

INDIAN PUEBLO CULTURAL
CENTER CLARIFICATION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 4445) to amend Public Law 95-232 to repeal a restriction on treating as Indian country certain lands held in trust for Indian pueblos in New Mexico, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. HEINRICH) that the House suspend the rules and pass the bill, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. ANDREWS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 411, noes 0, not voting 21, as follows:

[Roll No. 414]

AYES—411

| | | | | | |
|----------------|---------------|---------------|------------------|-----------------|------------------|
| Ackerman | Buyer | Djou | Heinrich | Matsui | Ross |
| Aderholt | Calvert | Doggett | Heller | McCarthy (NY) | Rothman (NJ) |
| Adler (NJ) | Camp | Donnelly (IN) | Hensarling | McCaul | Roybal-Allard |
| Alexander | Campbell | Doyle | Hergert | McClintock | Ruppersberger |
| Altmire | Cantor | Dreier | Herseeth Sandlin | McCollum | Ryan (OH) |
| Andrews | Cao | Driehaus | Higgins | McCotter | Ryan (WI) |
| Arcuri | Capito | Duncan | Hill | McDermott | Salazar |
| Austria | Capps | Edwards (MD) | Himes | McGovern | Sánchez, Linda |
| Baca | Capuano | Edwards (TX) | Hinchev | McHenry | T. |
| Bachmann | Cardoza | Ellison | Hinojosa | McIntyre | Sanchez, Loretta |
| Bachus | Carnahan | Ellsworth | Hirono | McKeon | Sarbanes |
| Baird | Carney | Emerson | Hodes | McMahon | Scalise |
| Baldwin | Carson (IN) | Engel | Hoekstra | McMorris | Schakowsky |
| Barrett (SC) | Carter | Eshoo | Holden | Rodgers | Schauer |
| Barrow | Cassidy | Etheridge | Holt | McNerney | Schiff |
| Bartlett | Castle | Fallin | Honda | Meek (FL) | Schmidt |
| Barton (TX) | Castor (FL) | Farr | Hoyer | Meeks (NY) | Schock |
| Bean | Chaffetz | Fattah | Hunter | Melancon | Schwartz |
| Becerra | Chandler | Finer | Inglis | Mica | Scott (GA) |
| Berkley | Childers | Flake | Inslee | Miller (FL) | Scott (VA) |
| Berman | Chu | Fleming | Israel | Miller (MI) | Sensenbrenner |
| Berry | Clarke | Forbes | Issa | Miller (NC) | Serrano |
| Biggert | Clay | Fortenberry | Jackson (IL) | Miller, Gary | Sessions |
| Bilbray | Cleaver | Foster | Jackson Lee | Miller, George | Sestak |
| Bilirakis | Clyburn | Fox | (TX) | Minnick | Shadegg |
| Bishop (GA) | Coble | Franks (AZ) | Jenkins | Mitchell | Shea-Porter |
| Bishop (NY) | Coffman (CO) | Frelinghuysen | Johnson (GA) | Mollohan | Sherman |
| Bishop (UT) | Cohen | Fudge | Johnson (IL) | Moore (KS) | Shimkus |
| Blackburn | Cole | Gallegly | Johnson, E. B. | Moore (WI) | Shuler |
| Blumenauber | Conaway | Garrett (NJ) | Johnson, Sam | Moran (KS) | Shuster |
| Blunt | Connolly (VA) | Gerlach | Jones | Moran (VA) | Simpson |
| Bocchieri | Conyers | Giffords | Jordan (OH) | Murphy (CT) | Sires |
| Boehner | Cooper | Gingrey (GA) | Kagen | Murphy (NY) | Skelton |
| Bonner | Costa | Gohmert | Kanjorski | Murphy, Patrick | Slaughter |
| Bono Mack | Costello | Gonzalez | Kaptur | Murphy, Tim | Smith (NE) |
| Boozman | Courtney | Goodlatte | Kennedy | Myrick | Smith (NJ) |
| Boren | Crenshaw | Gordon (TN) | Kildee | Nadler (NY) | Smith (TX) |
| Boswell | Critz | Granger | Kilpatrick (MI) | Napolitano | Smith (WA) |
| Boucher | Crowley | Graves (GA) | Kilroy | Neal (MA) | Snyder |
| Boustany | Cuellar | Graves (MO) | Kind | Neugebauer | Space |
| Boyd | Culberson | Grayson | King (IA) | Nunes | Speier |
| Brady (PA) | Cummings | Green, Al | King (NY) | Nye | Spratt |
| Brady (TX) | Dahlkemper | Green, Gene | Kingston | Oberstar | Stark |
| Braley (IA) | Davis (AL) | Griffith | Kirkpatrick (AZ) | Obey | Stearns |
| Bright | Davis (CA) | Grijalva | Kissell | Olson | Stupak |
| Broun (GA) | Davis (IL) | Guthrie | Klein (FL) | Olver | Sullivan |
| Brown (SC) | Davis (KY) | Gutierrez | Kline (MN) | Ortiz | Sutton |
| Brown, Corrine | Davis (TN) | Hall (TX) | Kosmas | Owens | Tanner |
| Brown-Waite, | DeGette | Halvorson | Kucinich | Pallone | Teague |
| Ginny | DeLauro | Hare | Lamborn | Pascrell | Terry |
| Buchanan | Dent | Harman | Lance | Pastor (AZ) | Thompson (CA) |
| Burgess | Deutch | Harper | Langevin | Paul | Thompson (MS) |
| Burton (IN) | Dicks | Hastings (FL) | Larsen (WA) | Paulsen | Thompson (PA) |
| Butterfield | Dingell | Hastings (WA) | Larson (CT) | Payne | Thornberry |
| | | | Latham | Pence | Tiahrt |
| | | | LaTourette | Perlmutter | Tiberi |
| | | | Latta | Perriello | Tierney |
| | | | Lee (CA) | Peters | Titus |
| | | | Lee (NY) | Peterson | Tonko |
| | | | Levin | Petri | Towns |
| | | | Lewis (CA) | Pingree (ME) | Tsongas |
| | | | Lewis (GA) | Pitts | Turner |
| | | | Linder | Platts | Upton |
| | | | Lipinski | Poe (TX) | Van Hollen |
| | | | LoBiondo | Polis (CO) | Velázquez |
| | | | Loeb | Pomeroy | Visclosky |
| | | | Loeb | Posey | Walden |
| | | | Lofgren, Zoe | Price (GA) | Walz |
| | | | Lowe | Price (NC) | Wasserman |
| | | | Lucas | Putnam | Schultz |
| | | | Luetkemeyer | Radanovich | Watson |
| | | | Lujan | Rahall | Watt |
| | | | Lummis | Rehberg | Waxman |
| | | | Lungren, Daniel | Reichert | Weiner |
| | | | E. | Reyes | Welch |
| | | | Lynch | Richardson | Westmoreland |
| | | | Mack | Roe (TN) | Whitfield |
| | | | Maffei | Rogers (AL) | Wilson (OH) |
| | | | Maloney | Rogers (KY) | Wilson (SC) |
| | | | Manzullo | Rogers (MI) | Wittman |
| | | | Marchant | Rohrabacher | Wolf |
| | | | Markey (CO) | Rooney | Wu |
| | | | Markey (MA) | Ros-Lehtinen | Yarmuth |
| | | | Marshall | Roskam | Young (FL) |
| | | | Matheson | | |

NOT VOTING—21

| | | |
|-----------------|---------------|------------|
| Akin | Garamendi | Royce |
| DeFazio | Hall (NY) | Rush |
| Delahunt | Kirk | Taylor |
| Diaz-Balart, L. | McCarthy (CA) | Wamp |
| Diaz-Balart, M. | Quigley | Waters |
| Ehlers | Rangel | Woolsey |
| Frank (MA) | Rodriguez | Young (AK) |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SCHRADER) (during the vote). There are 2 minutes remaining in this vote.

□ 1903

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5618, RESTORATION OF EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 2010, AND WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. MATSUI, from the Committee on Rules, submitted a privileged report (Rept. No. 111-519) on the resolution (H. Res. 1495) providing for consideration of the bill (H.R. 5618) to continue Federal unemployment programs, and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. MATSUI, from the Committee on Rules, submitted a privileged report (Rept. No. 111-520) on the resolution (H. Res. 1496) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote on the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CRUISE VESSEL SECURITY AND SAFETY ACT OF 2010

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3360) to amend title 46, United States

Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Cruise Vessel Security and Safety Act of 2010”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Cruise vessel security and safety requirements.

Sec. 4. Offset of administrative costs.

Sec. 5. Budgetary effects.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) There are approximately 200 overnight ocean-going cruise vessels worldwide. The average ocean-going cruise vessel carries 2,000 passengers with a crew of 950 people.

(2) In 2007 alone, approximately 12,000,000 passengers were projected to take a cruise worldwide.

(3) Passengers on cruise vessels have an inadequate appreciation of their potential vulnerability to crime while on ocean voyages, and those who may be victimized lack the information they need to understand their legal rights or to know whom to contact for help in the immediate aftermath of the crime.

(4) Sexual violence, the disappearance of passengers from vessels on the high seas, and other serious crimes have occurred during luxury cruises.

(5) Over the last 5 years, sexual assault and physical assaults on cruise vessels were the leading crimes investigated by the Federal Bureau of Investigation with regard to cruise vessel incidents.

(6) These crimes at sea can involve attacks both by passengers and crewmembers on other passengers and crewmembers.

(7) Except for United States flagged vessels, or foreign flagged vessels operating in an area subject to the direct jurisdiction of the United States, there are no Federal statutes or regulations that explicitly require cruise lines to report alleged crimes to United States Government officials.

(8) It is not known precisely how often crimes occur on cruise vessels or exactly how many people have disappeared during ocean voyages because cruise line companies do not make comprehensive, crime-related data readily available to the public.

(9) Obtaining reliable crime-related cruise data from governmental sources can be difficult, because multiple countries may be involved when a crime occurs on the high seas, including the flag country for the vessel, the country of citizenship of particular passengers, and any countries having special or maritime jurisdiction.

(10) It can be difficult for professional crime investigators to immediately secure an alleged crime scene on a cruise vessel, recover evidence of an onboard offense, and identify or interview potential witnesses to the alleged crime.

(11) Most cruise vessels that operate into and out of United States ports are registered under the laws of another country, and investigations and prosecutions of crimes against passengers and crewmembers may involve the laws and authorities of multiple nations.

(12) The Department of Homeland Security has found it necessary to establish 500-yard se-

curity zones around cruise vessels to limit the risk of terrorist attack. Recently piracy has dramatically increased throughout the world.

(13) To enhance the safety of cruise passengers, the owners of cruise vessels could upgrade, modernize, and retrofit the safety and security infrastructure on such vessels by installing peep holes in passenger room doors, installing security video cameras in targeted areas, limiting access to passenger rooms to select staff during specific times, and installing acoustic hailing and warning devices capable of communicating over distances.

SEC. 3. CRUISE VESSEL SECURITY AND SAFETY REQUIREMENTS.

(a) **IN GENERAL.**—Chapter 35 of title 46, United States Code, is amended by adding at the end the following:

“§3507. Passenger vessel security and safety requirements

“(a) **VESSEL DESIGN, EQUIPMENT, CONSTRUCTION, AND RETROFITTING REQUIREMENTS.**—

“(1) **IN GENERAL.**—Each vessel to which this subsection applies shall comply with the following design and construction standards:

“(A) The vessel shall be equipped with ship rails that are located not less than 42 inches above the cabin deck.

“(B) Each passenger stateroom and crew cabin shall be equipped with entry doors that include peep holes or other means of visual identification.

“(C) For any vessel the keel of which is laid after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, each passenger stateroom and crew cabin shall be equipped with—

“(i) security latches; and

“(ii) time-sensitive key technology.

“(D) The vessel shall integrate technology that can be used for capturing images of passengers or detecting passengers who have fallen overboard, to the extent that such technology is available.

“(E) The vessel shall be equipped with a sufficient number of operable acoustic hailing or other such warning devices to provide communication capability around the entire vessel when operating in high risk areas (as defined by the United States Coast Guard).

“(2) **FIRE SAFETY CODES.**—In administering the requirements of paragraph (1)(C), the Secretary shall take into consideration fire safety and other applicable emergency requirements established by the U.S. Coast Guard and under international law, as appropriate.

“(3) **EFFECTIVE DATE.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the requirements of paragraph (1) shall take effect 18 months after the date of enactment of the Cruise Vessel Security and Safety Act of 2010.

“(B) **LATCH AND KEY REQUIREMENTS.**—The requirements of paragraph (1)(C) take effect on the date of enactment of the Cruise Vessel Security and Safety Act of 2010.

“(b) **VIDEO RECORDING.**—

“(1) **REQUIREMENT TO MAINTAIN SURVEILLANCE.**—The owner of a vessel to which this section applies shall maintain a video surveillance system to assist in documenting crimes on the vessel and in providing evidence for the prosecution of such crimes, as determined by the Secretary.

“(2) **ACCESS TO VIDEO RECORDS.**—The owner of a vessel to which this section applies shall provide to any law enforcement official performing official duties in the course and scope of an investigation, upon request, a copy of all records of video surveillance that the official believes may provide evidence of a crime reported to law enforcement officials.

“(c) **SAFETY INFORMATION.**—

“(1) **CRIMINAL ACTIVITY PREVENTION AND RESPONSE GUIDE.**—The owner of a vessel to which

this section applies (or the owner’s designee) shall—

“(A) have available for each passenger a guide (referred to in this subsection as the ‘security guide’), written in commonly understood English, which—

“(i) provides a description of medical and security personnel designated on board to prevent and respond to criminal and medical situations with 24 hour contact instructions;

“(ii) describes the jurisdictional authority applicable, and the law enforcement processes available, with respect to the reporting of homicide, suspicious death, a missing United States national, kidnapping, assault with serious bodily injury, any offense to which section 2241, 2242, 2243, or 2244(a) or (c) of title 18 applies, firing or tampering with the vessel, or theft of money or property in excess of \$10,000, together with contact information for the appropriate law enforcement authorities for missing persons or reportable crimes which arise—

“(I) in the territorial waters of the United States;

“(II) on the high seas; or

“(III) in any country to be visited on the voyage;

“(B) provide a copy of the security guide to the Federal Bureau of Investigation for comment; and

“(C) publicize the security guide on the website of the vessel owner.

“(2) **EMBASSY AND CONSULATE LOCATIONS.**—

The owner of a vessel to which this section applies shall provide in each passenger stateroom, and post in a location readily accessible to all crew and in other places specified by the Secretary, information regarding the locations of the United States embassy and each consulate of the United States for each country the vessel will visit during the course of the voyage.

“(d) **SEXUAL ASSAULT.**—The owner of a vessel to which this section applies shall—

“(1) maintain on the vessel adequate, in-date supplies of anti-retroviral medications and other medications designed to prevent sexually transmitted diseases after a sexual assault;

“(2) maintain on the vessel equipment and materials for performing a medical examination in sexual assault cases to evaluate the patient for trauma, provide medical care, and preserve relevant medical evidence;

“(3) make available on the vessel at all times medical staff who have undergone a credentialing process to verify that he or she—

“(A) possesses a current physician’s or registered nurse’s license and—

“(i) has at least 3 years of post-graduate or post-registration clinical practice in general and emergency medicine; or

“(ii) holds board certification in emergency medicine, family practice medicine, or internal medicine;

“(B) is able to provide assistance in the event of an alleged sexual assault, has received training in conducting forensic sexual assault examination, and is able to promptly perform such an examination upon request and provide proper medical treatment of a victim, including administration of anti-retroviral medications and other medications that may prevent the transmission of human immunodeficiency virus and other sexually transmitted diseases; and

“(C) meets guidelines established by the American College of Emergency Physicians relating to the treatment and care of victims of sexual assault;

“(4) prepare, provide to the patient, and maintain written documentation of the findings of such examination that is signed by the patient; and

“(5) provide the patient free and immediate access to—

“(A) contact information for local law enforcement, the Federal Bureau of Investigation,

the United States Coast Guard, the nearest United States consulate or embassy, and the National Sexual Assault Hotline program or other third party victim advocacy hotline service; and

“(B) a private telephone line and Internet-accessible computer terminal by which the individual may confidentially access law enforcement officials, an attorney, and the information and support services available through the National Sexual Assault Hotline program or other third party victim advocacy hotline service.

“(e) CONFIDENTIALITY OF SEXUAL ASSAULT EXAMINATION AND SUPPORT INFORMATION.—The master or other individual in charge of a vessel to which this section applies shall—

“(1) treat all information concerning an examination under subsection (d) confidential, so that no medical information may be released to the cruise line or other owner of the vessel or any legal representative thereof without the prior knowledge and approval in writing of the patient, or, if the patient is unable to provide written authorization, the patient's next-of-kin, except that nothing in this paragraph prohibits the release of—

“(A) information, other than medical findings, necessary for the owner or master of the vessel to comply with the provisions of subsection (g) or other applicable incident reporting laws;

“(B) information to secure the safety of passengers or crew on board the vessel; or

“(C) any information to law enforcement officials performing official duties in the course and scope of an investigation; and

“(2) treat any information derived from, or obtained in connection with, post-assault counseling or other supportive services confidential, so no such information may be released to the cruise line or any legal representative thereof without the prior knowledge and approval in writing of the patient, or, if the patient is unable to provide written authorization, the patient's next-of-kin.

“(f) CREW ACCESS TO PASSENGER STATE-ROOMS.—The owner of a vessel to which this section applies shall—

“(1) establish and implement procedures and restrictions concerning—

“(A) which crewmembers have access to passenger staterooms; and

“(B) the periods during which they have that access; and

“(2) ensure that the procedures and restrictions are fully and properly implemented and periodically reviewed.

“(g) LOG BOOK AND REPORTING REQUIREMENTS.—

“(1) IN GENERAL.—The owner of a vessel to which this section applies shall—

“(A) record in a log book, either electronically or otherwise, in a centralized location readily accessible to law enforcement personnel, a report on—

“(i) all complaints of crimes described in paragraph (3)(A)(i),

“(ii) all complaints of theft of property valued in excess of \$1,000, and

“(iii) all complaints of other crimes, committed on any voyage that embarks or disembarks passengers in the United States; and

“(B) make such log book available upon request to any agent of the Federal Bureau of Investigation, any member of the United States Coast Guard, and any law enforcement officer performing official duties in the course and scope of an investigation.

“(2) DETAILS REQUIRED.—The information recorded under paragraph (1) shall include, at a minimum—

“(A) the vessel operator;

“(B) the name of the cruise line;

“(C) the flag under which the vessel was operating at the time the reported incident occurred;

“(D) the age and gender of the victim and the accused assailant;

“(E) the nature of the alleged crime or complaint, as applicable, including whether the alleged perpetrator was a passenger or a crewmember;

“(F) the vessel's position at the time of the incident, if known, or the position of the vessel at the time of the initial report;

“(G) the time, date, and method of the initial report and the law enforcement authority to which the initial report was made;

“(H) the time and date the incident occurred, if known;

“(I) the total number of passengers and the total number of crew members on the voyage; and

“(J) the case number or other identifier provided by the law enforcement authority to which the initial report was made.

“(3) REQUIREMENT TO REPORT CRIMES AND OTHER INFORMATION.—

“(A) IN GENERAL.—The owner of a vessel to which this section applies (or the owner's designee)—

“(i) shall contact the nearest Federal Bureau of Investigation Field Office or Legal Attache by telephone as soon as possible after the occurrence on board the vessel of an incident involving homicide, suspicious death, a missing United States national, kidnapping, assault with serious bodily injury, any offense to which section 2241, 2242, 2243, or 2244(a) or (c) of title 18 applies, firing or tampering with the vessel, or theft of money or property in excess of \$10,000 to report the incident;

“(ii) shall furnish a written report of the incident to an Internet based portal maintained by the Secretary;

“(iii) may report any serious incident that does not meet the reporting requirements of clause (i) and that does not require immediate attention by the Federal Bureau of Investigation via the Internet based portal maintained by the Secretary; and

“(iv) may report any other criminal incident involving passengers or crewmembers, or both, to the proper State or local government law enforcement authority.

“(B) INCIDENTS TO WHICH SUBPARAGRAPH (A) APPLIES.—Subparagraph (A) applies to an incident involving criminal activity if—

“(i) the vessel, regardless of registry, is owned, in whole or in part, by a United States person, regardless of the nationality of the victim or perpetrator, and the incident occurs when the vessel is within the admiralty and maritime jurisdiction of the United States and outside the jurisdiction of any State;

“(ii) the incident concerns an offense by or against a United States national committed outside the jurisdiction of any nation;

“(iii) the incident occurs in the Territorial Sea of the United States, regardless of the nationality of the vessel, the victim, or the perpetrator; or

“(iv) the incident concerns a victim or perpetrator who is a United States national on a vessel during a voyage that departed from or will arrive at a United States port.

“(4) AVAILABILITY OF INCIDENT DATA VIA INTERNET.—

“(A) WEBSITE.—The Secretary shall maintain a statistical compilation of all incidents described in paragraph (3)(A)(i) on an Internet site that provides a numerical accounting of the missing persons and alleged crimes recorded in each report filed under paragraph (3)(A)(i) that are no longer under investigation by the Federal Bureau of Investigation. The data shall be updated no less frequently than quarterly, aggregated by cruise line, each cruise line shall be identified by name, and each crime shall be identified as to whether it was committed by a passenger or a crew member.

“(B) ACCESS TO WEBSITE.—Each cruise line taking on or discharging passengers in the United States shall include a link on its Internet website to the website maintained by the Secretary under subparagraph (A).

“(h) ENFORCEMENT.—

“(1) PENALTIES.—

“(A) CIVIL PENALTY.—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than \$25,000 for each day during which the violation continues, except that the maximum penalty for a continuing violation is \$50,000.

“(B) CRIMINAL PENALTY.—Any person that willfully violates this section or a regulation under this section shall be fined not more than \$250,000 or imprisoned not more than 1 year, or both.

“(2) DENIAL OF ENTRY.—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

“(A) commits an act or omission for which a penalty may be imposed under this subsection; or

“(B) fails to pay a penalty imposed on the owner under this subsection.

“(i) PROCEDURES.—Within 6 months after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, the Secretary shall issue guidelines, training curricula, and inspection and certification procedures necessary to carry out the requirements of this section.

“(j) REGULATIONS.—The Secretary and the Commandant shall each issue such regulations as are necessary to implement this section.

“(k) APPLICATION.—

“(1) IN GENERAL.—This section and section 3508 apply to a passenger vessel (as defined in section 2101(22)) that—

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

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

“(C) is on a voyage that embarks or disembarks passengers in the United States; and

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

“(2) FEDERAL AND STATE VESSELS.—This section and section 3508 do not apply to a vessel of the United States operated by the Federal Government or a vessel owned and operated by a State.

“(1) DEFINITIONS.—In this section and section 3508:

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

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

“§ 3508. **Crime scene preservation training for passenger vessel crewmembers**

“(a) IN GENERAL.—Within 1 year after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, the Secretary, in consultation with the Director of the Federal Bureau of Investigation and the Maritime Administration, shall develop training standards and curricula to allow for the certification of passenger vessel security personnel, crewmembers, and law enforcement officials on the appropriate methods for prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment. The Administrator of the Maritime Administration may certify organizations in the United States and abroad that offer the curriculum for training and certification under subsection (c).

“(b) MINIMUM STANDARDS.—The standards established by the Secretary under subsection (a) shall include—

“(1) the training and certification of vessel security personnel, crewmembers, and law enforcement officials in accordance with accepted

law enforcement and security guidelines, policies, and procedures, including recommendations for incorporating a background check process for personnel trained and certified in foreign ports;

“(2) the training of students and instructors in all aspects of prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment; and

“(3) the provision or recognition of off-site training and certification courses in the United States and foreign countries to develop and provide the required training and certification described in subsection (a) and to enhance security awareness and security practices related to the preservation of evidence in response to crimes on board passenger vessels.

“(c) **CERTIFICATION REQUIREMENT.**—Beginning 2 years after the standards are established under subsection (b), no vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crewmember onboard who is certified as having successfully completed training in the prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment on passenger vessels under subsection (a).

“(d) **INTERIM TRAINING REQUIREMENT.**—No vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crewmember onboard who has been properly trained in the prevention detection, evidence preservation and the reporting requirements of criminal activities in the international maritime environment. The owner of a such a vessel shall maintain certification or other documentation, as prescribed by the Secretary, verifying the training of such individual and provide such documentation upon request for inspection in connection with enforcement of the provisions of this section. This subsection shall take effect 1 year after the date of enactment of the Cruise Vessel Safety and Security Act of 2010 and shall remain in effect until superseded by the requirements of subsection (c).

“(e) **CIVIL PENALTY.**—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than \$50,000.

“(f) **DENIAL OF ENTRY.**—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

“(1) commits an act or omission for which a penalty may be imposed under subsection (e); or

“(2) fails to pay a penalty imposed on the owner under subsection (e).”.

(b) **CLERICAL AMENDMENT.**—The table of contents for such chapter is amended by adding at the end the following:

“3507. Passenger vessel security and safety requirements

“3508. Crime scene preservation training for passenger vessel crewmembers”.

SEC. 4. OFFSET OF ADMINISTRATIVE COSTS.

(a) **REPEAL OF CERTAIN REPORT REQUIREMENTS.**—

(1) Section 1130 of the Coast Guard Authorization Act of 1996 (33 U.S.C. 2720 note) is amended by striking subsection (b).

(2) Section 112 of the Maritime Transportation Security Act of 2002 (46 U.S.C. 70101 note) is repealed.

(3) Section 676 of title 14, United States Code, is amended by striking subsection (d).

(4) Section 355 of title 37, United States Code, is amended by striking subsection (h) and redesignating subsection (i) as subsection (h).

(5) Section 205 of the Coast Guard and Maritime Transportation Act of 2004 (14 U.S.C. 637 note) is amended by striking subsection (d).

(b) **COMBINATION OF FISHERIES ENFORCEMENT PLANS AND FOREIGN FISHING INCURSION REPORTS.**—The Secretary of the department in which the Coast Guard is operating shall combine the reports required under section 224 of the Coast Guard and Maritime Transportation Act of 2004 (16 U.S.C. 1861b) and section 804 of the Coast Guard and Maritime Transportation Act of 2004 (16 U.S.C. 1828) into a single annual report for fiscal years beginning after fiscal year 2010.

SEC. 5. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from New Jersey (Mr. LOBIONDO) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3360.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to urge the passage of the Senate amendments to H.R. 3360, the Cruise Vessel Security and Safety Act of 2010. The House passed H.R. 3360 on November 17 by a vote of 416-4. On June 10, 2010, the Senate passed this legislation with an amendment which is now before us for consideration today.

I applaud my distinguished colleague, Congresswoman DORIS MATSUI, the author of H.R. 3360, for her hard work on this legislation and for her tireless work on behalf of her constituent, Ms. Laurie Dishman, and of all victims of crimes on cruise ships.

As chairman of the Subcommittee on the Coast Guard and Maritime Transportation, I've convened two hearings to examine the issue of crime on cruise ships. I applaud Ms. Dishman and so many other victims and family members of victims for testifying before my subcommittee and for their long effort to support the development of legislation that would help ensure no one else is a victim of a crime on a cruise ship.

Almost all of the nearly 200 cruise vessels embarking and disembarking passengers in the U.S. are registered in foreign countries. As a result, when Americans step onto a cruise vessel, they are stepping onto what becomes a floating piece of another country's jurisdiction as soon as it leaves U.S. waters.

All available statistics indicate that crime is rare on cruise vessels, but it does happen. Therefore, H.R. 3360 seeks to improve the safety of passengers on cruise vessels by requiring common-sense measures to help prevent criminal activity and to ensure cruise lines respond appropriately when a crime occurs, including, by providing proper care for crime victims and securing crime scenes.

I believe that H.R. 3360 responds directly to the problems we examined in our hearings by requiring reasonable alterations in vessel design, equipment, and construction standards to increase the physical safety and security of passengers.

For example, H.R. 3360 requires that cruise vessels install peepholes or similar features in cabin doors so that passengers can identify who is at their door without having to open the door.

H.R. 3360 also requires that cruise vessels have railings that are at least 42 inches high to help prevent passengers from falling overboard. This legislation also requires that cruise ships have onboard trained medical personnel who can provide treatment to assault victims, collect evidence to support prosecutions, and administer antiretroviral medications. This legislation also requires that a store of such medications be maintained on cruise vessels.

And at this point, Mr. Speaker, I would also like to give credit to my colleague on our subcommittee and committee, Congresswoman CORRINE BROWN of Florida, who fought very hard to make sure that folks who may have been victims of rape had the appropriate personnel to address their concerns, as did Ms. MATSUI. These provisions are critical to ensuring that those who are victims of sexual assault have immediate access to state-of-the-art medical care.

H.R. 3360 also specifies certain crimes that must be reported to U.S. authorities by any vessel calling on a U.S. port, and it requires the government to maintain an Internet site that provides a numerical accounting of the reported crimes. Such statistics will be aggregated by individual cruise lines, and cruise lines will be required to maintain a link to the site on their own Web pages.

The Senate amendment made several changes to the legislation passed by the House. Some of these changes enhance the legislation, including the addition of a provision requiring cruise ships to inform passengers of jurisdictional authority applicable to crimes occurring in United States territorial waters, on the high seas, and in the countries visited by the vessel.

That said, the Senate amendment also eliminates a number of reports unrelated to crime on cruise ships that have been required by other pieces of legislation to be submitted to the Congress by the Coast Guard, including a

report on foreign-flagged vessels calling on U.S. ports and a report on Coast Guard staffing levels in search and rescue centers.

I understand that the elimination of these reports was demanded by a few Senators, ostensibly to offset the costs of implementing safety and security reforms on cruise vessels. I do not believe that measures that improve safety and security, and particularly not measures such as H.R. 3360, which imposes almost all new requirements on the cruise lines themselves, should require offsets, and particularly not offsets such as these.

That said, enactment of H.R. 3360 will make cruising safer for the millions of Americans who travel on cruise vessels each year, and I urge all of the Members of the House to join in passing the Senate amendments to H.R. 3360.

I also take this moment to thank my ranking member, Mr. LOBIONDO, for our bipartisan efforts in seeing that this legislation got to the floor and is passed.

I again commend Congresswoman MATSUI for her dedication to this cause and for her extraordinary work on H.R. 3360.

Mr. Speaker, I reserve the balance of my time.

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Mr. LOBIONDO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the House is considering the Senate amendments to H.R. 3360, the Cruise Ship Security and Safety Act of 2010. I supported passage of the original bill and intend to support this final version because, on the whole, the bill is a significant improvement over legislation that was considered by the House in the 110th Congress.

The Committee on Transportation and Infrastructure has closely examined the factors that are impacting the safety and security of American citizens aboard cruise ships that operate in and out of United States ports. H.R. 3360 makes commonsense improvements which will enhance safeguards for passengers during the cruise. While no level of procedural or structural modification can prevent all incidents from occurring, I believe this bill will significantly enhance the capabilities of both passengers and cruise lines in the future.

The bill will also codify an agreement between the FBI and cruise ship lines which will require cruise operators to immediately notify Federal law enforcement agencies of major incidents that occur aboard a vessel.

I am concerned by one change that was included in the Senate bill to expand criminal liability to apply to a wide range of actions under the bill. This goes far beyond what was agreed to in the original House bill, and I be-

lieve we should review the impacts of this language at some point in the future.

That being said, the bill will provide additional protections to U.S. passengers, and I ask all Members to join me in supporting the bill.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 4 minutes to the sponsor of the bill who has worked very hard on this legislation for years now, the distinguished lady from California, Congresswoman MATSUI.

Ms. MATSUI. I thank the gentleman from Maryland for yielding me time.

Mr. Speaker, I rise in support of the Senate amendments to H.R. 3360, the Cruise Vessel Security and Safety Act, legislation that I introduced and which passed the House by a strong bipartisan vote of 416-4 in November of last year. The bill received similar support in the Senate, which passed it with unanimous consent earlier this month.

The Senate amendments to this legislation are also bipartisan in nature, and I urge my colleagues to support the bill before us that would send critical consumer protection language to the President for his consideration. For far too long American families have unknowingly been at risk when embarking on cruise vacations.

Four years ago, one of my constituents, Laurie Dishman, wrote to me for help. Laurie was the victim of a sexual assault while on a cruise vacation. She was given no assistance by the cruise line in properly securing evidence of the assault, no assistance in identifying her attacker, no assistance in prosecuting the crime once back on shore. Devastated, Laurie reached out to me, and I immediately worked with Chairman CUMMINGS, who committed to me to hold hearings on this issue and began to work on this critical legislation.

These hearings made apparent the gross inadequacies of current cruise safety provisions. And with ongoing news coverage of rapes on cruise ships, it is clear that this legislation is both urgent and necessary. My legislation establishes stringent new standards to ensure the safety and security of passengers on cruise vessels. Its reforms include requiring that vessel personnel be able to preserve evidence of crimes committed on these vessels, and provide appropriate medical treatment to the victims of sexual assaults.

Security, safety, and accountability must all be strengthened to hold criminals accountable and end the cycle of serious, dangerous crimes aboard cruise ships.

I would like to thank both Chairmen, CUMMINGS and OBERSTAR for the good work their committees and staffs have done on this bill and for their tremendous support in making this bill a reality. I would also like to thank my colleagues on the other side of the aisle

for their support. This has been a long, difficult road for all cruise victims and their families. And believe me, this legislation is truly a result of their courage, their dedication, and their conviction to preventing further crimes from happening.

I urge my colleagues to support this important legislation and pave the way for safety of all cruise passengers.

Mr. LOBIONDO. Mr. Speaker, I yield to my colleague from Texas, Congressman POE, such time as he may consume.

Mr. POE of Texas. I appreciate the gentleman for yielding.

I rise totally in support of H.R. 3360, the Cruise Vessel Security and Safety Act of 2010. This legislation passed the House with strong support in November of last year, and I am pleased to see it return from the other body as an improved bill ready for final passage. I commend my colleague, Ms. MATSUI of California, who has been relentless as an advocate for protection of the cruise line passengers.

Mr. Speaker, every year cruise line companies carry over 10 million Americans to and from American ports. The cruise lines promise Americans safety, security, fun, and relaxation aboard the ships. But as we have seen, safety is not something the cruise lines are always prepared to guarantee.

According to the FBI, sexual assault is the leading crime reported and investigated by the agency among crimes that occur on the high seas. In fact, in a 2005 hearing before the Committee on Government Reform, Chris Swecker, assistant director of the Criminal Investigative Division of the FBI, noted that, "Sexual assaults are the dominant threat to women and minors on the high seas, with the majority of these incidences occurring on cruise ships." His statements are backed up by the disturbing frequency of assaults onboard these ships. During one 6-month period in 2007, the cruise lines reported 41 separate instances of sexual assault to the FBI, 19 of which were categorized as rape.

There are troubling patterns to these assaults. In 2007, a Los Angeles Times report revealed that over a 32-month period, Royal Caribbean reported over 250 incidents of sexual assault, battery, and harassment. But the most startling fact about these cases: Almost 40 percent of these crimes were committed by cruise company employees. In fact, Ms. MATSUI's constituent, Laurie Dishman, was sexually assaulted by a cruise ship security guard.

Laurie Dishman knew what to do, which was call her Member of Congress. And when Ms. MATSUI found out about this situation, she did what she needed to do and worked relentlessly with both sides of the body here to make sure that this legislation came to a vote and now final passage.

Mr. Speaker, the frequency of these cases and the overwhelming statistics

should not be tolerated. If U.S.-based cruise ship companies who own and operate foreign-flagged passenger vessels want to access millions of Americans who travel on these ships, they should be required to implement simple, proper safety and security improvements for all travelers.

As the cochair and founder of the Congressional Victims' Rights Caucus, I am proud to support H.R. 3360. This bill will implement necessary safety measures onboard cruise ships, including video surveillance and proper documentation of complaints by passengers. Most importantly, the law mandates that cruise ship personnel contact both the FBI and the Coast Guard as soon as serious crimes like homicide, kidnapping, and assault are reported by the passengers.

This strong legislation will protect the safety of millions of Americans and hold law violators accountable for sexual assault on the high seas. No longer will criminals be able to hide on our oceans when they commit crimes against Americans. So I urge my colleagues to support this bill.

Mr. OBERSTAR. Mr. Speaker, I rise today in strong support of the Senate amendment to H.R. 3360, the "Cruise Vessel Security and Safety Act of 2010."

Serious crimes are committed at sea aboard cruise vessels just as they are committed on land. Over the last five years, sexual and physical assaults were the leading crimes committed aboard cruise vessels and investigated by the Federal Bureau of Investigation.

Alarming, it is not known precisely how often crimes are committed on cruise vessels or how many people have disappeared during ocean voyages because cruise lines that are registered in countries other than the United States are not required to make crime-related data available.

In fact, only one of the nearly 200 cruise vessels that serve the North American market is registered in the United States. This means that only one cruise vessel serving the North American market is, at all times, subject to the laws of the United States and required to report incidents of alleged crimes to United States law enforcement agencies.

While there are limited circumstances in which the U.S. can assert jurisdiction over some crimes occurring on cruise ships, cruise vessels registered in foreign countries directly fall under the jurisdiction of the United States only when they are operating in U.S. waters—in U.S. ports or sailing within 12 miles of the U.S. coast.

At all other times, foreign-registered vessels operate subject to the laws of the country in which the vessel is registered or in whose waters they are travelling. The laws in these countries may not—and often do not—provide the same rights and protections to crime victims that would be provided under U.S. law.

However, foreign-registered cruise vessels can be subject to some U.S. laws as a condition of entry into U.S. ports.

By applying conditions upon U.S. port entry, H.R. 3360 seeks to bridge some of the potential gaps between the rights, protections, and

access to assistance that are available to victims of crime under U.S. law and the laws of other countries.

H.R. 3360 establishes stringent new standards including training for ships' personnel to preserve evidence of crimes and provide appropriate medical treatment. Specifically, H.R. 3360 requires cruise lines to aid U.S. investigators by training crewmembers in crime scene preservation, by mandating log book entries detailing complaints of crimes, and by making available video tapes and other forms of evidence.

The legislation also provides much-needed support for the victims of crime by requiring cruise lines to provide on board medical professionals who are trained to treat victims of sexual assaults, medications, and access to victims' support services.

In addition, H.R. 3360 ensures that the public can make informed choices before booking a cruise. The bill requires the Secretary of Homeland Security to compile and maintain statistical data of certain incidents on an internet website. The data would identify each cruise line and each cruise line would be required to provide a link on its internet site to the website maintained by the Secretary.

Finally, H.R. 3360 enhances the safety and security of cruise passengers by requiring cruise lines to upgrade, modernize, and retrofit the safety and security infrastructure on their vessels by installing peep holes in passenger doors, video surveillance cameras, time-sensitive electronic key technology, higher railings, and acoustic hailing devices.

It is estimated that 10.6 million Americans enjoyed a cruise vacation in 2007. Millions more have cruised since and millions more will cruise in the future. We need to ensure the security and safety of passengers and crews on cruise vessels and to provide support for the victims of crime at sea.

With passage of this legislation today, the bill will be cleared for the President's consideration.

Before closing, I want to acknowledge the extraordinary work of the gentlewoman from California (Ms. MATSUI) for bringing us to this point. In 2006, Ms. MATSUI's constituent, Laurie Dishman, who was the victim of a crime aboard a cruise ship, reached out to Ms. MATSUI and Congress for help in addressing the significant shortcomings of cruise vessel safety and security. Ms. Dishman had the courage and fortitude to tell her heart-wrenching story to our Committee in a hearing on these issues. Knowing Ms. Dishman's story, Ms. MATSUI drafted this bill and has worked for more than three years to get Congress to this point.

I also thank the gentlemen from Arizona (Mr. SHADEGG and Mr. MITCHELL), who have strongly supported this bill on behalf of the daughter of an Arizona constituent. Merrian Carver disappeared from a cruise ship in August 2004, and was never found. What makes Ms. Carver's case even more shocking is not just that a vibrant, young woman was lost, but that her disappearance was not reported by the cruise line to the U.S. Coast Guard or the FBI until well after the voyage ended.

Finally, I thank Chairman JAY ROCKEFELLER, Chairman of the Senate Committee on Commerce, Science, and Transportation, for work-

ing to overcome Republican objections to the bill, enabling Senate passage of the legislation.

With enactment of this legislation, I am hopeful that the stories of Laurie Dishman and Merrian Carver will become a thing of the past. Although we cannot stop all crimes aboard cruise ships (or anywhere else), we can ensure that Americans will be protected by our system of justice.

I urge my colleagues to join me in supporting the Senate amendment to H.R. 3360, the "Cruise Vessel Security and Safety Act of 2010."

Mr. LOBIONDO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CUMMINGS. In closing, I will just urge my colleagues to vote in favor of this very, very important piece of legislation that will have far-reaching effects.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3360.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CORRECTING THE ENROLLMENT OF H.R. 3360

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 289) directing the Clerk of the House of Representatives to make a technical correction in the enrollment of H.R. 3360.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 289

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H.R. 3360) to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes, the Clerk of the House of Representatives shall make the following correction: In section 4(b), strike "Coast Guard and Maritime Transportation Act of 2004" the second place it appears and insert "Coast Guard and Maritime Transportation Act of 2006".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from New Jersey (Mr. LOBIONDO) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members