

117TH CONGRESS
2D SESSION

S. 5343

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

IN THE SENATE OF THE UNITED STATES

DECEMBER 21, 2022

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 2022”.

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, 3508, 3509,
 13 and 3510 as sections 3523, 3524, 3525, and 3526,
 14 respectively.

15 **SEC. 3. APPLICATION.**

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

19 **“§ 3521. Application**

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

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

24 “(2) has onboard sleeping facilities for each
 25 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, is fur-
11 ther amended by inserting after section 3521, as added
12 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 passen-
10 ger vessel.

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

14 “(7) PHYSICIAN.—The term ‘physician’ means
15 a medical doctor who—

16 “(A) has at least 3 years of post-graduate,
17 post-registration experience in general and
18 emergency medicine; or

19 “(B) is board certified in emergency medi-
20 cine, family medicine, or internal medicine.

21 “(8) QUALIFIED MEDICAL STAFF MEMBER.—
22 The term ‘qualified medical staff member’ means a
23 medical professional certified in advanced cardio-
24 vascular life support and advanced trauma life sup-
25 port training.”.

1 **SEC. 5. PASSENGER VESSEL CONSUMER SERVICE IM-**
2 **PROVEMENTS.**

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

6 **“§ 3527. Passenger vessel consumer service improve-**
7 **ments**

8 “(a) PASSAGE CONTRACTS.—

9 “(1) IN GENERAL.—Not later than 1 year after
10 the date of enactment of the Cruise Passenger Pro-
11 tection Act of 2022, the Secretary of Transportation
12 shall develop standards for use by an owner of a
13 passenger vessel to provide a prospective passenger
14 with a summary that highlights key terms in the
15 passage contract and is provided before such terms
16 are binding. In developing the standards, the Sec-
17 retary of Transportation may consult with other
18 Federal agencies, persons with expertise on admi-
19 ralty and maritime law, consumer advocates, indus-
20 try representatives, and such other persons as the
21 Secretary of Transportation considers necessary.

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

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

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

6 “(B) terminology that ensures that the
7 summary is—

8 “(i) clear, unambiguous, and unmis-
9 takable; and

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

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

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

20 “(A) provide each prospective passenger
21 with a summary in accordance with those
22 standards;

23 “(B) include a prominently accessible link
24 to the summary on each Internet website that
25 the owner maintains for prospective passengers

1 to purchase or book passage on the passenger
2 vessel; and

3 “(C) include the summary in any pro-
4 motional literature or advertising, through any
5 medium of communication in the United States
6 offering passage or soliciting passengers for
7 ocean voyages anywhere in the world, that the
8 Secretary of Transportation considers necessary
9 to adequately notify a prospective passenger of
10 the key terms in the passage contract before
11 such terms are binding.

12 “(6) PREEMPTION.—The standards developed
13 under paragraph (1) shall preempt any related State
14 standards that require a summary that provides less
15 information to a prospective passenger than the in-
16 formation required to be provided under this sub-
17 section, as determined by the Secretary of Transpor-
18 tation.

19 “(b) CONSUMER COMPLAINTS.—

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

22 “(A) establish a consumer complaints toll-
23 free hotline telephone number for passenger
24 use;

1 “(B) establish a consumer complaints link
2 for passenger use on the Internet website main-
3 tained under section 3528(i); and

4 “(C) notify the public of—

5 “(i) the telephone number established
6 under subparagraph (A); and

7 “(ii) the Internet website maintained
8 under section 3528(i).

9 “(2) WEBSITE.—The Secretary of Transpor-
10 tation shall—

11 “(A) maintain a statistical compilation of
12 all consumer complaints on the Internet website
13 under section 3528(i) that provides a numerical
14 accounting of each category of consumer com-
15 plaint;

16 “(B) update the data referred to in sub-
17 paragraph (A) not less frequently than quar-
18 terly;

19 “(C) aggregate such data by passenger
20 vessel; and

21 “(D) identify each passenger vessel by
22 name.

23 “(3) INVESTIGATIONS OF CONSUMER COM-
24 PLAINTS.—The Secretary of Transportation, in co-
25 ordination with other relevant Federal agencies, may

1 investigate consumer complaints from passengers,
2 including—

3 “(A) cancellations, delays, and port skip-
4 ping;

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

6 “(C) conditions on board the passenger
7 vessel;

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

10 “(E) incorrect or incomplete information
11 about fares, discount fare conditions and avail-
12 ability, overcharges, and fare increases;

13 “(F) deceptive or misleading advertising;
14 and

15 “(G) compliance with Federal regulations.

16 “(4) REFERRAL TO FEDERAL OR STATE AGEN-
17 CY.—The Secretary of Transportation may refer any
18 complaint received under this subsection to the At-
19 torney General or a relevant Federal or State agency
20 for action, as appropriate.

21 “(5) NOTICE TO PASSENGERS.—

22 “(A) INTERNET WEBSITES.—Each owner
23 of a passenger vessel shall include, in a con-
24 spicuous location on each Internet website that
25 the owner of a passenger vessel maintains for

1 passengers to purchase or book passage on a
2 passenger vessel—

3 “(i) the telephone number established
4 under paragraph (1)(A); and

5 “(ii) any other information necessary
6 for a passenger to submit a consumer com-
7 plaint for resolution.

8 “(B) BOARDING DOCUMENTATION.—The
9 owner of a passenger vessel shall include the
10 telephone number and Internet address of the
11 link for consumer complaints established under
12 paragraph (1) on—

13 “(i) any promotional literature or ad-
14 vertising, through any medium of commu-
15 nication in the United States offering pas-
16 sage or soliciting passengers for ocean voy-
17 ages on passenger vessels, that the Sec-
18 retary of Transportation considers nec-
19 essary to adequately notify a prospective
20 passenger of the telephone number and
21 Internet address; and

22 “(ii) any electronic confirmation of
23 the purchase of passage on a passenger
24 vessel.

25 “(c) PENALTIES.—

1 “(1) CIVIL PENALTY.—The Secretary of Trans-
2 portation may impose on any person that violates
3 this section or a regulation under this section a civil
4 penalty of not more than \$25,000 for each day dur-
5 ing which the violation continues, except that the
6 maximum penalty for a continuing violation shall be
7 \$175,000.

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

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

15 (b) BILL OF RIGHTS.—

16 (1) ENFORCEABILITY.—Not later than 180
17 days after the date of the enactment of this Act, the
18 Secretary of Transportation shall determine whether
19 any of the enumerated rights in the international
20 cruise line passenger bill of rights, which was adopt-
21 ed in 2013 by the members of the Cruise Lines
22 International Association, are enforceable under
23 Federal law.

24 (2) REQUIRED STATEMENT.—The Secretary of
25 Transportation shall include in the standards devel-

1 oped under section 3527(a) of title 46, United
2 States Code, a statement informing a prospective
3 passenger—

4 (A) which rights referred to in paragraph

5 (1) are legally enforceable;

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

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

10 (c) ADVISORY COMMITTEE FOR PASSENGER VESSEL
11 CONSUMER PROTECTION.—

12 (1) IN GENERAL.—The Secretary of Transpor-
13 tation shall establish an advisory committee for pas-
14 senger vessel consumer protection (referred to in
15 this subsection as the “advisory committee”) to ad-
16 vise the Secretary in carrying out activities relating
17 to passenger vessel customer service improvements.

18 (2) MEMBERSHIP.—The Secretary of Transpor-
19 tation shall appoint the members of the advisory
20 committee, which shall be comprised of 1 representa-
21 tive each of—

22 (A) owners of passenger vessels;

23 (B) international industry-related associa-
24 tions;

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

3 (D) nonprofit public interest groups with
4 expertise in consumer protection matters;

5 (E) nonprofit public interest groups with
6 expertise in victim assistance; and

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

9 (3) VACANCIES.—A vacancy in the advisory
10 committee shall be filled in the manner in which the
11 original appointment was made.

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

17 (5) CHAIR.—The Secretary of Transportation
18 shall designate, from among the individuals ap-
19 pointed under paragraph (2), an individual to serve
20 as chair of the advisory committee.

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

22 (A) evaluate existing passenger vessel con-
23 sumer protection programs or services;

1 (B) recommend improvements to the pro-
2 grams or services under subparagraph (A), as
3 necessary;

4 (C) recommend additional passenger vessel
5 consumer protection programs or services, as
6 necessary; and

7 (D) recommend to the Secretary of Trans-
8 portation which key terms in a passage contract
9 should be highlighted before such terms are
10 binding, such as—

11 (i) products and services available on
12 board the passenger vessel for an undis-
13 closed cost or fee or that otherwise are not
14 included in the price of passage;

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

17 (iii) if the passenger vessel leaves the
18 admiralty and maritime jurisdiction of the
19 United States, a passenger may be subject
20 to the law of a foreign country;

21 (iv) the passenger vessel may not ac-
22 cept responsibility for any health care serv-
23 ices provided to a passenger by medical
24 staff on board the passenger vessel;

1 (v) the maximum amount an owner of
2 a passenger vessel will reimburse a pas-
3 senger for lost or stolen property while on
4 board the passenger vessel; and

5 (vi) where to file a notice of claim or
6 initiate any legal action against the owner
7 of the passenger vessel.

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

13 (A) the recommendations made by the ad-
14 visory committee during the preceding calendar
15 year;

16 (B) an explanation of whether and how the
17 industry has implemented each recommenda-
18 tion; and

19 (C) for each recommendation not imple-
20 mented, the industry’s reason for not imple-
21 menting the recommendation.

22 (8) DEFINITION OF PASSENGER VESSEL.—In
23 this subsection, the term “passenger vessel” has the
24 meaning given the term in section 3522 of title 46,
25 United States Code.

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

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

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

8 (2) in subparagraph (B), by striking “make
9 such log book available” and inserting “make avail-
10 able the log book described in subparagraph (A), the
11 Captain’s log, the security log, the engine room log,
12 all other logs, and all entries of the log books or logs
13 described in this subparagraph, without regard as to
14 whether the log book, logs, or entries are maintained
15 on board the vessel or at a centralized location off
16 the vessel,”.

17 (b) DEADLINE TO NOTIFY FEDERAL BUREAU OF IN-
18 VESTIGATION REGARDING CERTAIN INCIDENTS.—Section
19 3523(g)(3)(A)(i), as redesignated under section 2, is
20 amended—

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

23 (2) by striking “after the occurrence on board
24 the vessel of an incident involving” and inserting “,
25 but not later than 4 hours, after an employee of the

1 vessel is notified of an incident on board the vessel
2 allegedly involving”.

3 (c) CRIME REPORTING GUIDELINES.—Section
4 3523(g)(1)(A), as redesignated under section 2 and
5 amended by subsection (a), is further amended—

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

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

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

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

13 “(iv) any other criminal offenses re-
14 ported to the Federal Bureau of Investiga-
15 tion through the Uniform Crime Reporting
16 Program,”.

17 (d) REPORTS BEFORE DEPARTURE.—Section
18 3523(g)(3), as redesignated under section 2, is amended
19 by adding at the end the following:

20 “(C) REPORTS BEFORE DEPARTURE.—If
21 an employee of a vessel to which this sub-
22 chapter applies is notified of an incident under
23 subparagraph (A)(i) while the vessel is within
24 the admiralty and maritime jurisdiction of the
25 United States and en route to a United States

1 port or at a United States port, the owner of
2 the vessel (or the owner's designee) shall con-
3 tact the nearest Federal Bureau of Investiga-
4 tion Field Office or Legal Attaché not later
5 than the time specified under subparagraph
6 (A)(i) or before the vessel departs port, which-
7 ever is earlier.”.

8 (e) REPORTS TO UNITED STATES CONSULATES.—

9 Section 3523(g)(3), as amended by subsection (d), is fur-
10 ther amended by adding at the end the following:

11 “(D) REPORTS TO UNITED STATES CON-
12 SULATES.—If an incident described in subpara-
13 graph (A)(i) allegedly involves an offense by or
14 against a United States national, in addition to
15 contacting the nearest Federal Bureau of Inves-
16 tigation Field Office or Legal Attaché under
17 that subparagraph, the owner of a vessel to
18 which this subchapter applies (or the owner's
19 designee) shall contact the United States con-
20 sulate at the next port of call as soon as pos-
21 sible, but not later than 4 hours after arrival at
22 the port.”.

23 (f) REPORTS TO SECRETARY OF TRANSPORTATION;

24 INCIDENTS AND DETAILS.—Section 3523(g)(3)(A), as
25 amended by subsection (b), is further amended—

1 (1) in clause (ii), by striking “to the Internet
2 website maintained by the Secretary of Transpor-
3 tation under paragraph (4)(A)” and inserting “, in-
4 cluding the details under paragraph (2), to the
5 Internet website maintained by the Secretary of
6 Transportation under section 3528(i)”; and

7 (2) in clause (iii), by striking “under paragraph
8 (4)(A)” and inserting “under section 3528(i)”.

9 (g) AVAILABILITY OF SECURITY GUIDE VIA INTER-
10 NET.—Section 3523(c)(1), as redesignated under section
11 2 of this Act, is amended—

12 (1) in subparagraph (A)—

13 (A) by striking “a guide (referred to in
14 this subsection as the ‘security guide’)” and in-
15 serting “a security guide”; and

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

18 (2) in subparagraph (C), by striking “on the
19 website of the vessel owner” and inserting “through
20 a prominently accessible link on each Internet
21 website that the vessel owner maintains for pas-
22 sengers to purchase or book passage on a passenger
23 vessel”.

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

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

5 (2) by redesignating subsections (i) and (j) as
6 subsections (j) and (k), respectively; and

7 (3) by inserting after subsection (h) the fol-
8 lowing:

9 “(i) REPORTING REQUIREMENTS.—

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

11 “(A) IN GENERAL.—Any records (includ-
12 ing electronic records), information, or written
13 documentation provided to any source under
14 subsection (g) shall also be provided to the
15 State fusion center (as described in section
16 210A of the Homeland Security Act of 2002 (6
17 U.S.C. 124h)) for the State in which the appli-
18 cable port described in subparagraph (B) is lo-
19 cated.

20 “(B) APPLICABLE PORT.—For purposes of
21 this paragraph, the applicable port shall be the
22 port from which a vessel originally embarks or
23 the port at which the vessel disembarks, which-
24 ever port is nearest when the alleged incident
25 occurs.”.

1 **SEC. 7. CRIME PREVENTION, DOCUMENTATION, AND RE-**
2 **SPONSE REQUIREMENTS.**

3 (a) **MAINTENANCE AND PLACEMENT OF VIDEO SUR-**
4 **VEILLANCE EQUIPMENT.**—Section 3523(b)(1)(B), as re-
5 designated under section 2 of this Act, is amended—

6 (1) in subclause (II) of clause (ii), by striking
7 “to the maximum extent practicable”;

8 (2) by redesignating subclause (IV) of clause
9 (ii) as clause (iii), and adjusting the margins appro-
10 priately;

11 (3) by inserting after subclause (III) of clause
12 (ii) the following:

13 “(IV) incorporate the feedback
14 and suggestions from the results of
15 the independent third party risk as-
16 sessment to provide optimum surveil-
17 lance that complies with the guidance
18 from the Commandant.”; and

19 (4) in clause (iii), as redesignated by paragraph
20 (2), by striking “the independent party referred to
21 in paragraph (C)” and inserting the following:
22 “INDEPENDENT THIRD PARTY.—The independent
23 party referred to in clause (ii)(III)”.

24 (b) **ACCESS TO VIDEO RECORDS.**—Section
25 3523(b)(3)(B), as redesignated under section 2 of this
26 Act, is further amended—

1 (1) in the matter preceding clause (i), by strik-
2 ing “Except as proscribed by law enforcement au-
3 thorities or court order, the” and inserting “The”;
4 and

5 (2) in clause (ii), by striking “of any sexual as-
6 sault incident”.

7 (c) NOTICE OF VIDEO SURVEILLANCE.—Section
8 3523(b)(2), as redesignated under section 2 of this Act,
9 is further amended by striking “this section applies” and
10 inserting “this subchapter applies”.

11 (d) RETENTION REQUIREMENTS.—Section
12 3523(b)(4), as redesignated under section 2 of this Act,
13 is amended—

14 (1) by redesignating subparagraphs (A) and
15 (B) as clauses (i) and (ii), respectively, and adjust-
16 ing the margins appropriately;

17 (2) by striking “The owner of a vessel to which
18 this section applies” and inserting the following:

19 “(A) IN GENERAL.—The owner of a vessel
20 to which this subchapter applies”;

21 (3) by striking “20 days after the footage is ob-
22 tained” and inserting “1 year after completion of
23 the voyage”;

1 (4) in clause (ii) of subparagraph (A), as redese-
2 ignated by this subsection, by striking “4 years” and
3 inserting “5 years”; and

4 (5) by adding at the end the following:

5 “(B) INTERIM STANDARDS.—Not later
6 than 180 days after the date of enactment of
7 the Cruise Passenger Protection Act of 2022,
8 the Commandant, in consultation with the Fed-
9 eral Bureau of Investigation, shall promulgate
10 interim standards for the retention of records of
11 video surveillance.

12 “(C) FINAL STANDARDS.—Not later than
13 1 year after the date of enactment of the Cruise
14 Passenger Protection Act of 2022, the Com-
15 mandant, in consultation with the Federal Bu-
16 reau of Investigation, shall promulgate final
17 standards for the retention of records of video
18 surveillance.

19 “(D) CONSIDERATIONS.—In promulgating
20 standards under subparagraphs (B) and (C),
21 the Commandant shall—

22 “(i) consider factors that would aid in
23 the investigation of serious crimes, includ-
24 ing crimes that go unreported until after
25 the completion of a voyage;

1 “(ii) consider the different types of
2 video surveillance systems and storage re-
3 quirements in creating standards both for
4 vessels currently in operation and for ves-
5 sels newly built;

6 “(iii) consider privacy, including
7 standards for permissible access to and
8 monitoring and use of the records of video
9 surveillance; and

10 “(iv) consider technological advance-
11 ments, including requirements to update
12 technology.”.

13 (e) TECHNOLOGY DETECTING PASSENGERS WHO
14 HAVE FALLEN OVERBOARD REQUIREMENT.—Section
15 3523(a)(1)(D), as redesignated under section 2 of this
16 Act, is amended—

17 (1) by striking “or detecting” and inserting
18 “and detecting”; and

19 (2) by striking “is available” and inserting “is
20 available, as determined by the International Mari-
21 time Organization”.

22 (f) SEA MARSHALS REQUIREMENT.—Section
23 3523(f), as redesignated under section 2 of this Act, is
24 amended—

1 (1) by redesignating subparagraphs (A) and
2 (B) of paragraph (1) as clauses (i) and (ii), respec-
3 tively, and adjusting the margins accordingly;

4 (2) by redesignating paragraphs (1) and (2) as
5 subparagraphs (A) and (B), respectively, and adjust-
6 ing the margins accordingly; and

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

9 “(f) CREW REQUIREMENTS.—

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

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

19 (g) AUTHORITY TO PROVIDE ASSISTANCE TO VIC-
20 TIMS OF CRIMES ON BOARD PASSENGER VESSELS.—

21 Chapter 35, as amended by this Act, is further amended
22 by adding at the end the following:

1 **“SEC. 3528. ASSISTANCE TO VICTIMS OF CRIMES ON BOARD**
2 **CERTAIN PASSENGER VESSELS.**

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

6 “(1) a written summary of rights described in
7 subsection (e);

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

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

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

13 “(1) INTERIM DESIGNATION.—The Secretary of
14 Transportation shall designate an interim director of
15 victim support services. The interim director shall be
16 an employee of the Department of Transportation
17 and shall serve in the position until a final designa-
18 tion is made under paragraph (2).

19 “(2) FINAL DESIGNATION.—Not later than 180
20 days after the date of enactment of the Cruise Pas-
21 senger Protection Act of 2022, the Secretary of
22 Transportation, in consultation with the Department
23 of Justice and other relevant Federal agencies,
24 shall—

1 “(A) designate an employee of the Federal
2 Government to serve as the director of victim
3 support services under this section; and

4 “(B) determine an effective way to pub-
5 licize the toll-free telephone number under sub-
6 section (c) and the availability of support serv-
7 ices.

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

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

13 “(B) coordinate with one or more non-
14 profit organizations or other entities that can
15 provide the types of support services described
16 in subsection (d);

17 “(C) establish a process for a passenger
18 described in subsection (a) to obtain the appro-
19 priate types of support services described in
20 subsection (d);

21 “(D) recommend a process for a passenger
22 described in subsection (a) to obtain an appro-
23 priate continuum of care;

24 “(E) recommend a process for a passenger
25 described in subsection (a) to obtain informa-

1 tion on the status of any related criminal inves-
2 tigation;

3 “(F) develop guidance, consistent with the
4 purpose of this section, for the security guide
5 under section 3523(c)(1), including a process to
6 ensure that an owner of a passenger vessel pro-
7 vides a copy of the security guide to a pas-
8 senger immediately after the vessel is notified
9 that the passenger is an alleged victim of an in-
10 cident described in subsection (g)(3)(A)(i);

11 “(G) periodically update that guidance, as
12 necessary; and

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

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

16 “(ii) any relevant Federal agency;

17 “(iii) any relevant United States em-
18 bassy or United States consulate; and

19 “(iv) any other person that the direc-
20 tor of victim support services considers
21 necessary to carry out the purpose of this
22 section.

23 “(c) TOLL-FREE TELEPHONE NUMBER.—The Sec-
24 retary of Transportation shall establish a toll-free tele-
25 phone number, available 24 hours each day, that a pas-

1 senger described in subsection (a) can call to initiate the
2 process under subsection (b)(3)(C).

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

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

10 “(2) an explanation of, or assistance com-
11 pleting, necessary forms to report an incident de-
12 scribed in section 3523(g)(3)(A)(i);

13 “(3) an explanation of how, or assistance to,
14 obtain support services under this section;

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

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

20 “(6) communicating with that passenger as to
21 the roles of the organization or entities described in
22 subsection (b)(3)(B), government agencies, and the
23 owner of the passenger vessel involved with respect
24 to the incident and the post-incident activities.

1 “(e) SUMMARY OF RIGHTS.—Not later than 180 days
2 after the date of enactment of the Cruise Passenger Pro-
3 tection Act of 2022, the Secretary of Transportation, in
4 consultation with the Department of Justice, other rel-
5 evant Federal agencies, nonprofit public interest groups
6 with expertise in victim assistance, and such other persons
7 that the Secretary of Transportation considers necessary,
8 shall—

9 “(1) determine what rights a passenger de-
10 scribed in subsection (a) may have under law, such
11 as the right to contact the Federal Bureau of Inves-
12 tigation to report the crime, the right to contact the
13 director of victim support services, and the right to
14 speak confidentially to Federal law enforcement, the
15 director of victim support services, and any other
16 third-party victim advocate without any representa-
17 tive or employee of the passenger vessel present;

18 “(2) develop a written summary of those rights;
19 and

20 “(3) establish a process for a passenger de-
21 scribed in subsection (a) to receive the written sum-
22 mary of rights as soon as practicable after an al-
23 leged incident described under section
24 3523(g)(3)(A)(i).

1 “(f) GUARDIANS AND RELATIVES.—If a passenger
2 described in subsection (a) is deceased or is a minor, or
3 under such other circumstances that the director of victim
4 support services considers necessary, the director may pro-
5 vide support services under this section to a guardian or
6 relative of that passenger.

7 “(g) USE OF PASSENGER VESSEL RESOURCES.—As
8 appropriate, the resources of the passenger vessel shall be
9 used to the greatest extent possible to carry out the pur-
10 pose of this section.

11 “(h) STATUTORY CONSTRUCTION.—Nothing in this
12 section may be construed as limiting the obligations that
13 an owner of a passenger vessel may have in providing as-
14 sistance to a passenger who is an alleged victim of an inci-
15 dent described under section 3523(g)(3)(A)(i).

16 “(i) AVAILABILITY OF INCIDENT DATA VIA INTER-
17 NET.—

18 “(1) IN GENERAL.—The Secretary of Transpor-
19 tation shall maintain a statistical compilation of all
20 incidents described in section 3523(g)(3)(A) on an
21 Internet website that provides a numerical account-
22 ing of the missing persons and alleged crimes duly
23 recorded in each report filed under section
24 3523(g)(3). Each incident described in section

1 3523(g)(3)(A) shall be included in the statistical
2 compilation irrespective of its investigative status.

3 “(2) UPDATES.—The Secretary of Transpor-
4 tation shall ensure that the data described in para-
5 graph (1)—

6 “(A) is updated not less frequently than
7 quarterly;

8 “(B) is aggregated by cruise line;

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

10 “(D) identifies each crime and alleged
11 crime as to whether it was committed or alleg-
12 edly committed by a passenger or a crew mem-
13 ber;

14 “(E) identifies each crime and alleged
15 crime as to whether it was committed or alleg-
16 edly committed against a minor;

17 “(F) identifies the number of alleged indi-
18 viduals overboard; and

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

21 “(3) ACCESS TO WEBSITE.—Each owner of a
22 passenger vessel shall include a prominently acces-
23 sible link to the Internet website maintained by the
24 Secretary of Transportation under paragraph (1) on
25 each Internet website that the owner maintains for

1 prospective passengers to purchase or book passage
2 on the passenger vessel.

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

6 (h) STUDY.—Not later than 1 year after the date of
7 enactment of this Act, the Secretary of Transportation,
8 in coordination with the Secretary of the department in
9 which the Coast Guard is operating, the Attorney General,
10 and heads of other relevant Federal agencies, shall—

11 (1) conduct a study to determine the feasibility
12 of having an individual on board each passenger ves-
13 sel (as defined in section 3522 of title 46, United
14 States Code) to provide victim support services, in-
15 cluding the support services under section 3528(d)
16 of title 46, United States Code, and related safety
17 and security services, which includes consideration of
18 the cost, the benefit to passengers, jurisdiction, and
19 logistics; and

20 (2) report the findings of the study conducted
21 under paragraph (1) to Congress.

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

25 (1) in subparagraph (A)—

1 (A) by redesignating clause (ii) as clause
2 (vi);

3 (B) by inserting after clause (i) the fol-
4 lowing:

5 “(ii) describes the availability of sup-
6 port services under section 3528, including
7 any contact information provided by the
8 Secretary of Transportation or director of
9 victim support services under that section;

10 “(iii) includes the summary of rights
11 under section 3528(e);

12 “(iv) includes the summary under sec-
13 tion 3527(a);

14 “(v) includes the toll-free hotline tele-
15 phone number and consumer complaints
16 Internet website link under section
17 3527(b);”;

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

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

21 “(vii) includes such other information
22 as the Secretary of Transportation rec-
23 ommends under section 3528(b)(3)(F);”;

24 (2) by amending subparagraph (B) to read as
25 follows:

1 “(B) provide a copy of the security guide
2 to—

3 “(i) the Secretary of Transportation
4 for review; and

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

7 (3) by redesignating subparagraph (C) as sub-
8 paragraph (D); and

9 (4) by inserting after subparagraph (B) the fol-
10 lowing:

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

14 “(i) provide the passenger with a copy
15 of the security guide; and

16 “(ii) inform the passenger that the
17 passenger has the right to notify the Fed-
18 eral Bureau of Investigation that the pas-
19 senger has been a victim of a crime on a
20 passenger vessel; and”.

21 (j) MAINTENANCE OF SUPPLIES TO PREVENT SEXU-
22 ALLY TRANSMITTED DISEASES.—Section 3523(d)(1), as
23 redesignated by section 2 of this Act, is amended by in-
24 serting “(taking into consideration the length of the voy-

1 age and the number of passengers and crewmembers that
2 the vessel can accommodate)” after “a sexual assault”.

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

7 (l) SEXUAL ASSAULT; PRIVATE TELEPHONE LINE.—
8 Section 3523(d)(5)(B), as redesignated by section 2 of
9 this Act, is amended by inserting “under section 3528 or”
10 after “the information and support services available”.

11 (m) CRIME SCENE PRESERVATION TRAINING; CER-
12 TIFICATION OF ORGANIZATIONS BY MARAD.—Section
13 3524(a), as redesignated by section 2 of this Act, is
14 amended by striking “may certify” and inserting “shall
15 certify”.

16 (n) CREW ACCESS TO PASSENGER STATEROOMS;
17 PROCEDURES AND RESTRICTIONS.—Section 3523(f)(2),
18 as redesignated and amended by section 2 of this Act and
19 subsection (f) of this section, is amended—

20 (1) in subparagraph (A)—

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

23 (B) by inserting after clause (ii) the fol-
24 lowing:

1 “(iii) a system that electronically
2 records the date, time, and identity of each
3 crew member accessing each passenger
4 stateroom; and”;

5 (2) by striking subparagraph (B) and inserting
6 the following:

7 “(B) ensure that the procedures and re-
8 strictions are—

9 “(i) fully and properly implemented;

10 “(ii) reviewed annually; and

11 “(iii) updated as necessary.”.

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

15 “(2) APPLICABILITY OF REQUIREMENTS.—Any
16 reporting requirement under this section relating to
17 an incident specified in paragraph (3)(A)(i) is re-
18 quired without regard as to whether the Federal Bu-
19 reau of Investigation has opened a formal investiga-
20 tion relating to the incident.”.

21 **SEC. 8. PASSENGER VESSEL SECURITY AND SAFETY RE-**
22 **QUIREMENTS.**

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

1 (1) in paragraph (1)—

2 (A) in the matter preceding subparagraph
3 (A), by striking “to which this subsection ap-
4 plies” and inserting “to which this subchapter
5 applies”;

6 (B) in subparagraph (A)—

7 (i) by striking “The vessel” and in-
8 serting “Each exterior deck of a vessel”;
9 and

10 (ii) by inserting “unless the height re-
11 quirement would interfere with the deploy-
12 ment of a lifesaving device or other emer-
13 gency equipment as identified by the Com-
14 mandant” before the period at the end;

15 (C) in subparagraph (B), by striking
16 “entry doors that include peep holes or other
17 means of visual identification.” and inserting
18 “an entry door that includes a peep hole or
19 other means of visual identification that pro-
20 vides an unobstructed view of the area outside
21 the stateroom or crew cabin. For purposes of
22 this subparagraph, the addition of an optional
23 privacy cover on the interior side of the entry
24 shall not in and of itself constitute an obstruc-
25 tion.”; and

1 (D) in subparagraph (E), by striking
2 “when operating in high risk areas (as defined
3 by the United States Coast Guard)”; and
4 (2) by adding at the end the following:

5 “(3) WAIVERS; RECORD OF WAIVERS.—The
6 Secretary—

7 “(A) may waive a requirement under para-
8 graph (1) as the Secretary determines nec-
9 essary;

10 “(B) shall maintain a record of each waiv-
11 er under subparagraph (A); and

12 “(C) shall include in such record the jus-
13 tification for the waiver.”.

14 (b) MEDICAL STANDARDS.—

15 (1) MEDICAL STANDARDS.—Section 3525, as
16 redesignated by section 2 of this Act, is amended—

17 (A) by redesignating paragraphs (2) and
18 (3) as paragraphs (3) and (4), respectively;

19 (B) by inserting after paragraph (1) the
20 following:

21 “(2) there are a sufficient number of qualified
22 medical staff members on the vessel to treat the
23 number of passengers who may be on board the ves-
24 sel, as determined by the Secretary, by regulation;”;

1 (C) in paragraph (3), as redesignated by
2 subparagraph (A), by striking “; and” and in-
3 serting “or any successor standard;”;

4 (D) in paragraph (4), as redesignated by
5 subparagraph (A)—

6 (i) in subparagraph (A), by striking
7 “and” after the semicolon;

8 (ii) in subparagraph (B), by striking
9 the period and inserting a semicolon; and

10 (iii) by adding at the end the fol-
11 lowing:

12 “(C) the location and proper use of auto-
13 mated external defibrillators; and

14 “(D) the proper way to report an incident
15 or to seek security assistance in the event of a
16 medical emergency;”; and

17 (E) by adding at the end the following:

18 “(4) if a United States citizen dies on board the
19 vessel and the citizen’s next of kin requests that the
20 citizen’s body return to the United States on the
21 vessel, such request is granted;

22 “(5) every crew member on the vessel has re-
23 ceived basic life support training and is certified in
24 cardiopulmonary resuscitation; and

1 “(6) every crew member on a vessel leaving
2 from or en route to a United States port of call has
3 a basic understanding of the English language.”.

4 (2) EFFECTIVE DATE.—The amendments made
5 by paragraph (1) shall take effect on the date that
6 is 180 days after the date of the enactment of this
7 Act.

8 **SEC. 9. ENFORCEMENT.**

9 (a) PENALTIES FOR VIOLATION OF PASSENGER VES-
10 SEL SECURITY AND SAFETY REQUIREMENTS.—Section
11 3523(h)(1)(A), as redesignated by section 2 of this Act,
12 is amended by striking “\$50,000” and inserting
13 “\$175,000”.

14 (b) INFORMATION SHARING.—Chapter 35, as amend-
15 ed by this Act, is further amended by adding at the end
16 the following:

17 **“§ 3529. Information sharing**

18 “(a) IN GENERAL.—To the extent not prohibited by
19 other law, the head of a designated agency shall make
20 available to another head of a designated agency any infor-
21 mation necessary to carry out the provisions of this sub-
22 chapter. The provision by the head of a designated agency
23 of any information under this section to another head of
24 a designated agency shall not constitute a waiver of, or
25 otherwise effect, any privilege any agency or person may

1 claim with respect to that information under Federal or
2 State law.

3 “(b) DEFINITION OF HEAD OF A DESIGNATED
4 AGENCY.—In this section, the term ‘head of a designated
5 agency’ means the Secretary of Transportation, the Sec-
6 retary of Homeland Security, or the Attorney General.”.

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

10 **“§ 3530. Refusal of clearance; denial of entry**

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

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

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

20 “(b) DENIAL OF ENTRY.—The Secretary of the de-
21 partment in which the Coast Guard is operating may deny
22 entry into the United States to a vessel to which this sub-
23 chapter applies if the owner of the vessel—

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

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

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

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

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

9 (2) in section 3524, by striking “to which this
10 section applies” each place such phrase appears and
11 inserting “to which this subchapter applies”;

12 (3) in section 3525, by striking “to which sec-
13 tion 3507 applies” and inserting “to which this sub-
14 chapter applies”; and

15 (4) in section 3526—

16 (A) by striking “to which section 3507 ap-
17 plies” and inserting “to which this subchapter
18 applies”;

19 (B) by striking “(a) AUTOMATED EXTER-
20 NAL DEFIBRILLATORS.—”; and

21 (C) by striking subsection (b).

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

1 (c) REPORTING REQUIREMENTS.—Section
 2 8440(c)(2) of the William M. (Mac) Thornberry National
 3 Defense Authorization Act of 2021 is amended by striking
 4 “3507 of title 46, United States Code” and inserting
 5 “3523 of title 46, United States Code (designated as sec-
 6 tion 3507 of such title before the date of enactment of
 7 the Cruise Passenger Protection Act of 2022),”.

8 (d) TABLE OF CONTENTS.—The table of contents for
 9 chapter 35 is amended—

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

“SUBCHAPTER I—GENERAL PROVISIONS”;

12 (2) by striking the items relating to sections
 13 3507, 3508, 3509, and 3510 and inserting the fol-
 14 lowing:

“3523. Passenger vessel security and safety requirements.

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

“3525. Medical standards.

“3526. Additional medical and safety standards.”;

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

“SUBCHAPTER II—CRUISE VESSELS”;

17 (4) by inserting before the item relating to sec-
 18 tion 3523 the following:

“3521. Application.

“3522. Definitions.”;

19 and

20 (5) by adding at the end the following:

“3527. Passenger vessel consumer service improvements.

“3528. Assistance to victims of crimes on board certain passenger vessels.

“3529. Information sharing.

“3530. Refusal of clearance; denial of entry.”.

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

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

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

6 (2) by striking subsection (a) and inserting the
7 following:

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

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

14 “(A) is authorized to carry at least 250
15 passengers;

16 “(B) has onboard sleeping facilities for
17 each passenger;

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

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

21 “(2) NONPECUNIARY DAMAGES.—The term
22 ‘nonpecuniary damages’ means damages for pre-

1 death pain and suffering and for loss of care, com-
2 fort, and companionship.”;

3 (3) in subsection (b), by inserting “, or cruise
4 ship voyage,” after “commercial aviation accident”;
5 and

6 (4) in subsection (c), by inserting “, or cruise
7 ship voyage,” after “commercial aviation accident”.

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

“30307. Limitations in certain cases.”.

○