

115TH CONGRESS  
1ST SESSION

# S. 965

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

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IN THE SENATE OF THE UNITED STATES

APRIL 27, 2017

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

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## 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; REFERENCES.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Cruise Passenger Protection Act”.

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 and 3508 as  
 13 sections 3523 and 3524, respectively.

14 **SEC. 3. APPLICATION.**

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

18 **“§ 3521. Application**

19 “(a) IN GENERAL.—This subchapter applies to a  
 20 passenger vessel that—

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

23 “(2) has on board sleeping facilities for each  
 24 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 a vessel of the United States  
6 operated by the Federal Government or a vessel owned  
7 and operated by a State.”.

8 **SEC. 4. DEFINITIONS.**

9           Chapter 35, as amended by sections 2 and 3 of this  
10 Act, is further amended by inserting after section 3521  
11 the following:

12 **“§ 3522. Definitions**

13           “In this subchapter, the following definitions apply:

14           “(1) COMMANDANT.—The term ‘Commandant’  
15 means the Commandant of the Coast Guard.

16           “(2) OWNER.—The term ‘owner’ means the  
17 owner, charterer, managing operator, master, or  
18 other individual in charge of a vessel.”.

19 **SEC. 5. BILL OF RIGHTS.**

20           Not later than 180 days after the date of enactment  
21 of this Act, the Secretary of Transportation shall deter-  
22 mine whether any of the enumerated rights in the inter-  
23 national cruise line passenger bill of rights, that was  
24 adopted by the members of the Cruise Lines International  
25 Association, are enforceable under Federal law.

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 of this Act, is further  
5 amended—

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

9 (2) in subparagraph (B), by striking “make  
10 such log book available” and inserting “make the log  
11 book and all entries therein available, whether the  
12 log book and entries are maintained on board the  
13 vessel or at a centralized location off the vessel,”.

14 (b) DEADLINE TO NOTIFY FEDERAL BUREAU OF IN-  
15 VESTIGATION REGARDING CERTAIN INCIDENTS.—Section  
16 3523(g)(3)(A)(i), as redesignated under section 2 of this  
17 Act, is further amended—

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

20 (2) by striking “after the occurrence on board  
21 the vessel of an incident involving” and inserting “,  
22 but not later than 4 hours, after an employee of the  
23 vessel is notified of an incident on board the vessel  
24 allegedly involving”.

1           (c) REPORTS BEFORE DEPARTURE.—Section  
2 3523(g)(3), as redesignated under section 2 of this Act,  
3 is further amended by adding at the end the following:

4                   “(C) REPORTS BEFORE DEPARTURE.—If  
5 an employee of a vessel to which this sub-  
6 chapter applies is notified of an incident de-  
7 scribed under subparagraph (A)(i) while the  
8 vessel is within the admiralty and maritime ju-  
9 risdiction of the United States and en route to  
10 a United States port or at a United States port,  
11 the owner of the vessel (or the owner’s des-  
12 ignee) shall contact the nearest Federal Bureau  
13 of Investigation Field Office or Legal Attaché  
14 within the time period specified under subpara-  
15 graph (A)(i) or before the vessel departs port,  
16 whichever is earlier.”.

17           (d) REPORTS TO UNITED STATES CONSULATES.—  
18 Section 3523(g)(3), as redesignated under section 2 of  
19 this Act and as amended by subsection (c) of this section,  
20 is further amended by adding at the end the following:

21                   “(D) REPORTS TO UNITED STATES CON-  
22 SULATES.—If an incident described under sub-  
23 paragraph (A)(i) allegedly involves an offense  
24 by or against a United States national, in addi-  
25 tion to contacting the nearest Federal Bureau

1 of Investigation Field Office or Legal Attaché  
2 under that subparagraph, the owner of a vessel  
3 to which this subchapter applies (or the owner’s  
4 designee) shall contact the United States con-  
5 sulate at the next port of call within the time  
6 period specified under subparagraph (A)(i).”.

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

10 (1) in subparagraph (A)—

11 (A) by striking “a guide (referred to in  
12 this subsection as the ‘security guide’)” and in-  
13 sserting “a security guide”; and

14 (B) by striking “English, which” and in-  
15 sserting “English, that”; and

16 (2) in subparagraph (C), by striking “on the  
17 website of the vessel owner” and inserting “via a  
18 prominently accessible link on each Internet website  
19 that the vessel owner maintains for passengers to  
20 purchase or book trips on any vessel that the vessel  
21 owner owns or operates, and to which this sub-  
22 chapter applies”.

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), as redesign-  
5 nated under section 2 of this Act, is further amended—

6 (1) by striking “The owner” and inserting the  
7 following:

8 “(A) **IN GENERAL.**—The owner”;

9 (2) by striking “, as determined by the Sec-  
10 retary”; and

11 (3) by adding at the end, the following:

12 “(B) **PLACEMENT OF VIDEO SURVEIL-**  
13 **LANCE EQUIPMENT.**—With regard to the place-  
14 ment of video surveillance equipment on a ves-  
15 sel under subparagraph (A), the owner shall—

16 “(i) place video surveillance equipment  
17 in each passenger common area where a  
18 person has no reasonable expectation of  
19 privacy;

20 “(ii) place video surveillance equip-  
21 ment in other areas where a person has no  
22 reasonable expectation of privacy; and

23 “(iii) place video surveillance equip-  
24 ment in each area identified under clause  
25 (i) or (ii) in a manner that provides opti-  
26 mum surveillance of that area.”.

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

4 (1) by redesignating paragraph (2) as para-  
5 graph (3); and

6 (2) in paragraph (3), as redesignated—

7 (A) by striking “The owner” and inserting  
8 the following:

9 “(A) LAW ENFORCEMENT.—The owner”;

10 and

11 (B) by adding at the end, the following:

12 “(B) CIVIL ACTIONS.—The owner of a ves-  
13 sel to which this subchapter applies shall pro-  
14 vide to any individual or the individual’s legal  
15 representative, upon written request, a copy of  
16 all records of video surveillance—

17 “(i) in which the individual is a sub-  
18 ject of the video surveillance; and

19 “(ii) that may provide evidence in a  
20 civil action.

21 “(C) LIMITED ACCESS.—Except as pro-  
22 vided under subparagraphs (A) and (B), the  
23 owner of a vessel to which this subchapter ap-  
24 plies shall ensure that access to records of video



1 surveillance is limited to the purposes described  
2 under this section.”.

3 (c) NOTICE OF VIDEO SURVEILLANCE.—Section  
4 3523(b), as redesignated under section 2 of this Act and  
5 as amended by subsection (b) of this section, is further  
6 amended by inserting before paragraph (3), the following:

7 “(2) NOTICE OF VIDEO SURVEILLANCE.—The  
8 owner of a vessel to which this subchapter applies  
9 shall provide clear and conspicuous signs on board  
10 the vessel notifying the public of the presence of  
11 video surveillance equipment.”.

12 (d) RETENTION REQUIREMENTS.—Section 3523(b),  
13 as redesignated under section 2 of this Act and as amend-  
14 ed by subsections (b) and (c) of this section, is further  
15 amended by adding at the end, the following:

16 “(4) RETENTION REQUIREMENTS.—

17 “(A) IN GENERAL.—The owner of a vessel  
18 to which this subchapter applies shall retain all  
19 records of video surveillance for a voyage for  
20 not less than 30 days after the completion of  
21 the voyage. If an incident described in sub-  
22 section (g)(3)(A)(i) is alleged and reported to  
23 law enforcement, all records of video surveil-  
24 lance from the voyage that the Federal Bureau  
25 of Investigation determines are relevant shall—

1           “(i) be provided to the Federal Bu-  
2           reau of Investigation; and

3           “(ii) be preserved by the vessel owner  
4           for not less than 5 years from the date of  
5           the alleged incident.

6           “(B) INTERIM STANDARDS.—Not later  
7           than 180 days after the date of enactment of  
8           the Cruise Passenger Protection Act, the Com-  
9           mandant, in consultation with the Federal Bu-  
10          reau of Investigation, shall promulgate interim  
11          standards for the retention of records of video  
12          surveillance.

13          “(C) FINAL STANDARDS.—Not later than  
14          1 year after the date of enactment of the Cruise  
15          Passenger Protection Act, the Commandant, in  
16          consultation with the Federal Bureau of Inves-  
17          tigation, shall promulgate final standards for  
18          the retention of records of video 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) AVAILABILITY OF INCIDENT DATA VIA INTER-  
14 NET.—Section 3523(g)(4)(A)(ii), as redesignated under  
15 section 2 of this Act, is further amended—

16           (1) by redesignating subclauses (V) and (VI) as  
17 subclauses (VI) and (VII), respectively; and

18           (2) by inserting after subclause (IV) the fol-  
19 lowing:

20                   “(V) identify whether each crime  
21 or alleged crime identified under sub-  
22 clause (IV) was committed or alleg-  
23 edly committed against a minor;”.

24       (f) STUDY.—Not later than 1 year after the date of  
25 enactment of this Act, the Secretary of Transportation,

1 in coordination with the Secretary of the department in  
2 which the Coast Guard is operating, the Attorney General,  
3 and the heads of other relevant Federal agencies, shall  
4 conduct a study to determine the feasibility of having an  
5 individual on board each passenger vessel to which sub-  
6 chapter II of chapter 35 of title 46, United States Code,  
7 applies to provide victim support services and related safe-  
8 ty and security services, and shall report the findings of  
9 such study to Congress. The study shall include consider-  
10 ation of costs, benefits to passengers, jurisdiction, and lo-  
11 gistics.

12 (g) CRIMINAL ACTIVITY PREVENTION AND RE-  
13 SPONSE GUIDE.—Section 3523(c)(1), as redesignated by  
14 section 2 of this Act and as amended by section 6(e) of  
15 this Act, is further amended by amending subparagraph  
16 (B) to read as follows:

17 “(B) provide a copy of the security guide  
18 to—

19 “(i) the Secretary of Transportation  
20 for review;

21 “(ii) the Federal Bureau of Investiga-  
22 tion for comment; and

23 “(iii) a passenger immediately after  
24 the vessel is notified that the passenger is

1                   an alleged victim of an incident described  
2                   under subsection (g)(3)(A)(i); and”.

3           (h) MAINTENANCE OF SUPPLIES TO PREVENT SEXU-  
4 ALLY TRANSMITTED DISEASES.—Section 3523(d)(1), as  
5 redesignated by section 2 of this Act, is further amended  
6 by inserting “(taking into consideration the length of the  
7 voyage and the number of passengers and crewmembers  
8 that the vessel can accommodate)” after “a sexual as-  
9 sault”.

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

15          (j) CREW ACCESS TO PASSENGER STATEROOMS;  
16 PROCEDURES AND RESTRICTIONS.—Section 3523(f), as  
17 redesignated by section 2 of this Act, is further amend-  
18 ed—

19                   (1) in paragraph (1)—

20                           (A) by striking “and” at the end of sub-  
21 paragraph (A); and

22                           (B) by adding at the end the following:

23                                   “(C) a system that electronically records  
24                   the date, time, and identity of each crewmem-

1           ber accessing each passenger stateroom; and”;  
2           and

3           (2) in paragraph (2), by striking “are fully and  
4           properly implemented and periodically reviewed.”  
5           and inserting “are fully and properly implemented,  
6           reviewed annually, and updated as necessary.”.

7           (k) **TECHNOLOGY FOR DETECTING PASSENGERS**  
8 **WHO HAVE FALLEN OVERBOARD REQUIRED.**—Section  
9 3523(a)(1)(D), as redesignated by section 2 of this Act,  
10 is further amended by striking “or” and inserting “and”.

11 **SEC. 8. PASSENGER VESSEL SECURITY AND SAFETY RE-**  
12 **QUIREMENTS.**

13           (a) **VESSEL DESIGN, EQUIPMENT, CONSTRUCTION,**  
14 **AND RETROFITTING REQUIREMENTS.**—Section 3523(a),  
15 as redesignated by section 2 of this Act, is further amend-  
16 ed—

17           (1) in paragraph (1)—

18           (A) in the matter preceding subparagraph  
19 (A), by striking “to which this subsection ap-  
20 plies” and inserting “to which this subchapter  
21 applies”;

22           (B) in subparagraph (A)—

23           (i) by striking “The vessel” and in-  
24 serting “Each exterior deck of a vessel”;  
25           and

1 (ii) by striking the period at the end  
2 and inserting “unless the height require-  
3 ment would interfere with the deployment  
4 of a lifesaving device or other emergency  
5 equipment as identified by the Com-  
6 mandant.”; and

7 (C) in subparagraph (B), by striking  
8 “entry doors that include peep holes or other  
9 means of visual identification.” and inserting  
10 “an entry door that includes a peep hole or  
11 other means of visual identification that pro-  
12 vides an unobstructed view of the area outside  
13 the stateroom or crew cabin and, for purposes  
14 of this subparagraph, the addition of an op-  
15 tional privacy cover on the interior side of the  
16 entry shall not in and of itself constitute an ob-  
17 struction.”; and

18 (2) by adding at the end the following:

19 “(4) WAIVERS; RECORD OF WAIVERS.—The  
20 Secretary—

21 “(A) may waive a requirement under para-  
22 graph (1) as the Secretary determines nec-  
23 essary;

24 “(B) shall maintain a record of each waiv-  
25 er made under subparagraph (A); and

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

3           (b) MEDICAL STANDARDS.—

4           (1) IN GENERAL.—Section 3523, as redesi-  
5           gnated by section 2 of this Act, is further amended—

6           (A) by striking subsections (k) and (l); and

7           (B) by inserting after subsection (j) the  
8           following:

9           “(k) MEDICAL STANDARDS.—

10           “(1) IN GENERAL.—The owner of a vessel to  
11           which this subchapter applies shall ensure that—

12           “(A) a physician is always present and  
13           available to treat any passengers who may be  
14           on board the vessel in the event of an emer-  
15           gency situation;

16           “(B) there is a sufficient number of quali-  
17           fied medical staff on board the vessel to treat  
18           the number of passengers who may be on board  
19           the vessel, as determined by the Secretary by  
20           regulation;

21           “(C) if a United States citizen dies on  
22           board the vessel and the citizen’s next of kin re-  
23           quests that the citizen’s body return to the  
24           United States on board the vessel, such request  
25           is granted;



1           “(D) every crewmember on board the ves-  
2           sel has received basic life support training and  
3           is certified in cardiopulmonary resuscitation;

4           “(E) automated external defibrillators  
5           are—

6                   “(i) placed throughout the vessel in  
7                   clearly designated locations; and

8                   “(ii) available for passenger access in  
9                   the event of an emergency; and

10           “(F) the initial safety briefing given to the  
11           passengers on board the vessel includes—

12                   “(i) the location of the vessel’s med-  
13                   ical facilities;

14                   “(ii) the appropriate steps passengers  
15                   should follow during a medical emergency;

16                   “(iii) the location and proper use of  
17                   automated external defibrillators; and

18                   “(iv) the proper way to report an inci-  
19                   dent or to seek security assistance in the  
20                   event of a medical emergency.

21           “(2) PHYSICIAN DEFINED.—In this subsection  
22           the term ‘physician’ means a medical doctor who—

23                   “(A) has at least 3 years of post-graduate,  
24                   post-registration experience in general and  
25                   emergency medicine; or

1           “(B) is board certified in emergency medi-  
2           cine, family medicine, or internal medicine.”.

3           (2) APPLICATION.—The amendment made by  
4           paragraph (1)(B) shall apply on and after the date  
5           that is 180 days after the date of the enactment of  
6           this Act.

7           (c) DEFINITION OF EXTERIOR DECK.—Section 3523,  
8           as redesignated by section 2 of this Act and as amended  
9           by subsection (b) of this section, is further amended by  
10          inserting after subsection (k) the following:

11          “(l) DEFINITION OF EXTERIOR DECK.—In this sec-  
12          tion, the term ‘exterior deck’ means any exterior weather  
13          deck on which a passenger may be present, including pas-  
14          senger stateroom balconies, exterior promenades on pas-  
15          senger decks, muster stations, and similar exterior weath-  
16          er deck areas.”.

17          **SEC. 9. ENFORCEMENT.**

18          (a) INFORMATION SHARING.—

19                  (1) IN GENERAL.—To the extent not prohibited  
20                  by other law, the head of a designated agency shall  
21                  make available to another head of a designated  
22                  agency any information necessary to carry out the  
23                  provisions of subchapter II of chapter 35 of title 46,  
24                  United States Code. The provision by the head of a  
25                  designated agency of any information under this

1 subsection to another head of a designated agency  
 2 shall not constitute a waiver, or otherwise affect, any  
 3 privilege any agency or person may claim with re-  
 4 spect to that information under Federal or State  
 5 law.

6 (2) DEFINITION OF HEAD OF A DESIGNATED  
 7 AGENCY.—In this subsection, the term “head of a  
 8 designated agency” means the Secretary of Trans-  
 9 portation, the Secretary of Homeland Security, or  
 10 the Attorney General.

11 (b) PASSENGER VESSEL SECURITY AND SAFETY RE-  
 12 QUIREMENTS; DENIAL OF ENTRY.—Section 3523(h), as  
 13 redesignated by section 2 of this Act, is further amend-  
 14 ed—

15 (1) by striking paragraph (2);

16 (2) in the subsection heading, by striking “EN-  
 17 FORCEMENT” and inserting “PENALTIES”; and

18 (3) in paragraph (1)—

19 (A) by striking “(1) PENALTIES.—” and  
 20 all that follows through “(A) CIVIL  
 21 PENALTY.—” and inserting “(1) CIVIL PEN-  
 22 ALTY.—”; and

23 (B) by redesignating subparagraph (B) as  
 24 paragraph (2), and adjusting the margin appro-  
 25 priately.

1 (c) DENIAL OF ENTRY.—Section 3524(f), as redesignated by section 2 of this Act, is repealed.

3 (d) ENFORCEMENT.—Chapter 35, as amended by this Act, is further amended by adding at the end the following:

6 **“§ 3525. Refusal of clearance; denial of entry**

7 “(a) CLEARANCE.—The Secretary of Homeland Security may withhold or revoke the clearance required under section 60105 of any vessel of the owner of a vessel to which this subchapter applies, wherever the vessel is found, if the owner of the vessel—

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

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

16 “(b) DENIAL OF ENTRY.—The Secretary of the department in which the Coast Guard is operating may deny entry into the United States to a vessel to which this subchapter applies if the owner of the vessel—

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

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

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

25 (a) APPLICATION.—

1           (1) Section 3523, as redesignated by section 2  
2           of this Act and as otherwise amended by this Act,  
3           is further amended by striking “to which this section  
4           applies” each place it appears and inserting “to  
5           which this subchapter applies”.

6           (2) Section 3524, as redesignated by section 2  
7           of this Act and as otherwise amended by this Act,  
8           is further amended by striking “to which this section  
9           applies” each place it appears and inserting “to  
10          which this subchapter applies”.

11          (b) ELAPSED EFFECTIVE DATES.—Section 3523(a),  
12          as redesignated by section 2 of this Act and as otherwise  
13          amended by this Act, is further amended—

14                 (1) by striking paragraph (3); and

15                 (2) by redesignating paragraph (4) as para-  
16          graph (3).

17          (c) PROCEDURES.—Section 3523(i), as redesignated  
18          by section 2 of this Act, is further amended by striking  
19          “Within 6 months after the date of enactment of the  
20          Cruise Vessel Security and Safety Act of 2010, the” and  
21          inserting “The”.

22          (d) TABLE OF CONTENTS.—The table of sections for  
23          chapter 35 is amended—

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

“SUBCHAPTER I—GENERAL PROVISIONS”;

1           (2) by striking the item relating to section 3507  
2           and inserting the following:

“3523. Passenger vessel security and safety requirements.”;

3           (3) by striking the item relating to section 3508  
4           and inserting the following:

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

5           (4) by inserting after the item relating to sec-  
6           tion 3506 the following:

“SUBCHAPTER II—CRUISE VESSELS”;

7           (5) by inserting before the item relating to sec-  
8           tion 3523, the following:

“3521. Application.  
“3522. Definitions.”;

9           and

10          (6) by adding at the end the following:

“3525. Refusal of clearance; denial of entry.”.

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

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

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

16           (2) by striking subsection (a) and inserting the  
17           following:

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

20           “(1) CRUISE SHIP.—The term ‘cruise ship’  
21           means a passenger vessel, other than a vessel of the

1 United States operated by the Federal Government  
2 or a vessel owned and operated by a State, that—

3 “(A) is authorized to carry at least 250  
4 passengers;

5 “(B) has onboard sleeping facilities for  
6 each passenger;

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

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

10 “(2) NONPECUNIARY DAMAGES.—The term  
11 ‘nonpecuniary damages’ means damages for loss of  
12 care, comfort, and companionship.”;

13 (3) in subsection (b), by inserting “or cruise  
14 ship” after “commercial aviation”; and

15 (4) in subsection (c), by inserting “or cruise  
16 ship” after “commercial aviation”.

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

“30307. Limitations in certain cases.”.

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