

117TH CONGRESS
1ST SESSION

H. R. 3873

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2021

Mr. McCLINTOCK introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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2 1886”), is repealed.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
25 or places in the United States to which the

1 coastwise laws apply, either directly or via a
2 foreign port; 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.—Chapter 551 of
14 title 46, United States Code, is amended—

15 (1) by repealing section 55104; and

16 (2) in section 55121—

17 (A) in the section heading, by striking
18 “**and passengers**”;

19 (B) by striking subsection (a);

20 (C) by striking “(b)” and all that follows
21 through “STATES.—”; and

22 (D) by striking “sections 55102 and 55103
23 of this title do” and inserting “section 55102 of
24 this title does”.

1 **SEC. 3. ADJUSTMENTS RELATING TO PERMITS TO LAND**
2 **TEMPORARILY FOR ALIEN CREWMEN.**

3 Section 252(a) of the Immigration and Nationality
4 Act (8 U.S.C. 1282(a)) is amended, in the matter pre-
5 ceding paragraph (1), by striking “not to exceed—” and
6 all that follows through the period at the end of paragraph
7 (2) and inserting “not to exceed the period of time during
8 which the crewman is in possession of a valid, unexpired
9 visa issued pursuant to such paragraph, if the immigration
10 officer is satisfied that the crewman intends to depart—

11 “(1) on the vessel or aircraft on which the
12 crewman arrived; or

13 “(2) on a vessel or aircraft other than the ves-
14 sel or aircraft on which the crewman arrived.”.

15 **SEC. 4. RULE OF CONSTRUCTION.**

16 Nothing in the amendments made by this Act shall
17 be construed to exempt a vessel that transports passengers
18 between ports or places in the United States to which the
19 coastwise laws apply, either directly or via a foreign port,
20 from any applicable law of the United States except as
21 explicitly provided in such amendments.

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