

Hefley	McKeon	Schaefer
Heger	McMillan	Schiff
Hobson	Meyers	Schroeder
Hoekstra	Mica	Sensenbrenner
Hoke	Michel	Shaw
Horn	Molinari	Shays
Hutchinson	Moorhead	Shuster
Hyde	Morella	Skeen
Inhofe	Murphy	Smith (MI)
Istook	Nussle	Smith (OR)
Jacobs	Oxley	Smith (TX)
Johnson, Sam	Packard	Solomon
Kim	Paxon	Stearns
King	Petri	Stump
Klug	Porter	Sundquist
Knollenberg	Portman	Talent
Kolbe	Pryce (OH)	Taylor (MS)
Kyl	Quillen	Taylor (NC)
Lazio	Quinn	Thomas (CA)
Leach	Ramstad	Torkildsen
Levy	Ravenel	Upton
Lewis (CA)	Regula	Vucanovich
Lewis (FL)	Ridge	Walker
Lightfoot	Roberts	Walsh
Linder	Rogers	Weldon
Manzullo	Rohrabacher	Wolf
McCandless	Ros-Lehtinen	Young (AK)
McCollum	Roukema	Young (FL)
McDade	Royce	Zeliff
McHugh	Saxton	Zimmer

## NOT VOTING—33

Bishop	Goodling	Rahall
Brown (CA)	Henry	Rangel
Castle	Huffington	Rowland
Clay	Hunter	Smith (IA)
Collins (GA)	Johnson (CT)	Spence
Cunningham	Johnson (GA)	Swett
DeFazio	Livingston	Thomas (WY)
DeLay	Machtley	Thompson
Edwards (TX)	McDermott	Tucker
Ford (MI)	Minge	Washington
Gilchrest	Payne (NJ)	Wyden

So the Journal was approved.

## ¶65.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

1330. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting the President's determination (93-24) certifying that substantial withdrawal has occurred of the armed forces of Russia and the Commonwealth of Independent States from Lithuania, Latvia, and Estonia, pursuant to Public Law 102-391; to the Committee on Appropriations.

1331. A letter from the Principal Deputy Comptroller, Department of Defense, transmitting a report on two violations of the Antideficiency Act, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1332. A letter from the President, Thrift Depositor Protection Oversight Board, transmitting a report pursuant to section 21A(k) (9) of the Federal Home Loan Bank Act, as amended; to the Committee on Banking, Finance and Urban Affairs.

1333. A letter from the Chairman, Council of the District of Columbia, transmitting copies of D.C. Act 10-33, "American Geophysical Union Revenue bond Act of 1993," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

1334. A letter from the Secretary of Education, transmitting Final Regulations—Student Assistance General Provisions, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1335. A letter from the Secretary of Education, transmitting notice of deadline date for participation in the Institutional Quality Assurance Program and revision of selection criteria, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1336. A letter from the Secretary of Health and Human Services, transmitting the annual report for fiscal year 1992 of the Administration on Aging, pursuant to 42 U.S.C. 3018; to the Committee on Education and Labor.

1337. A letter from the Secretary of Health and Human Services, transmitting a report on the Department's efforts to bring about coordination of goals, objectives, and activities of agencies and organizations which have responsibilities for programs related to child abuse and neglect during 1990, pursuant to 42 U.S.C. 5106f; to the Committee on Education and Labor.

1338. A letter from the Assistant Secretary (Legislative Affairs), Department of State, transmitting notification of proposed approval of manufacturing license agreement with Israel (Transmittal No. OTC-26-93), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

1339. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

1340. A letter from the Manager, Employee Benefits, Department of the Air Force, transmitting the Department's annual report on its retirement plan for civilian employees for the year ending September 30, 1992, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

1341. A letter from the Inspector General, Department of Housing and Urban Development, transmitting the inspector general's semiannual report for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2515, 2526); to the Committee on Government Operations.

1342. A letter from the Chairman, Equal Employment Opportunity Commission, transmitting the Commission's semiannual report for the period ending March 31, 1993 on activities of the inspector general, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1343. A letter from the Acting Director, Federal Domestic Volunteer Agency, transmitting the two semiannual reports on activities of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1344. A letter from the Chairman, Federal Reserve System, transmitting the semiannual report of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1345. A letter from the Acting Administrator, General Services Administration, transmitting the semiannual report on the activities of the Department's inspector general for the period October 1, 1992 through March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1346. A letter from the Chairman, National Credit Union Administration, transmitting a copy of the semiannual report for the period ending March 31, 1993, on activities of the inspector general, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1347. A letter from the Inspector General, Office of Personnel Management, transmitting the semiannual report on activities of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1348. A letter from the Secretary of Transportation, transmitting the Department's semiannual report on the activities of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1349. A letter from the Secretary of Energy, transmitting the eighth semiannual re-

port of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2515, 2526); to the Committee on Government Operations.

1350. A letter from the Secretary of the Treasury, transmitting the Department's semiannual report on activities of the inspector general for the period ended March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1351. A letter from the Secretary of Agriculture, transmitting the Department's semiannual report on activities of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1352. A letter from the Secretary of Commerce, transmitting the Department's semiannual report on activities of the inspector general and the semiannual report on final audits for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1353. A letter from the Secretary of Education, transmitting the Department's eighth semiannual report on audit followup of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1354. A letter from the Secretary of Transportation, transmitting the Department's annual report on activities under the Freedom of Information Act during 1992, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1355. A letter from the Secretary of the Interior, transmitting the 1992 section 8 report on national historic and natural landmarks that have been damaged or to which damage to their integrity is anticipated, pursuant to 16 U.S.C. 1a-5(a); to the Committee on Natural Resources.

1356. A letter from the Commandant, U.S. Coast Guard, transmitting a revised executive summary to the plan of licensing operations of federally documented commercial fishing vessels, along with a joint recommendation from the Coast Guard and the Commercial Fishing Vessel Advisory Committee for implementing the plan, pursuant to 46 U.S.C. 7101 note; to the Committee on Merchant Marine and Fisheries.

1357. A letter from the Acting Administrator, General Services Administration, transmitting an informational copy of a prospectus, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

1358. A letter from the Interim CEO, Resolution Trust Corporation, transmitting the Corporation's April 1993 report on the status of the review required by section 21A(b)(11)(B) of the Federal Home Loan Bank Act, pursuant to Public Law 101-507, section 519(a) (104 Stat. 1386); jointly, to the Committees on Appropriations and Banking, Finance and Urban Affairs.

1359. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the third report on the subject of intermarket coordination, pursuant to Public Law 101-432, section 8(a) (104 Stat. 976); jointly, to the Committees on Banking, Finance and Urban Affairs, Energy and Commerce, and Agriculture.

1360. A letter from the Director of Central Intelligence, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 1994 for intelligence and intelligence-related activities of the U.S. Government and the Central Intelligence Agency Retirement and Disability System, and for other purposes; jointly, to the Permanent Select Committee on Intelligence and the

Committees on Armed Services, the Judiciary, Post Office and Civil Service, and Banking, Finance and Urban Affairs.

¶65.4 PASSENGER VESSEL SAFETY

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to House Resolution 172 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1159) to revise, clarify, and improve certain marine safety laws of the United States, and for other purposes.

Mr. TORRICELLI, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. McNULTY, assumed the Chair.

When Mr. TORRICELLI, Acting Chairman, pursuant to House Resolution 172, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Passenger Vessel Safety Act of 1993".

**SEC. 2. PASSENGER.**

Section 2101(21) of title 46, United States Code, is amended to read as follows:

"(21) 'passenger'—  
 "(A) means an individual carried on the vessel except—

"(i) the owner or an individual representative of the owner or, in the case of a vessel under charter, an individual charterer or individual representative of the charterer;

"(ii) the master; or  
 "(iii) a member of the crew engaged in the business of the vessel who has not contributed consideration for carriage and who is paid for on board services.

"(B) on an offshore supply vessel, means an individual carried on the vessel except—

"(i) an individual included in clause (i), (ii), or (iii) of subparagraph (A) of this paragraph;

"(ii) an employee of the owner, or of a subcontractor to the owner, engaged in the business of the owner;

"(iii) an employee of the charterer, or of a subcontractor to the charterer, engaged in the business of the charterer; or

"(iv) an individual employed in a phase of exploration, exploitation, or production of offshore mineral or energy resources served by the vessel.

"(C) on a fishing vessel, fish processing vessel, or fish tender vessel, means an individual carried on the vessel except—

"(i) an individual included in clause (i), (ii), or (iii) of subparagraph (A) of this paragraph;

"(ii) a managing operator;

"(iii) an employee of the owner, or of a subcontractor to the owner, engaged in the business of the owner; or

"(iv) an employee of the charterer, or of a subcontractor to the charterer, engaged in the business of the charterer.

"(D) on a sailing school vessel, means an individual carried on the vessel except—

"(i) an individual included in clause (i), (ii), or (iii) of subparagraph (A) of this paragraph;

"(ii) an employee of the owner of the vessel engaged in the business of the owner, except when the vessel is operating under a demise charter;

"(iii) an employee of the demise charterer of the vessel engaged in the business of the demise charterer; or

"(iv) a sailing school instructor or sailing school student."

**SEC. 3. PASSENGER VESSEL.**

Section 2101(22) of title 46, United States Code, is amended to read as follows:

"(22) 'passenger vessel' means a vessel of at least 100 gross tons—

"(A) carrying more than 12 passengers, including at least one passenger for hire;

"(B) that is chartered and carrying more than 12 passengers; or

"(C) that is a submersible vessel carrying at least one passenger for hire."

**SEC. 4. SMALL PASSENGER VESSEL.**

Section 2101(35) of title 46, United States Code, is amended to read as follows:

"(35) 'small passenger vessel' means a vessel of less than 100 gross tons—

"(A) carrying more than 6 passengers, including at least one passenger for hire;

"(B) that is chartered with the crew provided or specified by the owner or the owner's representative and carrying more than 6 passengers;

"(C) that is chartered with no crew provided or specified by the owner or the owner's representative and carrying more than 12 passengers; or

"(D) that is a submersible vessel carrying at least one passenger for hire."

**SEC. 5. UNINSPECTED PASSENGER VESSEL.**

Section 2101(42) of title 46, United States Code, is amended to read as follows:

"(42) 'uninspected passenger vessel' means an uninspected vessel—

"(A) of at least 100 gross tons—

"(i) carrying not more than 12 passengers, including at least one passenger for hire; or  
 "(ii) that is chartered with the crew provided or specified by the owner or the owner's representative and carrying not more than 12 passengers; and

"(B) of less than 100 gross tons—

"(i) carrying not more than 6 passengers, including at least one passenger for hire; or  
 "(ii) that is chartered with the crew provided or specified by the owner or the owner's representative and carrying not more than 6 passengers."

**SEC. 6. PASSENGER FOR HIRE.**

Section 2101 of title 46, United States Code, is amended by inserting between paragraphs (21) and (22) a new paragraph (21a) to read as follows:

"(21a) 'passenger for hire' means a passenger for whom consideration is contribution as a condition of carriage on the vessel, whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person having an interest in the vessel."

**SEC. 7. CONSIDERATION.**

Section 2101 of title 46, United States Code, is amended by inserting between paragraphs (5) and (6) a new paragraph (5a) to read as follows:

"(5a) 'consideration' means an economic benefit, inducement, right, or profit including pecuniary payment accruing to an individual, person, or entity, but not including a voluntary sharing of the actual expenses of the voyage, by monetary contribution or donation of fuel, food, beverage, or other supplies."

**SEC. 8. OFFSHORE SUPPLY VESSEL.**

Section 2101(19) of title 46, United States Code, is amended by inserting "individuals in addition to the crew," immediately after "supplies," and by striking everything after "resources" to the period at the end.

**SEC. 9. SAILING SCHOOL VESSEL.**

Section 2101(30) of title 46, United States Code, is amended in subparagraph (B) by striking "at least 6'" and substituting "more than 6'".

**SEC. 10. SUBMERSIBLE VESSEL.**

Section 2101 of title 46, United States Code, is amended by inserting between paragraphs (37) and (38) a new paragraph (37a) to read as follows:

"(37a) 'submersible vessel' means a vessel that is capable of operating below the surface of the water."

**SEC. 11. GENERAL PROVISION.**

(a) Section 2113 of title 46, United States Code, is amended to read as follows:

**"§ 2113. Authority to exempt certain vessels**

"If the Secretary decides that the application of a provision of part B, C, F, or G of this subtitle is not necessary in performing the mission of the vessel engaged in excursions or an oceanographic research vessel, or not necessary for the safe operation of certain vessels carrying passengers, the Secretary by regulation may—

"(1) for an excursion vessel, issue a special permit specifying the conditions of operation and equipment;

"(2) exempt an oceanographic research vessel from that provision under conditions the Secretary may specify; and

"(3) establish different operating and equipment requirements for vessels defined in section 2101(42)(A) of this title."

(b) Section 4105 of title 46, United States Code, is amended—

(1) by inserting "(a)" before the text; and

(2) by adding a new subsection (b) to read as follows:

"(b) Within twenty-four months of the date of enactment of this subsection, the Secretary shall, by regulation, require certain additional equipment which may include liferafts or other lifesaving equipment, construction standards, or specify additional operating standards for those uninspected passenger vessels defined in section 2101(42)(A) of this title."

**SEC. 12. EFFECTIVE DATE.**

(a) Regulations governing small passenger vessels and passenger vessels, as those terms are defined in 46 U.S.C. 2101, which are chartered with no crew provided shall not apply before May 1, 1994.

(b) The Secretary of the Department in which the Coast Guard is operating may extend the time period for compliance with the regulations referenced in subsection (a) for an initial period of up to one year and may extend the period of compliance for one additional period of up to one year if the owner of the vessel demonstrates to the satisfaction of the Secretary that a good faith effort, with due diligence and care, has failed to enable compliance with the deadline under subsection (a).

**SEC. 13. SENSE OF CONGRESS REGARDING USE OF VESSELS CONSTRUCTED IN UNITED STATES FOR CARRYING PASSENGERS FOR HIRE.**

It is the sense of the Congress that persons who, for the purpose of carrying passengers for hire in the United States, operate or charter vessels with respect to which this Act (including the amendments made by this Act) applies should only operate and charter for that purpose vessels constructed in the United States.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,  
 Will the House pass said bill?

The SPEAKER pro tempore, Mr. McNULTY, announced that the yeas had it.