
LEGISLATIVE UPDATE

OCTOBER 2021



Senator Murkowski Introduces Legislation to Permanently Exempt Alaska from PVSA

On September 23, Senator Lisa Murkowski (R-AK) introduced S. 2818, a bill to permanently waive requirements under the Passenger Vessel Services Act (PVSA) for Alaskan cruise ships transporting more than 1,000 passengers. Similar to the Jones Act, the PVSA prohibits foreign-flagged cruise ships from directly operating between two U.S. ports. Senator Murkowski's legislation would permanently exempt foreign-flagged Alaskan ships from these requirements under the PVSA.

In May 2021, Congress enacted and President Biden signed into law a temporary workaround bill that would enable foreign-flag cruise ships to bypass Canada on Alaska cruises from Washington due to Transport Canada's cruise ship ban due to COVID-19. While the temporary law only applies for a specified list of cruise ships and remains in place only as long as the Canadian ban is in effect, Canada has since announced that it is seeking to lift the prohibition by November 1, 2021.

Now, Senator Murkowski is seeking a more permanent exemption for Alaska and called for reform of the PVSA. She announced that this exemption for her state would be dissolved once a U.S.-built-cruise ship (carrying more than 1,000 passengers) enters into the trade so that foreign ships don't retain an advantage over U.S. vessels.

M.E.B.A. has expressed its opposition to Senator Murkowski's legislation as written, citing grave concerns about the precedent the bill would set with respect to our U.S. cabotage laws. We look forward to working with Senator Murkowski's staff and industry stakeholders to find workable solutions.
