

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5707

To require the owner of a cruise ship that calls at a port in the United States to report to the Secretary of the department in which the Coast Guard is operating crimes that occur on the cruise ship in which a citizen of the United States was a victim, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2006

Mr. SHAYS (for himself and Mrs. MALONEY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To require the owner of a cruise ship that calls at a port in the United States to report to the Secretary of the department in which the Coast Guard is operating crimes that occur on the cruise ship in which a citizen of the United States was a victim, 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 “Cruise Line Accurate  
5 Safety Statistics Act”.

1 **SEC. 2. REQUIREMENT TO REPORT CRIMES AND OTHER IN-**  
2 **FORMATION.**

3 (a) REQUIREMENT.—The owner of a cruise ship that  
4 calls at a port in the United States shall report to the  
5 Secretary—

6 (1) each covered crime that occurred on the  
7 cruise ship in the course of the voyage (or voyage  
8 segment) that ends at that port, in which a citizen  
9 of the United States was a victim, by not later than  
10 4 hours after the crime is reported to the master of  
11 the cruise ship;

12 (2) each incident on the cruise ship in the  
13 course of the voyage (or voyage segment) in which  
14 a citizen of the United States was missing or re-  
15 ported overboard for a period of 4 hours or more,  
16 by not later than 4 hours after the incident is re-  
17 ported to the master of the cruise ship; and

18 (3) by not later than the end of each of March,  
19 June, September, and December of each year—

20 (A) each crime that occurred on the cruise  
21 ship in the preceding 3-month period; and

22 (B) each incident on the cruise ship in the  
23 preceding 3-month period in which an indi-  
24 vidual was missing or reported overboard for a  
25 period of 4 hours or more.

1 (b) AVAILABILITY OF INFORMATION.—The Secretary  
2 shall make information reported under this section avail-  
3 able to the public, including on a site on the Internet.

4 **SEC. 3. INSPECTION OF CRUISE SHIPS.**

5 (a) REQUIREMENT.—The Secretary shall inspect  
6 each cruise ship that seeks to enter a port in the United  
7 States to determine whether the cruise ship has adequate  
8 equipment and trained personnel to investigate covered  
9 crimes on the vessel in accordance with regulations under  
10 subsection (b).

11 (b) REGULATIONS.—The Secretary shall issue regula-  
12 tions by not later than 6 months after the date of the  
13 enactment of this Act that establish what constitutes ade-  
14 quate equipment and trained personnel for purposes of  
15 this section.

16 **SEC. 4. DISCLOSURES BY CRUISE LINES.**

17 (a) REQUIREMENT.—Any cruise line that sells a tick-  
18 et for carriage of an individual on a cruise ship that, dur-  
19 ing such carriage, will call at a port in the United States  
20 shall—

- 21 (1) before selling the ticket, refer the individual  
22 to the Internet site referred to in section 2(b); and  
23 (2) provide to the individual—

1 (A) the name of each country the cruise  
2 ship will visit during the course of such car-  
3 riage; and

4 (B) the locations in such country of the  
5 embassy and each consulate of the United  
6 States.

7 (b) REGULATIONS.—The Secretary shall issue regula-  
8 tions by not later than 6 months after the date of the  
9 enactment of this Act that establish what constitutes a  
10 cruise line for purposes of this section.

11 **SEC. 5. PENALTY.**

12 (a) IN GENERAL.—A person shall be liable for a civil  
13 penalty of not more than \$250,000, if—

14 (1) the person is the owner of a cruise ship  
15 and—

16 (A) the person fails to report in accordance  
17 with section 2; or

18 (B) the Secretary determines in an inspec-  
19 tion of the cruise ship under section 3 that the  
20 cruise ship does not have adequate equipment  
21 and trained personnel; or

22 (2) the person fails to provide information to  
23 the purchaser of a cruise ship ticket as required by  
24 section 4.

1 (b) ASSESSMENT OF PENALTY.—The Secretary shall  
2 assess a civil penalty under this section.

3 (c) LIABILITY IN REM.—A cruise ship shall be liable  
4 in rem for a civil penalty under subsection (a)(1) that is  
5 assessed with respect to the cruise ship.

6 (d) DENIAL OF ENTRY.—The Secretary of the de-  
7 partment in which the Coast Guard is operating may deny  
8 entry into the United States to a cruise vessel if the owner  
9 of the cruise vessel—

10 (1) commits an act or omission for which a civil  
11 penalty may be imposed under this subsection  
12 (a)(1); or

13 (2) fails to pay a civil penalty imposed on the  
14 owner under this section.

15 **SEC. 6. DEFINITIONS.**

16 In this Act:

17 (1) COVERED CRIME.—The term “covered  
18 crime” means—

19 (A) any act or omission that, if committed  
20 in an area subject to the jurisdiction of the  
21 United States, would be a violation of—

22 (i) section 81 of title 18, United  
23 States Code (relating to arson);

24 (ii) section 114 of such title (relating  
25 to maiming);

1 (iii) section 611 of such title (relating  
2 to certain crimes within the special mari-  
3 time and territorial jurisdiction);

4 (iv) section 1111 of such title (relat-  
5 ing to murder);

6 (v) section 1112 of such title (relating  
7 to manslaughter);

8 (vi) section 1201 of such title (relat-  
9 ing to kidnaping); or

10 (vii) section 2241 of such title (relat-  
11 ing to aggravated sexual abuse); and

12 (B) any assault that, if committed in an  
13 area subject to the jurisdiction of the United  
14 States, would be a violation of section 13 of  
15 title 18, United States Code.

16 (2) CRUISE SHIP.—The term “cruise ship”—

17 (A) except as provided in subparagraph  
18 (B), means any vessel over 100 gross registered  
19 tons, that—

20 (i) is capable of carrying more than  
21 12 passengers for hire;

22 (ii) carries passengers for hire on a  
23 voyage lasting more than 24 hours, any  
24 part of which is on the high seas; and

1 (iii) embarks or disembarks pas-  
2 sengers in the United States (including  
3 any commonwealth or territories of the  
4 United States); and

5 (B) does not include a ferry that—

6 (i) has been issued a Certificate of In-  
7 spection endorsed for lakes, bays, and  
8 sounds; and

9 (ii) transits international waters for  
10 only short periods of time on frequent  
11 schedules.

12 (3) SECRETARY.—The term “Secretary” means  
13 the Secretary of the department in which the Coast  
14 Guard is operating.

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