EXHIBIT "204"

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From: Kelly Craighead [kcraighead@cruising.org]
Sent: Wednesday, January 23, 2019 10:58 PM
To: CLIA GEC
Cc: CLIA GEC Assistants
Subject: Update on Cuba Title III

EXHIBIT
#191 Tandy Bondi 07-30-21 JChin
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Global Executive Committee Members:

I apologize for the multiple updates today but would like to share a further update on Cuba's Title III issue from what was originally distributed with the materials earlier this week.

Looking forward to speaking with you all on tomorrow's GEC call.

Best regards,
Kelly

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Issue:
Since enactment of the Helms Burton Act in 1996, successive Administrations have suspended the ability of individuals to file lawsuits under Title III of the Act against U.S. companies engaged in trade related to Cuba. By statute, the suspension of Title III must be renewed every six months. Last week, the Trump Administration issued a statement that it would suspend the filing of lawsuits under Title III for only 45-days beginning on February 1, 2019. The Administration further indicated that it would review the issue of Title III suspension in more detail and announce its position. The statement also said, "We encourage any person doing business in Cuba to reconsider whether they are trafficking in confiscated property and abetting this dictatorship."
While Title III has been suspended by the Trump Administration every 6 months until February 2019, it remains to be seen whether it will follow in the ways of previous Administrations and continue to suspend the application of Title III.

Goal:
Ensure that legal claims under Title III cannot be made against cruise lines and/or maintain the overall suspension of lawsuits under Title III.

Update:
The CLIA Government Affairs Committee and Alcalde & Fay met, along with special counsel from Venable LLP, on January 22 to discuss strategy to influence the Trump Administration's position on Title III exemptions going forward. Following is a summary of Committee's recommendations.

Overall Strategic Position
We recommend that we work behind the scenes with key leaders on Capitol Hill (who may also not want to be visible on the issue because of constituent interests) to clarify whether the lawful travel exemption applies to ports and/or that trafficking does not apply to port users. Further, we recommend staying in close contact with the U.S. Chamber of Commerce and *Engage Cuba* in their efforts to maintain the broader lawsuit waiver. However, we would not engage too closely with them as it could jeopardize our efforts to secure a clear exemption for cruise lines.

Obtain Clarity on the Impact to Cruising of the Current Title III Statute
Title III includes an exemption from legal claims involving business that is incidental to lawful travel to Cuba. While it might appear that such an exemption would protect cruise lines from legal claims under Title III, there is no legislative history which clearly spells out the intent of Congress when that exemption was added to the original legislation and there is some chance of adverse court interpretation.

Engage Key Leaders in Congress
Senator Rubio (R-FL) will continue to be an influential voice in the development of the Administration's Cuba policy. Communication to the Senator regarding the industry's concerns has occurred below the cruise line CEO level. However, we recommend CEO contact with the Senator to reinforce the industry's concern and to specifically ask the Senator to include clarifying language in the regulation. While we would seek assistance from Senator Rubio, we are also mindful of the sensitivities with his Cuban American constituents.

There are two upcoming opportunities for CEO engagement with Senator Rubio: Tandy Bondi is working to arrange a call for Micky Arison to speak with the Senator. Alcalde & Fay is scheduling a meeting for Adam Goldstein and Kelly Craighead in early February as part of a previously planned series of meetings with the new Congress. Additional CEO-level contact with the Senator is also advised.

Congressman Mario Diaz-Balart (D-FL) is also influential with the Administration on Cuba policy. Alcalde & Fay is seeking to arrange a meeting with the Congressman in early February to coincide with the meetings on Capitol Hill for Adam Goldstein and Kelly Craighead. The Congressman is also in close contact with the Administration as they prepare new Cuba policy, and we hope to glean additional insight from him on likely changes.

Florida Governor Ron DeSantis has reportedly been involved in meetings at the White House with Senator Rubio and Congressman Diaz-Balart about Venezuela that have included discussions on the Administration's Cuba policy. It is also recommended that we engage with Governor DeSantis, including through surrogates who support the cruise industry and are close to the Governor.

Inclusion of Clarifying Language in the Regulation
We recommend that we secure clarifying language in the regulation which would specifically exempt cruise lines engaging in lawful travel to Cuba from lawsuits filed under Title III. We will work with Larry Kaye and special counsel on Cuba trade issues to draft clarifying language for the regulation. When the timing is right, and if the GEC agrees with the approach and language, we would seek Senator Rubio's help with proposing the language.

Secure Grandfather for Activities to Date
Purely as a "Plan B," and if the suspension is not continued and cruise lines are subject to legal claims under Title III, we should be prepared to secure the grandfathering of cruise activities to date. The attorney with Venable said that there is a two-year "look back" at business activity. We would want to ensure that legal claims are prospective from the time that the suspension is lifted and that there is a delayed effective date to allow cruise lines time to plan accordingly.
We look forward to receiving the GEC's comments and approval of the actions recommended above.

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