to whether the log book, logs, or en-
 2 tries are maintained on board the vessel or at a cen-
 3 tralized location off the vessel,”.

4 (b) DEADLINE TO NOTIFY FEDERAL BUREAU OF IN-
 5 VESTIGATION REGARDING CERTAIN INCIDENTS.—Section
 6 3523(g)(3)(A)(i), as redesignated under section 2, is
 7 amended—

8 (1) by striking “shall contact” and inserting
 9 “subject to subparagraph (C), shall contact”; and

10 (2) by striking “after the occurrence on board
 11 the vessel of an incident involving” and inserting “,
 12 but not later than 4 hours, after an employee of the
 13 vessel is notified of an incident on board the vessel
 14 allegedly involving”.

15 (c) CRIME REPORTING GUIDELINES.—Section
 16 3523(g)(1)(A), as redesignated under section 2 and
 17 amended by subsection (a), is further amended—

18 (1) in clause (i), by striking the comma at the
 19 end and inserting a semicolon;

20 (2) in clause (ii), by striking “, and” and in-
 21 serting a semicolon;

22 (3) in clause (iii), by striking the comma at the
 23 end and inserting “; and”; and

24 (4) by inserting after clause (iii) the following:

1 “(iv) any other criminal offenses re-
2 ported to the Federal Bureau of Investiga-
3 tion through the Uniform Crime Reporting
4 Program,”.

5 (d) REPORTS BEFORE DEPARTURE.—Section
6 3523(g)(3), as redesignated under section 2, is amended
7 by adding at the end the following:

8 “(C) REPORTS BEFORE DEPARTURE.—If
9 an employee of a vessel to which this sub-
10 chapter applies is notified of an incident under
11 subparagraph (A)(i) while the vessel is within
12 the admiralty and maritime jurisdiction of the
13 United States and en route to a United States
14 port or at a United States port, the owner of
15 the vessel (or the owner’s designee) shall con-
16 tact the nearest Federal Bureau of Investiga-
17 tion Field Office or Legal Attaché not later
18 than the time specified under subparagraph
19 (A)(i) or before the vessel departs port, which-
20 ever is earlier.”.

21 (e) REPORTS TO UNITED STATES CONSULATES.—
22 Section 3523(g)(3), as amended by subsection (d), is fur-
23 ther amended by adding at the end the following:

24 “(D) REPORTS TO UNITED STATES CON-
25 SULATES.—If an incident described in subpara-

graph (A)(i) allegedly involves an offense by or against a United States national, in addition to contacting the nearest Federal Bureau of Investigation Field Office or Legal Attaché under that subparagraph, the owner of a vessel to which this subchapter applies (or the owner's designee) shall contact the United States consulate at the next port of call not later than the time specified under subparagraph (A)(i).".

(f) REPORTS TO SECRETARY OF TRANSPORTATION; INCIDENTS AND DETAILS.—Section 3523(g)(3)(A), as amended by subsection (b), is further amended—

(1) in clause (ii), by striking “to the Internet website maintained by the Secretary of Transportation under paragraph (4)(A)” and inserting “, including the details under paragraph (2), to the Internet website maintained by the Secretary of Transportation under section 3526(i)”; and

(2) in clause (iii), by striking “under paragraph (4)(A)” and inserting “under section 3526(i)”.

(g) AVAILABILITY OF SECURITY GUIDE VIA INTERNET.—Section 3523(c)(1), as redesignated under section 2 of this Act, is amended—

(1) in subparagraph (A)—

1 (A) by striking “a guide (referred to in
 2 this subsection as the ‘security guide’)” and in-
 3 serting “a security guide”; and

4 (B) by striking “English, which” and in-
 5 serting “English, that”; and

6 (2) in subparagraph (C), by striking “on the
 7 website of the vessel owner” and inserting “through
 8 a prominently accessible link on each Internet
 9 website that the cruise line maintains for passengers
 10 to purchase or book cruises on any vessel that the
 11 cruise line owns or operates, and to which this sub-
 12 chapter applies”.

13 (h) REPORTING REQUIREMENTS.—Section 3523, as
 14 redesignated under section 2 of this Act, is further amend-
 15 ed—

16 (1) by striking subsections (k) and (l);

17 (2) by redesignating subsections (i) and (j) as
 18 subsections (j) and (k), respectively; and

19 (3) by inserting after subsection (h) the fol-
 20 lowing:

21 “(i) REPORTING REQUIREMENTS.—

22 “(1) PROVISION TO STATE FUSION CENTERS.—

23 “(A) IN GENERAL.—Any records (includ-
 24 ing electronic records), information, or written
 25 documentation provided to any source under

paragraph (1)(A), or subparagraph (D) or (C) of paragraph (3), shall also be provided to the State fusion center (as described in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h)) for the State in which the applicable port described in subparagraph (B) is located.

“(B) APPLICABLE PORT.—For purposes of this paragraph, the applicable port shall be the port from which a vessel originally embarks or the port at which the vessel disembarks, whichever port is nearest when the alleged incident occurs.”.

SEC. 7. CRIME PREVENTION, DOCUMENTATION, AND RESPONSE REQUIREMENTS.

(a) MAINTENANCE AND PLACEMENT OF VIDEO SURVEILLANCE EQUIPMENT.—Section 3523(b)(1), as redesignated under section 2 of this Act, is amended—

(1) by striking “The owner” and inserting the following:

“(A) IN GENERAL.—The owner”;

(2) by striking “, as determined by the Secretary”; and

(3) by adding at the end the following:

1 “(B) PLACEMENT OF VIDEO SURVEIL-
 2 LANCE EQUIPMENT.—With regard to the place-
 3 ment of video surveillance equipment on a ves-
 4 sel under subparagraph (A), the owner shall—

5 “(i) place video surveillance equipment
 6 in each passenger common area where a
 7 person has no reasonable expectation of
 8 privacy;

9 “(ii) place video surveillance equip-
 10 ment in other areas where a person has no
 11 reasonable expectation of privacy; and

12 “(iii) place video surveillance equip-
 13 ment in each area identified under clauses
 14 (i) and (ii) in a manner that provides opti-
 15 mum surveillance of that area.”.

16 (b) ACCESS TO VIDEO RECORDS.—Section 3523(b),
 17 as redesignated under section 2 of this Act and amended
 18 under subsection (a), is further amended—

19 (1) by redesignating paragraph (2) as para-
 20 graph (3); and

21 (2) in paragraph (3), as redesignated—

22 (A) by striking “The owner” and inserting
 23 the following:

24 “(A) LAW ENFORCEMENT.—The owner”;

25 and

1 (B) by adding at the end, the following:

2 “(B) CIVIL ACTIONS.—The owner of a ves-
3 sel to which this subchapter applies shall pro-
4 vide to any individual or the individual’s legal
5 representative, upon written request, a copy of
6 all records of video surveillance—

7 “(i) in which the individual is a sub-
8 ject of the video surveillance; and

9 “(ii) that may provide evidence in a
10 civil action.

11 “(C) LIMITED ACCESS.—Except as pro-
12 vided under subparagraphs (A) and (B), the
13 owner of a vessel to which this subchapter ap-
14 plies shall ensure that access to records of video
15 surveillance is limited to the purposes under
16 this section.”.

17 (c) NOTICE OF VIDEO SURVEILLANCE.—Section
18 3523(b), as redesignated under section 2 of this Act and
19 amended by this section, is further amended by inserting
20 after paragraph (1) the following:

21 “(2) NOTICE OF VIDEO SURVEILLANCE.—The
22 owner of a vessel to which this subchapter applies
23 shall provide clear and conspicuous signs on board
24 the vessel notifying the public of the presence of
25 video surveillance equipment.”.

1 (d) RETENTION REQUIREMENTS.—Section 3523(b),
 2 as redesignated under section 2 of this Act and amended
 3 by this section, is further amended by adding at the end
 4 the following:

5 “(4) RETENTION REQUIREMENTS.—

6 “(A) IN GENERAL.—The owner of a vessel
 7 to which this subchapter applies shall retain all
 8 records of video surveillance for a voyage for
 9 not less than 1 year after completion of the voy-
 10 age. If an incident described in subsection
 11 (g)(3)(A)(i) is alleged and reported to law en-
 12 forcement, all records of video surveillance from
 13 the voyage that the Federal Bureau of Inves-
 14 tigation determines are relevant shall—

15 “(i) be provided to the Federal Bu-
 16 reau of Investigation; and

17 “(ii) be preserved by the vessel owner
 18 for not less than 5 years from the date of
 19 the alleged incident.

20 “(B) INTERIM STANDARDS.—Not later
 21 than 180 days after the date of the enactment
 22 of the Cruise Passenger Protection Act of 2019,
 23 the Commandant, in consultation with the Fed-
 24 eral Bureau of Investigation, shall promulgate

1 interim standards for the retention of records of
2 video surveillance.

3 “(C) FINAL STANDARDS.—Not later than
4 1 year after the date of the enactment of the
5 Cruise Passenger Protection Act of 2019, the
6 Commandant, in consultation with the Federal
7 Bureau of Investigation, shall promulgate final
8 standards for the retention of records of video
9 surveillance.

10 “(D) CONSIDERATIONS.—In promulgating
11 standards under subparagraphs (B) and (C),
12 the Commandant shall—

13 “(i) consider factors that would aid in
14 the investigation of serious crimes, includ-
15 ing crimes that go unreported until after
16 the completion of a voyage;

17 “(ii) consider the different types of
18 video surveillance systems and storage re-
19 quirements in creating standards both for
20 vessels currently in operation and for ves-
21 sels newly built;

22 “(iii) consider privacy, including
23 standards for permissible access to and
24 monitoring and use of the records of video
25 surveillance; and

1 “(iv) consider technological advance-
2 ments, including requirements to update
3 technology.”.

4 (e) TECHNOLOGY DETECTING PASSENGERS WHO
5 HAVE FALLEN OVERBOARD REQUIREMENT.—Section
6 3523(a)(1)(D), as redesignated under section 2 of this
7 Act, is amended—

8 (1) by striking “or detecting” and inserting
9 “and detecting”; and

10 (2) by striking “is available” and inserting “is
11 available, as determined by the International Mari-
12 time Organization”.

13 (f) SEA MARSHALS REQUIREMENT.—Section
14 3523(f), as redesignated under section 2 of this Act, is
15 amended—

16 (1) by redesignating subparagraphs (A) and
17 (B) of paragraph (1) as clauses (i) and (ii) of such
18 paragraph, and adjusting the margins so as to align
19 with clause (i) of subsection (d)(3)(A);

20 (2) by redesignating paragraphs (1) and (2) as
21 subparagraphs (A) and (B), and adjusting the mar-
22 gins so as to align with subparagraph (A) of sub-
23 section (e)(1);

24 (3) by striking “(f)” and all that follows
25 through “The owner” and inserting the following:

1 “(f) CREW REQUIREMENTS.—

2 “(1) SEA MARSHALS.—The owner of a vessel to
3 which this section applies shall ensure that the ves-
4 sel is staffed at all times with an appropriate num-
5 ber, based on the vessel size and the number of pas-
6 sengers, of sea marshals who have been certified by,
7 and are operating under the jurisdiction of, the
8 Coast Guard.

9 “(2) CREW ACCESS TO PASSENGER STATE-
10 ROOMS.—The owner”.

11 (g) AUTHORITY TO PROVIDE ASSISTANCE TO VIC-
12 TIMS OF CRIMES ON BOARD PASSENGER VESSELS.—
13 Chapter 35, as amended by this Act, is further amended
14 by adding at the end the following:

15 **“SEC. 3526. ASSISTANCE TO VICTIMS OF CRIMES ON BOARD**
16 **CERTAIN PASSENGER VESSELS.**

17 “(a) PURPOSE.—The purpose of this section is to
18 provide to a passenger who is an alleged victim of an inci-
19 dent described in section 3523(g)(3)(A)(i)—

20 “(1) a written summary of rights described in
21 subsection (e);

22 “(2) a primary point of contact within the Fed-
23 eral Government; and

24 “(3) a means of obtaining immediate, free, and
25 confidential support services.

1 “(b) DIRECTOR OF VICTIM SUPPORT SERVICES.—

2 “(1) INTERIM DESIGNATION.—The Secretary of
3 Transportation shall designate an interim director of
4 victim support services. The interim director shall be
5 an employee of the Department of Transportation
6 and shall serve in the position until a final designa-
7 tion is made under paragraph (2).

8 “(2) FINAL DESIGNATION.—Not later than 180
9 days after the date of the enactment of the Cruise
10 Passenger Protection Act of 2019, the Secretary of
11 Transportation, in consultation with the Department
12 of Justice and other relevant Federal agencies,
13 shall—

14 “(A) designate an employee of the Federal
15 Government to serve as the director of victim
16 support services under this section; and

17 “(B) determine an effective way to pub-
18 licize the toll-free telephone number under sub-
19 section (c) and the availability of support serv-
20 ices.

21 “(3) RESPONSIBILITIES.—The director of vic-
22 tim support services shall—

23 “(A) be responsible for acting as a primary
24 point of contact within the Federal Government
25 for any passenger described in subsection (a);

1 “(B) coordinate with one or more non-
2 profit organizations or other entities that can
3 provide the types of support services described
4 in subsection (d);

5 “(C) establish a process for a passenger
6 described in subsection (a) to obtain the appro-
7 priate types of support services described in
8 subsection (d);

9 “(D) recommend a process for a passenger
10 described in subsection (a) to obtain an appro-
11 priate continuum of care;

12 “(E) recommend a process for a passenger
13 described in subsection (a) to obtain informa-
14 tion on the status of any related criminal inves-
15 tigation;

16 “(F) develop guidance, consistent with the
17 purpose of this section, for the security guide
18 under section 3523(c)(1), including a process to
19 ensure that an owner of a passenger vessel pro-
20 vides a copy of the security guide to a pas-
21 senger immediately after the vessel is notified
22 that the passenger is an alleged victim of an in-
23 cident described in subsection (g)(3)(A)(i);

24 “(G) periodically update that guidance, as
25 necessary; and

1 “(H) be the primary liaison between a pas-
2 senger described in subsection (a) and—

3 “(i) the owner of the passenger vessel;

4 “(ii) any relevant Federal agency;

5 “(iii) any relevant United States em-
6 bassy or United States consulate; and

7 “(iv) any other person that the direc-
8 tor of victim support services considers
9 necessary to carry out the purpose of this
10 section.

11 “(c) TOLL-FREE TELEPHONE NUMBER.—The Sec-
12 retary of Transportation shall establish a toll-free tele-
13 phone number, available 24 hours each day, that a pas-
14 senger described in subsection (a) can call to initiate the
15 process under subsection (b)(3)(C).

16 “(d) SUPPORT SERVICES.—The director of victim
17 support services shall determine the types of support serv-
18 ices that a passenger described in subsection (a) can ob-
19 tain, such as—

20 “(1) directions on how to report an incident de-
21 scribed in section 3523(g)(3)(A)(i) to appropriate
22 authorities;

23 “(2) an explanation of or assistance completing
24 necessary forms to report an incident described in
25 section 3523(g)(3)(A)(i);

1 “(3) an explanation of how or assistance to ob-
2 tain support services under this section;

3 “(4) arranging, if appropriate, for mental
4 health and counseling services;

5 “(5) arranging, if possible, for education re-
6 garding and advocacy during applicable criminal jus-
7 tice proceedings; and

8 “(6) communicating with that passenger as to
9 the roles of the organization or entities described in
10 subsection (b)(3)(B), government agencies, and the
11 owner of the passenger vessel involved with respect
12 to the incident and the post-incident activities.

13 “(e) SUMMARY OF RIGHTS.—Not later than 180 days
14 after the date of the enactment of the Cruise Passenger
15 Protection Act of 2019, the Secretary of Transportation,
16 in consultation with the Department of Justice, other rel-
17 evant Federal agencies, nonprofit public interest groups
18 with expertise in victim assistance, and such other persons
19 that the Secretary of Transportation considers necessary,
20 shall—

21 “(1) determine what rights a passenger de-
22 scribed in subsection (a) may have under law, such
23 as the right to contact the Federal Bureau of Inves-
24 tigation to report the crime, the right to contact the
25 director of victim support services, and the right to

1 speak confidentially to Federal law enforcement, the
2 director of victim support services, and any other
3 third-party victim advocate without any representa-
4 tive or employee of the passenger vessel present;

5 “(2) develop a written summary of those rights;
6 and

7 “(3) establish a process for a passenger de-
8 scribed in subsection (a) to receive the written sum-
9 mary of rights as soon as practicable after an al-
10 leged incident described under section
11 3523(g)(3)(A)(i).

12 “(f) GUARDIANS AND RELATIVES.—If a passenger
13 described in subsection (a) is deceased or is a minor, or
14 under such other circumstances that the director of victim
15 support services considers necessary, the director may pro-
16 vide support services under this section to a guardian or
17 relative of that passenger.

18 “(g) USE OF PASSENGER VESSEL RESOURCES.—As
19 appropriate, the resources of the passenger vessel should
20 be used to the greatest extent possible to carry out the
21 purpose under this section.

22 “(h) STATUTORY CONSTRUCTION.—Nothing in this
23 section may be construed as limiting the obligations that
24 an owner of a passenger vessel may have in providing as-

1 sistance to a passenger who is an alleged victim of an inci-
 2 dent described under section 3523(g)(3)(A)(i).

3 “(i) AVAILABILITY OF INCIDENT DATA VIA INTER-
 4 NET.—

5 “(1) IN GENERAL.—The Secretary of Transpor-
 6 tation shall maintain a statistical compilation of all
 7 incidents described in section 3523(g)(3)(A) on an
 8 Internet website that provides a numerical account-
 9 ing of the missing persons and alleged crimes duly
 10 recorded in each report filed under section
 11 3523(g)(3). Each incident described in section
 12 3523(g)(3)(A) shall be included in the statistical
 13 compilation irrespective of its investigative status.

14 “(2) UPDATES.—The Secretary of Transpor-
 15 tation shall ensure that the data described in para-
 16 graph (1)—

17 “(A) is updated not less frequently than
 18 quarterly;

19 “(B) is aggregated by cruise line;

20 “(C) identifies each cruise line by name;

21 “(D) identifies each crime and alleged
 22 crime as to whether it was committed or alleg-
 23 edly committed by a passenger or a crew mem-
 24 ber;

1 “(E) identifies each crime and alleged
2 crime as to whether it was committed or alleg-
3 edly committed against a minor;

4 “(F) identifies the number of alleged indi-
5 viduals overboard; and

6 “(G) is compiled on the Internet website in
7 a user-friendly format.

8 “(3) ACCESS TO WEBSITE.—Each owner of a
9 passenger vessel shall include a prominently acces-
10 sible link to the Internet website maintained by the
11 Secretary of Transportation under paragraph (1) on
12 each Internet website that the owner maintains for
13 prospective passengers to purchase or book passage
14 on the passenger vessel.

15 “(j) REGULATIONS.—The Secretary of Transpor-
16 tation shall issue such regulations as are necessary to im-
17 plement this section.”.

18 (h) STUDY.—Not later than 1 year after the date of
19 the enactment of this Act, the Secretary of Transpor-
20 tation, in coordination with the Secretary of the depart-
21 ment in which the Coast Guard is operating, the Attorney
22 General, and heads of other relevant Federal agencies,
23 shall—

24 (1) conduct a study to determine the feasibility
25 of having an individual on board each passenger ves-

1 sel (as defined in section 3522 of title 46, United
 2 States Code) to provide victim support services, in-
 3 cluding the support services under section 3526(d)
 4 of title 46, United States Code, and related safety
 5 and security services, which includes consideration of
 6 the cost, the benefit to passengers, jurisdiction, and
 7 logistics; and

8 (2) report the findings of the study conducted
 9 under paragraph (1) to Congress.

10 (i) CRIMINAL ACTIVITY PREVENTION AND RESPONSE
 11 GUIDE.—Section 3523(c)(1), as amended by section 6(g)
 12 of this Act, is further amended—

13 (1) in subparagraph (A)—

14 (A) by redesignating clause (ii) as clause
 15 (vi);

16 (B) by inserting after clause (i) the fol-
 17 lowing:

18 “(ii) describes the availability of sup-
 19 port services under section 3526, including
 20 any contact information provided by the
 21 Secretary of Transportation or director of
 22 victim support services under that section;

23 “(iii) includes the summary of rights
 24 under section 3526(e);

1 “(iv) includes the summary under sec-
2 tion 3525(a);

3 “(v) includes the toll-free hotline tele-
4 phone number and consumer complaints
5 Internet website link under section
6 3525(b);”;

7 (C) in clause (vi), as redesignated, by in-
8 serting “and” at the end; and

9 (D) by adding at the end the following:

10 “(vii) includes such other information
11 as the Secretary of Transportation rec-
12 ommends under section 3526(b)(3)(F);”;

13 (2) by amending subparagraph (B) to read as
14 follows:

15 “(B) provide a copy of the security guide
16 to—

17 “(i) the Secretary of Transportation
18 for review; and

19 “(ii) the Federal Bureau of Investiga-
20 tion for comment; and”;

21 (3) by redesignating subparagraph (C) as sub-
22 paragraph (D); and

23 (4) by inserting after subparagraph (B) the fol-
24 lowing:

1 “(C) immediately after the vessel is noti-
 2 fied that a passenger is an alleged victim of an
 3 incident described under subsection (g)(3)(A)—

4 “(i) provide the passenger with a copy
 5 of the security guide; and

6 “(ii) inform the passenger that the
 7 passenger has the right to notify the Fed-
 8 eral Bureau of Investigation that the pas-
 9 senger has been a victim of a crime on a
 10 passenger vessel; and”.

11 (j) MAINTENANCE OF SUPPLIES TO PREVENT SEXU-
 12 ALLY TRANSMITTED DISEASES.—Section 3523(d)(1), as
 13 redesignated by section 2 of this Act, is amended by in-
 14 serting “(taking into consideration the length of the voy-
 15 age and the number of passengers and crewmembers that
 16 the vessel can accommodate)” after “a sexual assault”.

17 (k) SEXUAL ASSAULT; CONTACT INFORMATION.—
 18 Section 3523(d)(5)(A), as redesignated by section 2 of this
 19 Act, is amended by striking “the United States Coast
 20 Guard,”.

21 (l) SEXUAL ASSAULT; PRIVATE TELEPHONE LINE.—
 22 Section 3523(d)(5)(B), as redesignated by section 2 of
 23 this Act, is amended by inserting “under section 3526 or”
 24 after “the information and support services available”.

1 (m) CRIME SCENE PRESERVATION TRAINING; CER-
 2 TIFICATION OF ORGANIZATIONS BY MARAD.—Section
 3 3524(a), as redesignated by section 2 of this Act, is
 4 amended by striking “may certify” and inserting “shall
 5 certify”.

6 (n) CREW ACCESS TO PASSENGER STATEROOMS;
 7 PROCEDURES AND RESTRICTIONS.—Section 3523(f)(2),
 8 as redesignated and amended by sections 2 and 7(f) of
 9 this Act, is amended—

10 (1) in subparagraph (A)—

11 (A) in clause (i), by striking “and” at the
 12 end; and

13 (B) by inserting after clause (ii) the fol-
 14 lowing:

15 “(iii) a system that electronically
 16 records the date, time, and identity of each
 17 crew member accessing each passenger
 18 stateroom; and”;

19 (2) by striking subparagraph (B) and inserting
 20 the following:

21 “(B) ensure that the procedures and re-
 22 strictions are—

23 “(i) fully and properly implemented;

24 “(ii) reviewed annually; and

25 “(iii) updated as necessary.”.

1 (o) REQUIREMENTS FOR REPORTING.—Subsection
 2 (i) of section 3523, as added by section 6(h), is further
 3 amended by adding at the end the following:

4 “(2) APPLICABILITY OF REQUIREMENTS.—Any
 5 reporting requirement under this section relating to
 6 an incident specified in paragraph (3)(A)(i) is re-
 7 quired without regard as to whether the Federal Bu-
 8 reau of Investigation has opened a formal investiga-
 9 tion relating to the incident.”.

10 **SEC. 8. PASSENGER VESSEL SECURITY AND SAFETY RE-**
 11 **QUIREMENTS.**

12 (a) VESSEL DESIGN, EQUIPMENT, CONSTRUCTION,
 13 AND RETROFITTING REQUIREMENTS.—Section 3523(a),
 14 as redesignated by section 2 of this Act, is amended—

15 (1) in paragraph (1)—

16 (A) in the matter preceding subparagraph
 17 (A), by striking “to which this subsection ap-
 18 plies” and inserting “to which this subchapter
 19 applies”;

20 (B) in subparagraph (A)—

21 (i) by striking “The vessel” and in-
 22 serting “Each exterior deck of a vessel”;
 23 and

24 (ii) by inserting “unless the height re-
 25 quirement would interfere with the deploy-

1 ment of a lifesaving device or other emer-
 2 gency equipment as identified by the Com-
 3 mandant” before the period at the end;

4 (C) in subparagraph (B), by striking
 5 “entry doors that include peep holes or other
 6 means of visual identification.” and inserting
 7 “an entry door that includes a peep hole or
 8 other means of visual identification that pro-
 9 vides an unobstructed view of the area outside
 10 the stateroom or crew cabin. For purposes of
 11 this subparagraph, the addition of an optional
 12 privacy cover on the interior side of the entry
 13 shall not in and of itself constitute an obstruc-
 14 tion.”; and

15 (D) in subparagraph (E), by striking
 16 “when operating in high risk areas (as defined
 17 by the United States Coast Guard)”; and

18 (2) by adding at the end the following:

19 “(3) WAIVERS; RECORD OF WAIVERS.—The
 20 Secretary—

21 “(A) may waive a requirement under para-
 22 graph (1) as the Secretary determines nec-
 23 essary; and

24 “(B) shall maintain a record of each waiv-
 25 er under subparagraph (A).”.

1 (b) MEDICAL STANDARDS.—

2 (1) IN GENERAL.—Section 3523, as redesign-
3 nated by section 2 of this Act, is amended—

4 (A) in subsection (d)—

5 (i) in paragraph (3)—

6 (I) in subparagraph (A), by re-
7 designating clauses (i) and (ii) as sub-
8 clauses (I) and (II), respectively, and
9 adjusting the margins of such sub-
10 clauses so as to align with subclause
11 (I) of section 3523(c)(1)(A)(ii); and

12 (II) by redesignating subpara-
13 graphs (A), (B), and (C) as clauses
14 (i), (ii), and (iii), respectively, and ad-
15 justing the margins of such clauses so
16 as to align with clause (i) of section
17 3523(c)(1)(A);

18 (ii) in paragraph (5), by redesignating
19 subparagraphs (A) and (B) as clauses (i)
20 and (ii), respectively, and adjusting the
21 margins of such clauses so as to align with
22 clause (i) of section 3523(c)(1)(A);

23 (iii) by redesignating paragraphs (1)
24 through (5) as subparagraphs (A) through
25 (E), respectively, and adjusting the mar-

gins of such subparagraphs so as to align
with subparagraph (A) of section
3523(c)(1); and

(iv) by striking “The owner” and in-
serting the following:

“(1) IN GENERAL.—The owner”;

(B) in subsection (e)—

(i) in paragraph (1)—

(I) in the matter preceding sub-
paragraph (A), by striking “under
subsection (d)” and inserting “under
paragraph (1)”; and

(II) by redesignating subpara-
graphs (A), (B), and (C) as clauses
(i), (ii), and (iii), respectively, and ad-
justing the margins of such clauses so
as to align with clause (i) of section
3523(c)(1)(A);

(ii) by redesignating paragraphs (1)
and (2) as subparagraphs (A) and (B), re-
spectively, and adjusting the margins of
such subparagraphs so as to align with
subparagraph (A) of section 3523(c)(1);
and

1 (iii) by striking “(e)” and all that fol-
 2 lows through “The master” and inserting
 3 the following:

4 “(2) CONFIDENTIALITY OF SEXUAL ASSAULT
 5 EXAMINATION AND SUPPORT INFORMATION.—The
 6 master”; and

7 (C) by inserting after subsection (d), as
 8 amended by subparagraphs (A) and (B) of this
 9 paragraph, the following:

10 “(e) MEDICAL STANDARDS.—

11 “(1) IN GENERAL.—The owner of a vessel to
 12 which this section applies shall ensure that—

13 “(A) a physician is always present and
 14 available to treat any passengers who may be
 15 on board the vessel in the event of an emer-
 16 gency situation;

17 “(B) there are a sufficient number of
 18 qualified medical staff members on the vessel to
 19 treat the number of passengers who may be on
 20 board the vessel, as determined by the Sec-
 21 retary, by regulation;

22 “(C) the vessel is in compliance with the
 23 Health Care Guidelines for Cruise Ship Medical
 24 Facilities established by the American College

1 of Emergency Physicians, or any successor
2 standard;

3 “(D) if a United States citizen dies on
4 board the vessel and the citizen’s next of kin re-
5 quests that the citizen’s body return to the
6 United States on the vessel, such request is
7 granted;

8 “(E) every crew member on the vessel has
9 received basic life support training and is cer-
10 tified in cardiopulmonary resuscitation;

11 “(F) every crew member on a vessel leav-
12 ing from or en route to a United States port of
13 call has a basic understanding of the English
14 language;

15 “(G) automated external defibrillators
16 are—

17 “(i) placed throughout the vessel in
18 clearly designated locations;

19 “(ii) available for passenger access in
20 the event of an emergency; and

21 “(iii) capable of contacting cruise
22 medical staff through tracing or callbox ca-
23 pability; and

24 “(H) the initial safety briefing given to the
25 passengers on the vessel includes—

1 “(i) the location of the vessel’s med-
2 ical facilities;

3 “(ii) the appropriate steps passengers
4 should follow during a medical emergency;

5 “(iii) the location and proper use of
6 automated external defibrillators; and

7 “(iv) the proper way to report an inci-
8 dent or to seek security assistance in the
9 event of a medical emergency.

10 “(2) DEFINITIONS.—In this subsection:

11 “(A) PHYSICIAN.—The term ‘physician’
12 means a medical doctor who—

13 “(i) has at least 3 years of post-grad-
14 uate, post-registration experience in gen-
15 eral and emergency medicine; or

16 “(ii) is board certified in emergency
17 medicine, family medicine, or internal med-
18 icine.

19 “(B) QUALIFIED MEDICAL STAFF.—The
20 term ‘qualified medical staff member’ means a
21 medical professional certified in advanced car-
22 diovascular life support and advanced trauma
23 life support training.”.

24 (2) EFFECTIVE DATE.—The amendments made
25 by paragraph (1) shall take effect on the date that

1 is 180 days after the date of the enactment of this
2 Act.

3 **SEC. 9. ENFORCEMENT.**

4 (a) INFORMATION SHARING.—

5 (1) IN GENERAL.—To the extent not prohibited
6 by other law, the head of a designated agency shall
7 make available to another head of a designated
8 agency any information necessary to carry out the
9 provisions of subchapter II of chapter 35 of title 46,
10 United States Code. The provision by the head of a
11 designated agency of any information under this
12 subsection to another head of a designated agency
13 shall not constitute a waiver, or otherwise effect, any
14 privilege any agency or person may claim with re-
15 spect to that information under Federal or State
16 law.

17 (2) DEFINITION OF HEAD OF A DESIGNATED
18 AGENCY.—In this subsection, the term “head of a
19 designated agency” means the Secretary of Trans-
20 portation, the Secretary of Homeland Security, or
21 the Attorney General.

22 (b) PASSENGER VESSEL SECURITY AND SAFETY RE-
23 QUIREMENTS.—Section 3523(h), as redesignated by sec-
24 tion 2 of this Act, is amended to read as follows:

25 “(h) PENALTIES.—

1 “(1) CIVIL PENALTY.—Any person that violates
 2 this section or a regulation under this section shall
 3 be liable for a civil penalty of not more than
 4 \$25,000 for each day during which the violation con-
 5 tinues, except that the maximum penalty for a con-
 6 tinuing violation is \$50,000.

7 “(2) CRIMINAL PENALTY.—Any person that
 8 willfully violates this section or a regulation under
 9 this section shall be fined not more than \$250,000,
 10 imprisoned for not more than 1 year, or both.”.

11 (c) ENFORCEMENT.—Chapter 35, as amended by this
 12 Act, is further amended by adding at the end the fol-
 13 lowing:

14 **“§ 3527. Refusal of clearance; denial of entry**

15 “(a) CLEARANCE.—The Secretary of Homeland Se-
 16 curity may withhold or revoke the clearance required
 17 under section 60105 of any vessel of the owner of a vessel
 18 to which this subchapter applies, wherever the vessel is
 19 found, if the owner of the vessel—

20 “(1) commits an act or omission for which a
 21 penalty may be imposed under this subchapter; or

22 “(2) fails to pay a penalty imposed on the
 23 owner under this subchapter.

24 “(b) DENIAL OF ENTRY.—The Secretary of the de-
 25 partment in which the Coast Guard is operating may deny

1 entry into the United States to a vessel to which this sub-
 2 chapter applies if the owner of the vessel—

3 “(1) commits an act or omission for which a
 4 penalty may be imposed under this subchapter; or

5 “(2) fails to pay a penalty imposed on the
 6 owner under this subchapter.”.

7 **SEC. 10. TECHNICAL AND CONFORMING AMENDMENTS.**

8 (a) APPLICATION.—Chapter 35, as amended by this
 9 Act, is further amended—

10 (1) in section 3523, by striking “to which this
 11 section applies” each place such phrase appears and
 12 inserting “to which this subchapter applies”; and

13 (2) in section 3524, by striking “to which this
 14 section applies” each place such phrase appears and
 15 inserting “to which this subchapter applies”.

16 (b) AVAILABILITY OF INCIDENT DATA VIA INTER-
 17 NET.—Section 3523(g), as redesignated under section 2
 18 of this Act, is amended by striking paragraph (4).

19 (c) TABLE OF CONTENTS.—The table of contents for
 20 chapter 35 is amended—

21 (1) by inserting before the item relating to sec-
 22 tion 3501 the following:

“SUBCHAPTER I. GENERAL PROVISIONS”;

23 (2) by striking the item relating to section 3507
 24 and inserting the following:

“3523. Passenger vessel security and safety requirements.”;

1 (3) by striking the item relating to section 3508
 2 and inserting the following:

“3524. Crime scene preservation training for passenger vessel crewmembers.”;

3 (4) by inserting after the item relating to sec-
 4 tion 3506 the following:

“SUBCHAPTER II. CRUISE VESSELS”;

5 (5) by inserting before the item relating to sec-
 6 tion 3523, the following:

“3521. Application.

“3522. Definitions.”;

7 and

8 (6) by adding at the end the following:

“3525. Passenger vessel consumer service improvements.

“3526. Assistance to victims of crimes on board certain passenger vessels.

“3527. Refusal of clearance; denial of entry.”.

9 **SEC. 11. LIMITATIONS IN CERTAIN CASES.**

10 (a) IN GENERAL.—Section 30307 is amended—

11 (1) in the section heading, by striking “**Com-**
 12 **mercial aviation accidents**” and inserting
 13 “**Limitations in certain cases**”;

14 (2) by striking subsection (a) and inserting the
 15 following:

16 “(a) DEFINITIONS.—In this section, the following
 17 definitions apply:

18 “(1) CRUISE SHIP.—The term ‘cruise ship’
 19 means a passenger vessel, other than a vessel of the
 20 United States operated by the Federal Government
 21 or a vessel owned and operated by a State, that—

1 “(A) is authorized to carry at least 250
2 passengers;

3 “(B) has onboard sleeping facilities for
4 each passenger;

5 “(C) is on a voyage that embarks or dis-
6 embarks passengers in the United States; and

7 “(D) is not engaged on a coastwise voyage.

8 “(2) NONPECUNIARY DAMAGES.—The term
9 ‘nonpecuniary damages’ means damages for pre-
10 death pain and suffering and for loss of care, com-
11 fort, and companionship.”;

12 (3) in subsection (b), by inserting “, or from a
13 wrongful act, negligence, or any other act or omis-
14 sion associated with a cruise ship voyage,” after
15 “commercial aviation accident”; and

16 (4) in subsection (c), by inserting “, or from a
17 wrongful act, negligence, or any other act or omis-
18 sion associated with a cruise ship voyage,” after
19 “commercial aviation accident”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 for chapter 303 is amended by striking the item relating
22 to section 30307 and inserting the following:

“30307. Limitations in certain cases.”.

