

117TH CONGRESS  
1ST SESSION

# S. 1105

To provide COVID–19 mitigation instructions for cruise ships, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 13, 2021

Mr. SULLIVAN (for himself, Mr. SCOTT of Florida, and Mr. RUBIO) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To provide COVID–19 mitigation instructions for cruise ships, 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 “Careful Resumption  
5 Under Improved Safety Enhancements Act” or the  
6 “CRUISE Act”.

7 **SEC. 2. FINDINGS.**

8 Congress makes the following findings:

9 (1) On March 14, 2020, in response to the  
10 COVID–19 pandemic, the Centers for Disease Con-

1 trol and Prevention (CDC) issued the “No Sail  
2 Order and Suspension of Further Embarkation”  
3 which prohibited all cruise ships with capacity to  
4 carry 250 or more individuals from embarking pas-  
5 sengers in the United States.

6 (2) Prior to the COVID–19 pandemic, the  
7 cruise industry supported nearly 450,000 American  
8 jobs and contributed over \$55,500,000,000 to the  
9 United States economy annually. More than 300,000  
10 jobs have been lost in the United States due to the  
11 suspension of cruises. The majority of the individ-  
12 uals impacted are independent business owners or  
13 individuals employed by small- to medium-sized busi-  
14 nesses, including travel agents, taxi drivers, port em-  
15 ployees, baggage handlers, and longshore workers, as  
16 well as airline, hotel, and restaurant employees.

17 (3) On October 30, 2020, the CDC issued the  
18 “Framework for Conditional Sailing Order” for  
19 cruise ships that laid out a 4-phase approach for the  
20 resumption of cruise activity. At that time, the CDC  
21 released technical instructions for only the first  
22 phase of this conditional sailing order. On April 2,  
23 2021, more than 5 months later, CDC released the  
24 technical instructions for half of the second phase.  
25 Without the complete technical instructions for all 4

1 phases of this framework, no large cruise ships are  
2 able to resume operations in the United States  
3 under the CDC’s conditional sailing order.

4 (4) The cruise industry is the only segment of  
5 the United States economy that is completely pro-  
6 hibited from operations by the CDC due to COVID-  
7 19. For every other sector of the economy, CDC pro-  
8 vides recommendations for how to mitigate the  
9 spread of COVID-19 without issuing orders to pro-  
10 hibit operations.

11 (5) Since July 2020, cruising has continued in  
12 Asia, Europe, and the South Pacific with nearly  
13 400,000 passengers sailing with health protocols to  
14 mitigate the spread of COVID-19.

15 (6) The increasing availability of vaccines pro-  
16 vides a path to the resumption of pre-pandemic ac-  
17 tivities. On March 2, 2021, President Biden stated:  
18 “We’re now on track to have enough vaccine supply  
19 for every adult in America by the end of May. . . .  
20 The more people who get vaccinated, the faster we’re  
21 going to overcome this virus and get back to our  
22 loved ones, get our economy back on track, and start  
23 to move back to normal.”.

24 (7) As of March 11, 2021, 65 percent of people  
25 over the age of 65 and more than 70 percent of peo-

1 ple over the age of 75 in the United States were  
2 fully vaccinated against COVID–19, leading Presi-  
3 dent Biden to state: “All adult Americans will be eli-  
4 gible to get a vaccine no later than May 1. . . .  
5 After this long, hard year, that will make this Inde-  
6 pendence Day something truly special, where we not  
7 only mark our independence as a nation but we  
8 begin to mark our independence from this virus.”.

9 **SEC. 3. COVID–19 MITIGATION GUIDANCE FOR CRUISE**  
10 **SHIPS.**

11 (a) IN GENERAL.—Not later than the earlier of 30  
12 days after the date of enactment of this Act or June 1,  
13 2021, the Secretary of Health and Human Services (re-  
14 ferred to in this Act as the “Secretary”), acting through  
15 the Director of the Centers for Disease Control and Pre-  
16 vention (referred to in this Act as the “Director”) and  
17 in consultation with the interagency working group estab-  
18 lished under subsection (c), shall issue recommendations  
19 for how to mitigate the risks of COVID–19 introduction,  
20 transmission, and spread among passengers and crew on-  
21 board cruise ships and ashore to communities. The Sec-  
22 retary may later update or modify such recommendations  
23 as necessary to mitigate such risks.

24 (b) APPLICABILITY.—The recommendations issued  
25 under subsection (a) shall be applicable to all cruise ships

1 subject to the order entitled “No Sail Order and Suspen-  
2 sion of Further Embarkation”, issued by the Director on  
3 March 24, 2020 (85 Fed. Reg. 16628), or any modifica-  
4 tion to, or extension of, such order.

5 (c) WORKING GROUP.—

6 (1) ESTABLISHMENT.—There is hereby estab-  
7 lished an interagency working group, for purposes of  
8 developing, not later than 30 days after the date of  
9 enactment of this Act, the recommendations de-  
10 scribed in subsection (a), in order to facilitate the  
11 resumption of passenger cruise ship operations in  
12 the United States not later than July 4, 2021.

13 (2) MEMBERS.—The interagency working group  
14 shall consist of—

15 (A) the Secretary (or designee) serving as  
16 Chair;

17 (B) the Secretaries (or designees) of  
18 Transportation, of Homeland Security, and of  
19 Commerce; and

20 (C) industry stakeholders appointed by the  
21 Secretary.

22 (3) SCOPE OF RECOMMENDATIONS.—In devel-  
23 oping the recommendations described in subsection  
24 (a), the interagency working group shall consider  
25 public health safety needs; risk mitigation strategies

1 and health protocols for passengers and crew that  
2 are consistent with, and not substantially more bur-  
3 densome than, the guidance applied by the Centers  
4 for Disease Control and Prevention to other business  
5 sectors and travel-related industries; and overall eco-  
6 nomic impacts, costs, and benefits of the rec-  
7 ommendations.

8 **SEC. 4. RESUMPTION OF CRUISE SHIP OPERATIONS.**

9 Not later than July 4, 2021, the Secretary shall re-  
10 voke the order entitled “Framework for Conditional Sail-  
11 ing and Initial Phase COVID–19 Testing Requirements  
12 for Protection of Crew”, issued by the Director on Novem-  
13 ber 4, 2020 (85 Fed. Reg. 70153), under the authority  
14 of sections 361 and 365 of the Public Health Service Act  
15 (42 U.S.C. 264; 268), and any other order or regulation  
16 that prohibits the operation of all cruise ships in United  
17 States waters, requires such ships to obtain approval from  
18 the Director prior to operating, or otherwise acts as a de  
19 facto prohibition for cruise ship operations in the United  
20 States.

21 **SEC. 5. RULES OF CONSTRUCTION.**

22 Nothing in this Act shall limit the authority of the  
23 Secretary to make and enforce such regulations that, in  
24 the judgment of the Secretary, are necessary to prevent  
25 the introduction, transmission, or spread of communicable

- 1 diseases on any individual cruise ship presenting a public
- 2 health threat by reason of the existence of any commu-
- 3 nicable disease.

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