

117TH CONGRESS
1ST SESSION

S. 2818

To permit under certain conditions the transportation of passengers between the State of Alaska and other United States ports on vessels not qualified to engage in the coastwise trade that transport more than 1,000 passengers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2021

Ms. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To permit under certain conditions the transportation of passengers between the State of Alaska and other United States ports on vessels not qualified to engage in the coastwise trade that transport more than 1,000 passengers, 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 “Cruising for Alaska’s
5 Workforce Act”.

1 **SEC. 2. TRANSPORTATION OF PASSENGERS BETWEEN**
 2 **ALASKA AND OTHER PORTS IN THE UNITED**
 3 **STATES.**

4 (a) IN GENERAL.—Chapter 551 of title 46, United
 5 States Code, is amended by adding at the end the fol-
 6 lowing:

7 **“§ 55124. Transportation of passengers between Alas-**
 8 **ka and other ports in the United States**

9 “(a) DEFINITIONS.—In this section:

10 “(1) CERTIFICATE.—The term ‘certificate’
 11 means a certificate of financial responsibility for in-
 12 demnification of passengers for nonperformance of
 13 transportation issued by the Federal Maritime Com-
 14 mission under section 44102 of this title.

15 “(2) PASSENGER VESSEL.—The term ‘pas-
 16 senger vessel’ means a vessel transporting more than
 17 1,000 passengers that is of similar size, or offering
 18 similar service, as any other vessel transporting pas-
 19 sengers under subsection (b).

20 “(b) EXEMPTION.—Except as otherwise provided in
 21 this section, a vessel transporting more than 1,000 pas-
 22 sengers that is not qualified to engage in the coastwise
 23 trade may transport passengers between a port in the
 24 State of Alaska and another port in the United States,
 25 directly or by way of a foreign port.

26 “(c) EXPIRATION OF EXEMPTION.—

1 “(1) WHEN COASTWISE-QUALIFIED VESSEL OF-
2 FERING SERVICE.—On a showing to the Secretary of
3 the department in which the Coast Guard is oper-
4 ating, by the vessel owner or charterer, that a
5 United States passenger vessel qualified to engage in
6 the coastwise trade is offering or advertising pas-
7 senger service between a port in the State of Alaska
8 and another port in the United States, directly or by
9 way of a foreign port, pursuant to a certificate, the
10 Secretary shall notify the owner or operator of each
11 vessel transporting passengers under subsection (b)
12 to terminate that transportation within 270 days
13 after the Secretary’s notification. Except as provided
14 in subsection (d), the authority to transport pas-
15 sengers under subsection (b) and the applicability of
16 subsection (f) shall expire at the end of that 270-day
17 period.

18 “(2) WHEN NON-COASTWISE QUALIFIED VES-
19 SEL OFFERING SERVICE.—On a showing to the Sec-
20 retary, by the vessel owner or charterer, that a
21 United States passenger vessel not qualified to en-
22 gage in the coastwise trade is offering or advertising
23 passenger service between a port in the State of
24 Alaska and another port in the United States, di-
25 rectly or by way of a foreign port, pursuant to a cer-

1 tificate, the Secretary shall notify the owner or oper-
2 ator of each foreign vessel transporting passengers
3 under subsection (b) to terminate that transpor-
4 tation within 270 days after the Secretary’s notifica-
5 tion. Except as provided in subsection (d), the au-
6 thority of a foreign vessel to transport passengers
7 under subsection (b) and the applicability of sub-
8 section (f) shall expire at the end of that 270-day
9 period.

10 “(d) DELAYING EXPIRATION.—If the vessel offering
11 or advertising the service described in subsection (c) has
12 not begun that service within 270 days after the Sec-
13 retary’s notification, the expiration provided by subsection
14 (c) is delayed until 90 days after the vessel offering or
15 advertising the service begins that service.

16 “(e) REINSTATEMENT OF EXEMPTION.—If the Sec-
17 retary finds that the service on which an expiration was
18 based is no longer available, the expired authority to
19 transport passengers and the applicability of subsection (f)
20 shall be reinstated.

21 “(f) EMPLOYMENT OF ALIEN CREWMEN.—Alien
22 crewmen on a vessel transporting more than 1,000 pas-
23 sengers under the authority of subsection (b) shall be
24 deemed to have complied with, during the voyage of such
25 vessel, the 29-day authorized stay pursuant to their non-

1 immigrant visas issued pursuant to subparagraph (C) or
2 (D) of section 101(a)(15) of the Immigration and Nation-
3 ality Act (8 U.S.C. 1101(a)(15)).”.

4 (b) CONFORMING AMENDMENT.—The analysis for
5 chapter 551 of title 46, United States Code, is amended
6 by adding at the end the following:

“55124. Transportation of passengers between Alaska and other ports in the
United States.”.

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