

117TH CONGRESS
1ST SESSION

H. R. 1318

IN THE SENATE OF THE UNITED STATES

MAY 20, 2021

Received

AN ACT

To restrict the imposition by the Secretary of Homeland Security of fines, penalties, duties, or tariffs applicable only to coastwise voyages, or prohibit otherwise qualified non-United States citizens from serving as crew, on specified vessels transporting passengers between the State of Washington and the State of Alaska, to address a Canadian cruise ship ban and the extraordinary impacts of the COVID–19 pandemic on Alaskan communities, 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 This Act may be cited as the “Alaska Tourism Res-
5 toration Act”.

6 **SEC. 2. VOYAGE DEEMED TO BE FOREIGN.**

7 (a) DEFINITION OF COVERED CRUISE SHIP.—

8 (1) IN GENERAL.—In this section, the term
9 “covered cruise ship” means a vessel included on the
10 list under paragraph (2) that—

11 (A) has been issued, operates in accord-
12 ance with, and retains a COVID–19 Conditional
13 Sailing Certificate of the Centers for Disease
14 Control and Prevention; and

15 (B) operates in accordance with any re-
16 strictions or guidance of the Centers for Dis-
17 ease Control and Prevention associated with
18 such Certificate, including any such restrictions
19 or guidance issued after the date of enactment
20 of this Act.

21 (2) LIST.—The vessels listed under this para-
22 graph are the following:

23 (A) Carnival Freedom (IMO number
24 9333149).

1 (B) Carnival Miracle (IMO number
2 9237357).

3 (C) Crystal Serenity (IMO number
4 9243667).

5 (D) Discovery Princess (IMO number
6 9837468).

7 (E) Emerald Princess (IMO number
8 9333151).

9 (F) Eurodam (IMO number 9378448).

10 (G) Golden Horizon (IMO number
11 9793545).

12 (H) Grand Princess (IMO number
13 9104005).

14 (I) Hanseatic Inspiration (IMO number
15 9817145).

16 (J) Koningsdam (IMO number 9692557).

17 (K) NG Quest (IMO number 9798985).

18 (L) NG Sea Bird (IMO number 8966444).

19 (M) NG Sea Lion (IMO number 8966456).

20 (N) NG Venture (IMO number 9799044).

21 (O) Nieuw Amsterdam (IMO number
22 9378450).

23 (P) Noordam (IMO number 9230115).

24 (Q) Zuiderdam (IMO number 9221279).

- 1 (R) Majestic Princess (IMO number
2 9614141).
- 3 (S) Ovation of the Seas (IMO number
4 9697753).
- 5 (T) Radiance of the Seas (IMO number
6 9195195).
- 7 (U) Serenade of the Seas (IMO number
8 9228344).
- 9 (V) Eclipse (IMO number 9404314).
- 10 (W) Millennium (IMO number 9189419).
- 11 (X) Solstice (IMO number 9362530).
- 12 (Y) Norwegian Bliss (IMO number
13 9751509).
- 14 (Z) Norwegian Encore (IMO number
15 9751511).
- 16 (AA) Norwegian Jewel (IMO number
17 9304045).
- 18 (BB) Norwegian Spirit (IMO number
19 9141065).
- 20 (CC) Norwegian Sun (IMO number
21 9218131).
- 22 (DD) Ocean Victory (IMO number
23 9868869).
- 24 (EE) Pacific Princess (IMO number
25 9187887).

- 1 (FF) Pacific World (IMO number
2 9000259).
- 3 (GG) Quantum of the Seas (IMO number
4 9549463).
- 5 (HH) Queen Elizabeth (IMO number
6 9477438).
- 7 (II) Disney Wonder (IMO number
8 9126819).
- 9 (JJ) Regatta (IMO number 9156474).
- 10 (KK) Roald Amundsen (IMO number
11 9813072).
- 12 (LL) Ruby Princess (IMO number
13 9378462).
- 14 (MM) Sapphire Princess (IMO number
15 9228186).
- 16 (NN) Scenic Eclipse (IMO number
17 9797371).
- 18 (OO) Seabourn Odyssey (IMO number
19 9417086).
- 20 (PP) Seabourn Venture 2 (IMO 9862023).
- 21 (QQ) Seven Seas Mariner (IMO number
22 9210139).
- 23 (RR) Silver Shadow (IMO number
24 9192167).
- 25 (SS) Silver Wind (IMO number 8903935).

1 (TT) Star Breeze (IMO number 8807997).

2 (UU) Sylvia Earle (IMO number
3 9872327).

4 (VV) Westerdam (IMO number 9226891).

5 (WW) L'Austral (IMO number 9502518).

6 (XX) Silver Muse (IMO number 9784350).

7 (YY) Viking Orion (IMO number
8 9796250).

9 (b) CRITERIA.—A roundtrip voyage of a covered
10 cruise ship transporting passengers between a port or
11 place in the State of Alaska and a port or place in the
12 State of Washington shall be deemed to have made a stop
13 in a port or place of Canada, and deemed a foreign voyage,
14 for purposes of the law of the United States, if—

15 (1) during the voyage, the covered cruise ship
16 sends an email containing the information described
17 in subsection (c) to—

18 (A) the Canada Border Services Agency;

19 (B) the Commissioner of Customs and
20 Border Protection; and

21 (C) each alien crewman on such voyage
22 who is in possession of a valid, unexpired non-
23 immigrant visa issued pursuant to subpara-
24 graph (C) or (D) of section 101(a)(15) of the

1 Immigration and Nationality Act (8 U.S.C.
2 1101(a)(15)); and

3 (2) the voyage begins not later than February
4 28, 2022.

5 (c) EMAIL.—An email described in subsection (b)(1)
6 shall contain the names of each alien crewman described
7 in subparagraph (C) of such subsection.

8 (d) EMPLOYMENT OF ALIEN CREWMEN.—On the
9 date on which a covered cruise ship sends an email to the
10 Canada Border Services Agency in accordance with sub-
11 section (b)(1), each alien crewman described in subpara-
12 graph (C) of such subsection shall be deemed to have de-
13 parted the United States, entered Canada, and been re-
14 admitted to the United States for purposes of complying
15 with, during the applicable voyage described in subsection
16 (b), the 29-day authorized stay pursuant to their non-
17 immigrant visas issued pursuant to subparagraph (C) or
18 (D) of section 101(a)(15) of the Immigration and Nation-
19 ality Act (8 U.S.C. 1101(a)).

20 (e) EXCEPTION.—Notwithstanding subsection (b), a
21 voyage described in such subsection shall not be deemed
22 a foreign voyage for purposes of section 446 of the Tariff
23 Act of 1930 (19 U.S.C. 1446) or any other provision of
24 law relating to levying duties or taxes on goods, including

1 consumables, purchased for use onboard the covered cruise
2 ship.

3 (f) APPLICABILITY.—This section shall not apply to
4 a roundtrip voyage during any period for which the Direc-
5 tor of the Centers for Disease Control and Prevention has
6 issued an order under section 361 or 365 of the Public
7 Health Service Act (42 U.S.C. 264 and 268) that requires
8 covered cruise ships to suspend vessel operations.

9 (g) DURATION.—The authority provided under this
10 section shall terminate on the earlier of—

11 (1) the date on which covered cruise ships are
12 no longer prohibited by the Government of Canada,
13 any political subdivision of Canada, or any port or
14 province of Canada, from entering, berthing, or
15 docking in Canadian waters of the Pacific Coast due
16 to the COVID–19 pandemic; or

17 (2) March 31, 2022.

18 **SEC. 3. MEDICAL AND SAFETY STANDARDS.**

19 (a) IN GENERAL.—Chapter 35 of title 46, United
20 States Code, is amended by adding at the end the fol-
21 lowing:

22 **“§ 3510. Additional medical and safety standards**

23 “(a) AUTOMATED EXTERNAL DEFIBRILLATORS.—
24 Not later than 1 year after the date of enactment of this
25 section, the Secretary, in consultation with the Secretary

1 of Health and Human Services and other appropriate Fed-
2 eral agencies, shall promulgate regulations to—

3 “(1) require that the owner of a vessel to which
4 section 3507 applies install, and maintain in work-
5 ing order, automated external defibrillators on such
6 vessel;

7 “(2) require that such defibrillators be placed
8 throughout such vessel in clearly designated loca-
9 tions;

10 “(3) require that such defibrillators are avail-
11 able for passenger and crew access in the event of
12 an emergency; and

13 “(4) require that automated external
14 defibrillators, or adjacent equipment, allow pas-
15 sengers and crew to easily contact medical staff of
16 the vessel.

17 “(b) DEFINITION OF OWNER.—In this section, the
18 term ‘owner’ has the meaning given such term in section
19 3507.

(b) CLERICAL AMENDMENT.—The analysis for chapter 35 of title 46, United States Code, is amended by adding at the end the following:

“Sec. 3510. Additional medical and safety standards.”.

Passed the House of Representatives May 20, 2021.

Attest: **CHERYL L. JOHNSON,**
Clerk.