

118TH CONGRESS
2D SESSION

S. 4538

To adjust certain ownership and other requirements for passenger vessels,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2024

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

A BILL

To adjust certain ownership and other requirements for
passenger vessels, 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 “Open America’s Ports
5 Act”.

6 **SEC. 2. REPEAL OF PVSA AND ADJUSTMENT OF JONES ACT**
7 **REQUIREMENTS FOR PASSENGER VESSELS.**

8 (a) REPEAL OF PVSA DOMESTIC REQUIREMENTS.—

9 Section 55103 of title 46, United States Code (commonly

1 referred to as the “Passenger Vessel Services Act of
2 1886”), is repealed.

3 (b) ADJUSTMENT OF JONES ACT REQUIREMENTS.—
4 Chapter 121 of title 46, United States Code, is amended—

5 (1) in section 12103, by adding at the end the
6 following:

7 “(d) NONAPPLICABILITY.—The requirements of this
8 section shall not apply to any vessel that transports pas-
9 sengers between ports or places in the United States to
10 which the coastwise laws apply, either directly or via a
11 foreign port.”;

12 (2) in section 12112(a)—

13 (A) in paragraph (1), by inserting “except
14 in the case of a vessel described in subpara-
15 graph (C) of paragraph (2),” before “satisfies”;
16 and

17 (B) in paragraph (2)—

18 (i) in subparagraph (A), by striking
19 “or” after the semicolon;

20 (ii) in subparagraph (B)(iii), by strik-
21 ing “; and” and inserting “; or”; and

22 (iii) by adding at the end the fol-
23 lowing:

24 “(C) transports passengers between ports or
25 places in the United States to which the coastwise

1 laws apply, either directly or via a foreign port;
 2 and”; and

3 (3) in section 12121(b), by striking “55102,
 4 and 55103” and inserting “and 55102”.

5 (c) ADJUSTMENT OF CITIZENSHIP AND NAVY RE-
 6 SERVE REQUIREMENTS.—Section 8103(k) of title 46,
 7 United States Code, is amended to read as follows:

8 “(k) EXEMPTION FOR PASSENGER VESSELS.—Sub-
 9 sections (a) and (b) shall not apply to any vessel that
 10 transports passengers between ports or places in the
 11 United States to which the coastwise laws apply, either
 12 directly or via a foreign port.”.

13 (d) CONFORMING AMENDMENTS.—

14 (1) IN GENERAL.—Chapter 551 of title 46,
 15 United States Code, is amended—

16 (A) by repealing section 55104; and

17 (B) in section 55121—

18 (i) in the section heading, by striking

19 “**and passengers**”;

20 (ii) by striking subsection (a);

21 (iii) by striking “(b)” and all that fol-
 22 lows through “**States.—**”; and

23 (iv) by striking “sections 55102 and
 24 55103 of this title do” and inserting “sec-
 25 tion 55102 of this title does”.

1 (2) ADDITIONAL CONFORMING AMENDMENT.—
2 Section 11504(f) of the James M. Inhofe National
3 Defense Authorization Act for Fiscal Year 2023
4 (Public Law 117–263) is amended by striking
5 “55103,”.

6 **SEC. 3. RULE OF CONSTRUCTION.**

7 Nothing in the amendments made by this Act shall
8 be construed to exempt a vessel that transports passengers
9 between ports or places in the United States to which the
10 coastwise laws apply, either directly or via a foreign port,
11 from any applicable law of the United States except as
12 explicitly provided in such amendments.

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