

117TH CONGRESS
1ST SESSION

H. R. 4733

To deem certain voyages transporting passengers between ports or places within the United States in compliance with certain requirements upon calling on a port owned by an Indian Tribe, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2021

Mr. YOUNG introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To deem certain voyages transporting passengers between ports or places within the United States in compliance with certain requirements upon calling on a port owned by an Indian Tribe, 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 “Tribal Tourism Sov-
5 ereignty Act”.

1 **SEC. 2. DESIGNATION OF PORTS AND PORT CALLS ON IN-**
2 **DIAN LANDS.**

3 (a) CRITERIA.—For the purposes of complying with
4 section 55103 of title 46, United States Code, voyages
5 transporting passengers between ports or places in the
6 United States shall be deemed in compliance with such
7 section upon calling on a port or place owned by an Indian
8 Tribe, if the voyage—

9 (1) is made by a covered passenger vessel to
10 which sections 3507 and 3508 of title 46, United
11 States Code, apply; and

12 (2) employs alien crewman issued non-
13 immigrant visas pursuant to subparagraph (C) of
14 (D) of section 101(a)(15) of the Immigration and
15 Nationality Act (8 U.S.C. 1101(a)).

16 (b) APPLICABILITY.—

17 (1) IN GENERAL.—Voyages conducted under
18 subsection (a) shall originate in a port or place in
19 the United States and terminate in a port or place
20 in the United States.

21 (2) COMPLIANCE.—For purposes of complying
22 with subsection (a), a covered passenger vessel per-
23 forming voyages under subsection (a) shall comply
24 with the following:

25 (A) Receive permission through a tribal
26 resolution or formal agreement from the appli-

1 cable Indian Tribe to dock at a port or place
2 owned by such Indian Tribe and disembark pas-
3 sengers on the tribal lands of such Tribe.

4 (B) The agreement—

5 (i) shall grant such covered passenger
6 vessels access to such port; and

7 (ii) may provide authority to dis-
8 embark passengers and crew on such lands
9 and describe permissible activities for such
10 passengers and crew.

11 (C) Such covered passenger vessels, crews,
12 and passengers shall comply with all applicable
13 Tribal laws and regulations, including health
14 and safety laws and regulations for the dura-
15 tion of such vessels, crews, and passenger's
16 time on Tribal land.

17 (c) TRIBAL POWERS AND PRIVILEGES.—For voyages
18 and port calls described in subsections (a) and (b),
19 Tribes—

20 (1) shall have the sole authority to make or ter-
21 minate agreements described in subsection (b) at
22 any time;

23 (2) shall have the authority to levy and collect
24 fees from port calls made by covered passenger ves-
25 sels performed under subsection (a); and

1 (3) shall receive the right of first refusal to pro-
2 vide contracts and services to covered passenger ves-
3 sels described in subsection (a) for the duration of
4 the port call.

5 (d) RULE OF CONSTRUCTION.—For purposes of com-
6 plying with subsection (a), ports owned by Indian Tribes
7 located on land adjacent to navigable coastal waters shall
8 be considered a foreign port for purposes of section 55103
9 of title 46, United States Code.

10 (e) DEFINITIONS.—In this Act:

11 (1) COVERED PASSENGER VESSEL.—The term
12 “covered passenger vessel” means a passenger vessel
13 to which sections 3507 and 3508 of title 46 United
14 States Code apply.

15 (2) INDIAN TRIBE.—The term “Indian Tribe”
16 means—

17 (A) any federally recognized Indian tribe,
18 band, nation, village, or other organized group
19 or community; and

20 (B) any Alaska Native village or regional
21 or village corporation as defined in or estab-
22 lished pursuant to the Alaska Native Claims
23 Settlement Act (43 U.S.C. 1601 et seq.).

24 (3) PORT CALL.—The term “port call” means
25 the docking of a covered passenger vessel described

1 in subsection (a)(1) at a port controlled by an In-
2 dian Tribe, regardless of the act of embarking or
3 disembarking passengers.

4 (4) PORT OWNED BY AN INDIAN TRIBE.—The
5 term “port owned by an Indian Tribe” means a port
6 that is owned and controlled by an Indian Tribe and
7 located on land owned and controlled by such Tribe.

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