

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

S. 593

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.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

- 1 Strike all after the enacting clause and insert the fol-
- 2 lowing:
- 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.—

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

4 (A) has been issued, operates in accord-
5 ance with, and retains a COVID–19 Conditional
6 Sailing Certificate of the Centers for Disease
7 Control and Prevention; and

8 (B) operates in accordance with any re-
9 strictions or guidance of the Centers for Dis-
10 ease Control and Prevention associated with
11 such Certificate, including any such restrictions
12 or guidance issued after the date of enactment
13 of this Act.

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

16 (A) Carnival Freedom (IMO number
17 9333149).

18 (B) Carnival Miracle (IMO number
19 9237357).

20 (C) Crystal Serenity (IMO number
21 9243667).

22 (D) Discovery Princess (IMO number
23 9837468).

24 (E) Emerald Princess (IMO number
25 9333151).

- 1 (F) Eurodam (IMO number 9378448).
- 2 (G) Golden Horizon (IMO number
3 9793545).
- 4 (H) Grand Princess (IMO number
5 9104005).
- 6 (I) Hanseatic Inspiration (IMO number
7 9817145).
- 8 (J) Koningsdam (IMO number 9692557).
- 9 (K) NG Quest (IMO number 9798985).
- 10 (L) NG Sea Bird (IMO number 8966444).
- 11 (M) NG Sea Lion (IMO number 8966456).
- 12 (N) NG Venture (IMO number 9799044).
- 13 (O) Nieuw Amsterdam (IMO number
14 9378450).
- 15 (P) Noordam (IMO number 9230115).
- 16 (Q) Zuiderdam (IMO number 9221279).
- 17 (R) Majestic Princess (IMO number
18 9614141).
- 19 (S) Ovation of the Seas (IMO number
20 9697753).
- 21 (T) Radiance of the Seas (IMO number
22 9195195).
- 23 (U) Serenade of the Seas (IMO number
24 9228344).
- 25 (V) Eclipse (IMO number 9404314).

- 1 (W) Millennium (IMO number 9189419).
- 2 (X) Solstice (IMO number 9362530).
- 3 (Y) Norwegian Bliss (IMO number
- 4 9751509).
- 5 (Z) Norwegian Encore (IMO number
- 6 9751511).
- 7 (AA) Norwegian Jewel (IMO number
- 8 9304045).
- 9 (BB) Norwegian Spirit (IMO number
- 10 9141065).
- 11 (CC) Norwegian Sun (IMO number
- 12 9218131).
- 13 (DD) Ocean Victory (IMO number
- 14 9868869).
- 15 (EE) Pacific Princess (IMO number
- 16 9187887).
- 17 (FF) Pacific World (IMO number
- 18 9000259).
- 19 (GG) Quantum of the Seas (IMO number
- 20 9549463).
- 21 (HH) Queen Elizabeth (IMO number
- 22 9477438).
- 23 (II) Disney Wonder (IMO number
- 24 9126819).
- 25 (JJ) Regatta (IMO number 9156474).

- 1 (KK) Roald Amundsen (IMO number
- 2 9813072).
- 3 (LL) Ruby Princess (IMO number
- 4 9378462).
- 5 (MM) Sapphire Princess (IMO number
- 6 9228186).
- 7 (NN) Scenic Eclipse (IMO number
- 8 9797371).
- 9 (OO) Seabourn Odyssey (IMO number
- 10 9417086).
- 11 (PP) Seabourn Venture 2 (IMO 9862023).
- 12 (QQ) Seven Seas Mariner (IMO number
- 13 9210139).
- 14 (RR) Silver Shadow (IMO number
- 15 9192167).
- 16 (SS) Silver Wind (IMO number 8903935).
- 17 (TT) Star Breeze (IMO number 8807997).
- 18 (UU) Sylvia Earle (IMO number
- 19 9872327).
- 20 (VV) Westerdam (IMO number 9226891).
- 21 (WW) L'Austral (IMO number 9502518).
- 22 (XX) Silver Muse (IMO number 9784350).
- 23 (YY) Viking Orion (IMO number
- 24 9796250).

1 (b) CRITERIA.—A roundtrip voyage of a covered
2 cruise ship transporting passengers between a port or
3 place in the State of Alaska and a port or place in the
4 State of Washington shall be deemed to have made a stop
5 in a port or place of Canada, and deemed a foreign voyage,
6 for purposes of the law of the United States, if—

7 (1) during the voyage, the covered cruise ship
8 sends an email containing the information described
9 in subsection (c) to—

10 (A) the Canada Border Services Agency;

11 (B) the Commissioner of Customs and
12 Border Protection; and

13 (C) each alien crewman on such voyage
14 who is in possession of a valid, unexpired non-
15 immigrant visa issued pursuant to subpara-
16 graph (C) or (D) of section 101(a)(15) of the
17 Immigration and Nationality Act (8 U.S.C.
18 1101(a)(15)); and

19 (2) the voyage begins not later than February
20 28, 2022.

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

24 (d) EMPLOYMENT OF ALIEN CREWMEN.—On the
25 date on which a covered cruise ship sends an email to the

1 Canada Border Services Agency in accordance with sub-
2 section (b)(1), each alien crewman described in subpara-
3 graph (C) of such subsection shall be deemed to have de-
4 parted the United States, entered Canada, and been re-
5 admitted to the United States for purposes of complying
6 with, during the applicable voyage described in subsection
7 (b), the 29-day authorized stay pursuant to their non-
8 immigrant visas issued pursuant to subparagraph (C) or
9 (D) of section 101(a)(15) of the Immigration and Nation-
10 ality Act (8 U.S.C. 1101(a)).

11 (e) EXCEPTION.—Notwithstanding subsection (b), a
12 voyage described in such subsection shall not be deemed
13 a foreign voyage for purposes of section 446 of the Tariff
14 Act of 1930 (19 U.S.C. 1446) or any other provision of
15 law relating to levying duties or taxes on goods, including
16 consumables, purchased for use onboard the covered cruise
17 ship.

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

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

1 (1) the date on which covered cruise ships are
2 no longer prohibited by the Government of Canada,
3 any political subdivision of Canada, or any port or
4 province of Canada, from entering, berthing, or
5 docking in Canadian waters of the Pacific Coast due
6 to the COVID–19 pandemic; or

7 (2) March 31, 2022.

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

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

12 **“§ 3510. Additional medical and safety standards**

13 “(a) AUTOMATED EXTERNAL DEFIBRILLATORS.—
14 Not later than 1 year after the date of enactment of this
15 section, the Secretary, in consultation with the Secretary
16 of Health and Human Services and other appropriate Fed-
17 eral agencies, shall promulgate regulations to—

18 “(1) require that the owner of a vessel to which
19 section 3507 applies install, and maintain in work-
20 ing order, automated external defibrillators on such
21 vessel;

22 “(2) require that such defibrillators be placed
23 throughout such vessel in clearly designated loca-
24 tions;

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

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

8 “(b) DEFINITION OF OWNER.—In this section, the
9 term ‘owner’ has the meaning given such term in section
10 3507.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 35 of title 46, United States Code, is amended by add-
13 ing at the end the following:

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