

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1052

To authorize appropriations for fiscal years 1994 and 1995 for the Coast Guard, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 27 (legislative day, APRIL 19), 1993

Mr. HOLLINGS (for himself, Mr. STEVENS, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To authorize appropriations for fiscal years 1994 and 1995 for the Coast Guard, 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 “Coast Guard Author-  
5 ization Act of 1993”.

6 **TITLE I—AUTHORIZATIONS**

7 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

8 (a) FISCAL YEAR 1994.—Funds are authorized to be  
9 appropriated for necessary expenses of the Coast Guard  
10 for fiscal year 1994, as follows:

1           (1) For the operation and maintenance of the  
2 Coast Guard, \$2,609,747,000, of which—

3                   (A) \$25,000,000 shall be derived from the  
4 Oil Spill Liability Trust Fund; and

5                   (B) \$32,250,000 shall be expended from  
6 the Boat Safety Account.

7           (2) For the acquisition, construction, rebuild-  
8 ing, and improvement of aids to navigation, shore  
9 and offshore facilities, vessels, and aircraft, includ-  
10 ing equipment related thereto, \$414,000,000, to re-  
11 main available until expended, of which \$20,000,000  
12 shall be derived from the Oil Spill Liability Trust  
13 Fund.

14           (3) For research, development, test, and evalua-  
15 tion, \$25,000,000, to remain available until ex-  
16 pended, of which \$4,457,000 shall be derived from  
17 the Oil Spill Liability Trust Fund.

18           (4) For retired pay (including the payment of  
19 obligations otherwise chargeable to lapsed appropria-  
20 tions for this purpose), payments under the Retired  
21 Serviceman's Family Protection and Survivor Bene-  
22 fit Plans, and payments for medical care of retired  
23 personnel and their dependents under chapter 55 of  
24 title 10, United States Code, \$548,774,000, to re-  
25 main available until expended.

1           (5) For alteration or removal of bridges over  
2 navigable waters of the United States constituting  
3 obstructions to navigation, and for personnel and  
4 administrative costs associated with the Bridge Al-  
5 teration Program, \$12,940,000, to remain available  
6 until expended.

7           (6) For environmental compliance and restora-  
8 tion at Coast Guard facilities, \$23,057,000, to re-  
9 main available until expended.

10          (b) FISCAL YEAR 1995.—Funds are authorized to be  
11 appropriated for necessary expenses of the Coast Guard  
12 for fiscal year 1995, as follows:

13           (1) For the operation and maintenance of the  
14 Coast Guard, \$2,711,762,000, of which—

15                (A) \$26,000,000 shall be derived from the  
16 Oil Spill Liability Trust Fund; and

17                (B) \$33,500,000 shall be expended from  
18 the Boat Safety Account.

19           (2) For the acquisition, construction, rebuild-  
20 ing, and improvement of aids to navigation, shore  
21 and offshore facilities, vessels, and aircraft, includ-  
22 ing equipment related thereto, \$596,000,000, to re-  
23 main available until expended, of which \$20,500,000  
24 shall be derived from the Oil Spill Liability Trust  
25 Fund.

1           (3) For research, development, test, and evalua-  
2           tion, \$25,750,000, to remain available until ex-  
3           pended, of which \$4,600,000 shall be derived from  
4           the Oil Spill Liability Trust Fund.

5           (4) For retired pay (including the payment of  
6           obligations otherwise chargeable to lapsed appropria-  
7           tions for this purpose), payments under the Retired  
8           Serviceman's Family Protection and Survivor Bene-  
9           fit Plans, and payments for medical care of retired  
10          personnel and their dependents under chapter 55 of  
11          title 10, United States Code, \$579,500,000, to re-  
12          main available until expended.

13          (5) For alteration or removal of bridges over  
14          navigable waters of the United States constituting  
15          obstructions to navigation, and for personnel and  
16          administrative costs associated with the Bridge Al-  
17          teration Program, \$13,289,000 to remain available  
18          until expended.

19          (6) For environmental compliance and restora-  
20          tion at Coast Guard Facilities, \$23,749,000, to re-  
21          main available until expended.

22 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**  
23 **AND MILITARY TRAINING.**

24          (a) AUTHORIZED MILITARY STRENGTH LEVEL.—  
25 The Coast Guard is authorized an end-of-year strength for

1 active duty personnel of 39,138 as of September 30, 1994  
2 (of which not more than 6,400 shall be commissioned offi-  
3 cers), and 39,138 as of September 30, 1995 (of which not  
4 more than 6,400 shall be commissioned officers). The au-  
5 thorized strength does not include members of the Ready  
6 Reserve called to active duty for special or emergency aug-  
7 mentation of regular Coast Guard forces for periods of  
8 one hundred and eighty days or less.

9 (b) AUTHORIZED LEVEL OF MILITARY TRAINING.—  
10 The Coast Guard is authorized average military training  
11 student loads as follows:

12 (1) For recruit and special training, one thou-  
13 sand nine hundred and eighty-six student years for  
14 fiscal year 1994 and one thousand nine hundred and  
15 eighty-six student years for fiscal year 1995.

16 (2) For flight training, one hundred and four-  
17 teen student years for fiscal year 1994 and one hun-  
18 dred and fourteen student years for fiscal year 1995.

19 (3) For professional training in military and ci-  
20 vilian institutions, three hundred and thirty-eight  
21 student years for fiscal year 1994 and three hundred  
22 and thirty-eight student years for fiscal year 1995.

23 (4) For officer acquisition, nine hundred and  
24 fifty-five student years for fiscal year 1994 and nine

1 hundred and fifty-five student years for fiscal year  
2 1995.

3 **TITLE II—PERSONNEL MANAGEMENT**  
4 **IMPROVEMENT**

5 **SEC. 201. ELIMINATION OF PERMANENT CEILING ON NUM-**  
6 **BER OF COMMISSIONED OFFICERS.**

7 (a) ELIMINATION OF CEILING.—Section 42 of title  
8 14, United States Code, is amended by striking subsection  
9 (a), and by redesignating subsections (b) through (e) as  
10 subsections (a) through (d), respectively.

11 (b) CONFORMING AMENDMENTS.—(1) Section 42(d)  
12 of title 14, United States Code, as redesignated by sub-  
13 section (a) of this section, is amended by striking “sub-  
14 section (c)” and inserting in lieu thereof “subsection (b)”.

15 (2) The section heading for section 42 of title 14,  
16 United States Code, is amended by striking “**Number**  
17 **and distribution**” and inserting in lieu thereof “**Dis-**  
18 **tribution**”.

19 (3) In the analysis for chapter 3 of title 14, United  
20 States Code, the item relating to section 42 is amended  
21 by striking “Number and distribution” and inserting in  
22 lieu thereof “Distribution”.

23 **SEC. 202. INCREASED GRADE FOR CHIEF OF STAFF.**

24 (a) AUTHORITY FOR GRADE OF VICE ADMIRAL.—(1)  
25 Chapter 3 of title 14, United States Code, is amended by

1 inserting immediately after section 50 the following new  
2 section:

3 **“§ 50a. Chief of Staff**

4 “(a) The President may appoint, by and with the ad-  
5 vice and consent of the Senate, a Chief of Staff of the  
6 Coast Guard who shall rank next after the area command-  
7 ers and who shall perform such duties as the Commandant  
8 may prescribe. The Chief of Staff shall be appointed from  
9 the officers on the active duty promotion list serving above  
10 the grade of captain. The Commandant shall make rec-  
11 ommendations for such appointment.

12 “(b) The Chief of Staff shall, while so serving, have  
13 the grade of vice admiral with the pay and allowances of  
14 that grade. The appointment and grade of the Chief of  
15 Staff shall be effective on the date the officer assumes that  
16 duty, and shall terminate on the date the officer is de-  
17 tached from that duty, except as provided in section 51(d)  
18 of this title.”.

19 (2) The analysis for chapter 3 of title 14, United  
20 States Code, is amended by inserting immediately after  
21 the item relating to section 50 the following new item:

“50a. Chief of Staff.”.

22 (b) ELIMINATION OF UNNECESSARY SENIORITY EX-  
23 CEPTION.—Section 41a(b) of title 14, United States Code,  
24 is amended by striking “, except that the rear admiral

1 serving as Chief of Staff shall be the senior rear admiral  
2 for all purposes other than pay”.

3 (c) CLERICAL AMENDMENTS.—Section 41a of title  
4 14, United States Code, is amended—

5 (1) in subsection (c), by striking “his” and in-  
6 serting in lieu thereof “that person’s”; and

7 (2) in subsection (d), by striking “he” and in-  
8 serting in lieu thereof “that officer”, and by striking  
9 “his” and inserting in lieu thereof “that officer’s”.

10 **SEC. 203. CONTINUITY OF GRADE OF ADMIRALS AND VICE**  
11 **ADMIRALS.**

12 (a) RETIREMENT.—(1) Section 51 of title 14, United  
13 States Code, is amended by adding at the end the follow-  
14 ing new subsection:

15 “(d) An officer serving in the grade of admiral or vice  
16 admiral shall continue to hold that grade—

17 “(1) while being processed for physical disabili-  
18 ty retirement, beginning on the day of the process-  
19 ing and ending on the day that officer is retired, but  
20 not for more than one hundred and eighty days; and

21 “(2) while awaiting retirement, beginning on  
22 the day that officer is relieved from the position of  
23 Commandant, Vice Commandant, Area Commander,  
24 or Chief of Staff and ending on the day before the



1 officer's retirement, but not for more than sixty  
2 days.”.

3 (2) Section 51 of title 14, United States Code, is fur-  
4 ther amended—

5 (1) in subsections (a) and (b), by striking “as  
6 Commander, Atlantic Area, or Commander, Pacific  
7 Area” each place it appears and inserting in lieu  
8 thereof “in the grade of vice admiral”; and

9 (2) in subsection (c), by striking “his” and in-  
10 sserting in lieu thereof “that officer's”.

11 (b) ELIMINATION OF UNNECESSARY PROVISION FOR  
12 CHIEF OF STAFF.—Section 290 of title 14, United States  
13 Code, is amended—

14 (1) in subsection (a), by striking “or in the po-  
15 sition of Chief of Staff” in the second sentence; and

16 (2) in subsection (f), by striking “Chief of Staff  
17 or” each place it appears.

18 (c) CONFORMING AMENDMENT RELATING TO RE-  
19 TIREMENT OF COMMANDANT.—Section 46(a) of title 14,  
20 United States Code, is amended by striking “shall, at the  
21 expiration of his term, be retired with the grade of admi-  
22 ral.” and inserting in lieu thereof “shall be retired with  
23 the grade of admiral at the expiration of the appointed  
24 term, except as provided in section 51(d) of this title.”.

1 (d) CONFORMING AMENDMENTS RELATING TO RE-  
2 TIREMENT OF VICE COMMANDANT.—(1) Section 47 of  
3 title 14, United States Code, is amended—

4 (A) by striking subsections (b), (c), and (d);  
5 and

6 (B) in subsection (a)—

7 (i) by striking “(a)” at the beginning; and

8 (ii) by striking the last sentence and in-  
9 serting in lieu thereof “The appointment and  
10 grade of a Vice Commandant shall be effective  
11 on the date the officer assumes that duty, and  
12 shall terminate on the date the officer is de-  
13 tached from that duty, except as provided in  
14 section 51(d) of this title.”.

15 (2) The section heading for section 47 of title 47,  
16 United States Code, is amended by striking “; **retire-**  
17 **ment**”.

18 (3) The item relating to section 47 in the analysis  
19 for chapter 3 of title 14, United States Code, is amended  
20 by striking “; retirement”.

21 (e) CONFORMING AMENDMENTS RELATING TO AREA  
22 COMMANDERS.—Section 50 of title 14, United States  
23 Code, is amended—

24 (1) in subsection (a) by striking “his” and in-  
25 serting in lieu thereof “that area commander’s”; and

1           (2) in subsection (b) by striking the last sen-  
2           tence and inserting in lieu thereof “The appointment  
3           and grade of an area commander shall be effective  
4           on the date the officer assumes that duty, and shall  
5           terminate on the date the officer is detached from  
6           that duty, except as provided in section 51(d) of this  
7           title.”.

8   **SEC. 204. VOLUNTEER SERVICES.**

9           Section 93 of title 14, United States Code, is amend-  
10 ed—

11           (1) by striking “and” at the end of subsection  
12           (r);

13           (2) by striking the period at the end of sub-  
14           section (s) and inserting in lieu thereof “; and”; and

15           (3) by adding at the end the following new sub-  
16           section:

17           “(t) enter into cooperative agreements with  
18           States, local governments, nongovernmental organi-  
19           zations, and individuals, and accept and utilize vol-  
20           untary services, notwithstanding section 1342 of  
21           title 31, United States Code, to provide for the  
22           maintenance and improvement of natural and his-  
23           toric resources on, or to benefit natural and historic  
24           research on, Coast Guard facilities, subject to the re-  
25           quirement that—

1           “(1) a person providing voluntary services  
2 under this subsection shall not be considered a  
3 Federal employee except for purposes of chap-  
4 ter 81 of title 5, United States Code, with re-  
5 spect to compensation for work-related injuries,  
6 and chapter 171 of title 28, United States  
7 Code, with respect to tort claims; and

8           “(2) a cooperative agreement under this  
9 subsection shall provide for the Commandant  
10 and the other party or parties to the agreement  
11 to—

12                   “(A) contribute funds on a matching  
13 basis to defray the cost of programs,  
14 projects, and activities under the agree-  
15 ment; or

16                   “(B) furnish services on a matching  
17 basis to carry out such programs, projects,  
18 and activities; or

19                   “(C) both contribute funds as de-  
20 scribed in subparagraph (A) and furnish  
21 services as described in subparagraph  
22 (B).”.

23 **SEC. 205. RESERVE RETENTION BOARDS.**

24           Section 741(a) of title 14, United States Code, is  
25 amended by striking “and are not on active duty and not



1 sources Trust Fund for carrying out  
2 the purposes of section 13106 of title  
3 46, United States Code, but not dis-  
4 tributed, shall not be included when  
5 calculating whether the Boat Safety  
6 Account exceeds the limit established  
7 in subclause (II).”.

8 **SEC. 303. UNMANNED SEAGOING BARGES.**

9 Section 3302 of title 46, United States Code, is  
10 amended by adding at the end the following new sub-  
11 section:

12 “(m) A seagoing barge is not subject to inspection  
13 under section 3301 of this title if the vessel is—

14 “(1) unmanned; and

15 “(2) does not carry oil in bulk or a reportable  
16 or harmful quantity of a hazardous material.”.

17 **TITLE IV—ENGINEERING AND**  
18 **DEVELOPMENT AMENDMENTS**

19 **SEC. 401. COAST GUARD FAMILY HOUSING.**

20 (a) IN GENERAL.—Chapter 17 of title 14, United  
21 States Code, is amended by adding at the end the follow-  
22 ing new section:

23 **“§ 670. Procurement authority for family housing**

24 “(a) The Coast Guard, on behalf of the United  
25 States, is authorized, where appropriate—

1           “(1) subject to the availability of appropriations  
2           sufficient to cover its full obligations, to acquire real  
3           property or interests therein by purchase, lease for  
4           a term not to exceed five years, or otherwise, for use  
5           as Coast Guard family housing units, including the  
6           acquisition of condominium units, which may include  
7           the obligation to pay maintenance, repair, and other  
8           condominium related fees; and

9           “(2) for adequate compensation, by sale, lease,  
10          or otherwise, to dispose of any real property or in-  
11          terest therein used for Coast Guard family housing  
12          units; except that such disposition shall be made by  
13          the General Services Administration in accordance  
14          with the Federal Property and Administrative Serv-  
15          ices Act of 1949 (40 U.S.C. 471 et seq.).

16          “(b) In procuring real property and interests therein  
17          under subsection (a) of this section, the Coast Guard may  
18          use procedures other than competitive procedures in cir-  
19          cumstances which are set forth in section 303(c) of the  
20          Federal Property and Administrative Services Act of 1949  
21          (41 U.S.C. 253(c)).

22          “(c)(1) For the purposes of this section, a multiyear  
23          contract is a contract to lease Coast Guard family housing  
24          units for more than one, but not more than five fiscal  
25          years.

1       “(2) The Coast Guard may enter into multiyear con-  
2 tracts under subsection (a) of this section whenever the  
3 Coast Guard finds that—

4               “(A) the use of such a contract will promote the  
5 efficiency of the Coast Guard family housing pro-  
6 gram and will result in reduced total costs under the  
7 contract; and

8               “(B) the estimates of both the cost of the con-  
9 tract and the anticipated cost avoidance through the  
10 use of a multiyear contract are realistic.

11       “(3) A multiyear contract authorized under sub-  
12 section (a) of this section shall contain cancellation and  
13 termination provisions to the extent necessary to protect  
14 the best interests of the United States, and may include  
15 consideration of both recurring and nonrecurring costs.  
16 The contract may provide for a cancellation payment to  
17 be made. Amounts that were originally obligated for the  
18 cost of the contract may be used for cancellation or termi-  
19 nation costs.”.

20       (b) CONFORMING AMENDMENT.—The analysis for  
21 chapter 17 of title 14, United States Code, as amended  
22 by this title, is further amended by adding at the end the  
23 following new item:

“670. Procurement authority for family housing.”.



1 **SEC. 402. AIR STATION CAPE COD IMPROVEMENTS.**

2 (a) IN GENERAL.—Chapter 17 of title 14, United  
3 States Code, as amended by this title, is further amended  
4 by adding at the end the following new section:

5 **“§671. Air Station Cape Cod improvements**

6 “The Coast Guard may spend or obligate appro-  
7 priated funds for the repair, improvement, restoration, or  
8 replacement of those federally or nonfederally owned sup-  
9 port buildings, including appurtenances, which are on  
10 leased or permitted real property constituting Coast  
11 Guard Air Station Cape Cod, located on Massachusetts  
12 Military Reservation, Cape Cod, Massachusetts.”.

13 (b) CONFORMING AMENDMENT.—The analysis for  
14 chapter 17 of title 14, United States Code, as amended  
15 by this title, is further amended by adding at the end the  
16 following new item:

“671. Air Station Cape Cod improvements.”.

17 **SEC. 403. LONG-TERM LEASE AUTHORITY FOR AIDS TO**  
18 **NAVIGATION.**

19 (a) IN GENERAL.—Chapter 17 of title 14, United  
20 States Code, as amended by this title, is further amended  
21 by adding at the end the following new section:

22 **“§672. Long-term lease authority for navigation and**  
23 **communications systems sites**

24 “(a) The Coast Guard, on behalf of the United  
25 States, is authorized, subject to the availability of appro-

1 priations, to enter into lease agreements to acquire real  
2 property or interests therein for a term not to exceed  
3 twenty years, inclusive of any automatic renewal clauses,  
4 for aids-to-navigation sites, vessel traffic service sensor  
5 sites, or National Distress System high level antenna sites.  
6 The lease agreements shall include cancellation and termi-  
7 nation provisions to the extent necessary to protect the  
8 best interests of the United States. Cancellation payment  
9 provisions may include consideration of both recurring and  
10 nonrecurring costs associated with the real property inter-  
11 ests under the contract. The lease agreements may provide  
12 for a cancellation payment to be made. Amounts that were  
13 originally obligated for the cost of the contract may be  
14 used for cancellation or termination costs.

15       “(b) In procuring real property and interests therein  
16 under subsection (a) of this section, the Coast Guard may  
17 use procedures other than competitive procedures in cir-  
18 cumstances which are set forth in section 303(c) of the  
19 Federal Property and Administrative Services Act of 1949  
20 (41 U.S.C. 253(c)).

21       “(c)(1) The Coast Guard may enter into multiyear  
22 lease agreements under subsection (a) of this section  
23 whenever the Coast Guard finds that—

24               “(A) the use of such a lease agreement will pro-  
25 mote the efficiency of the aids-to-navigation pro-



1 eral, State, or other educational research grants, except  
 2 that no such award may be accepted for the acquisition  
 3 or construction of facilities, or for the routine functions  
 4 of the Academy.”.

5 (b) CONFORMING AMENDMENT.—The analysis for  
 6 chapter 9 of title 14, United States Code, is amended by  
 7 adding at the end the following new item:

“196. Participation in Federal, State, or other educational research grants.”.

## 8 **TITLE VI—PASSENGER VESSEL SAFETY**

### 9 **SEC. 601. SHORT TITLE.**

10 This title may be cited as the “Passenger Vessel  
 11 Safety Act of 1993”.

### 12 **SEC. 602. DEFINITION OF PASSENGER.**

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

15 “(21) ‘passenger’—

16 “(A) on a vessel, other than a vessel re-  
 17 ferred to in subclause (B), (C), or (D) of this  
 18 clause, means an individual carried on the ves-  
 19 sel except—

20 “(i) the owner or an individual rep-  
 21 resentative of the owner or, in the case of  
 22 a vessel under charter, an individual  
 23 charterer or individual representative of  
 24 the charterer;

25 “(ii) the master; or

1           “(iii) a member of the crew engaged  
2           in the business of the vessel who has not  
3           contributed consideration for carriage and  
4           who is paid for on board services;

5           “(B) on an offshore supply vessel, means  
6           an individual carried on the vessel except—

7                   “(i) an individual as described in  
8                   subclause (A)(i), (A)(ii), or (A)(iii) of this  
9                   clause;

10                   “(ii) an employee of the owner, or of  
11                   a subcontractor to the owner, engaged in  
12                   the business of the owner;

13                   “(iii) an employee of the charterer, or  
14                   of a subcontractor to the charterer, en-  
15                   gaged in the business of the charterer; or

16                   “(iv) an individual employed in a  
17                   phase of exploration, exploitation, or pro-  
18                   duction of offshore mineral or energy re-  
19                   sources served by the vessel;

20           “(C) on a fishing vessel, fish processing  
21           vessel, or fish tender vessel, means an individ-  
22           ual carried on the vessel except—

23                   “(i) an individual as described in  
24                   subclause (A)(i), (A)(ii), or (A)(iii) of this  
25                   clause;

1 “(ii) a managing operator;

2 “(iii) an employee of the owner, or of  
3 a subcontractor to the owner, engaged in  
4 the business of the owner; or

5 “(iv) an employee of the charterer, or  
6 of a subcontractor to the charterer, en-  
7 gaged in the business of the charterer; and

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

10 “(i) an individual as described in  
11 subclause (A)(i), (A)(ii), or (A)(iii) of this  
12 clause;

13 “(ii) an employee of the owner of the  
14 vessel engaged in the business of the  
15 owner, except when the vessel is operating  
16 under a demise charter;

17 “(iii) an employee of the demise  
18 charterer of the vessel engaged in the busi-  
19 ness of the demise charterer; or

20 (iv) a sailing school instructor or sail-  
21 ing school student.”.

22 **SEC. 603. DEFINITION OF PASSENGER VESSEL.**

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

1           “(22) passenger vessel’ means a vessel of at  
2           least 100 gross tons—

3                   “(A) that is carrying more than 12 pas-  
4                   sengers, including at least one passenger for  
5                   hire;

6                   “(B) that is chartered and carrying more  
7                   than 12 passengers; or

8                   “(C) that is a submersible vessel carrying  
9                   at least one passenger for hire.”.

10 **SEC. 604. DEFINITION OF SMALL PASSENGER VESSEL.**

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

13                   “(35) ‘small passenger vessel’ means a vessel of  
14                   less than 100 gross tons—

15                   “(A) that is carrying more than 6 pas-  
16                   sengers, including at least one passenger for  
17                   hire;

18                   “(B) that is chartered, with the crew pro-  
19                   vided or specified by the owner or the owner’s  
20                   representative, and carrying more than 6 pas-  
21                   sengers;

22                   “(C) that is chartered, with no crew pro-  
23                   vided or specified by the owner or the owner’s  
24                   representative, and carrying more than 12 pas-  
25                   sengers; or

1           “(D) that is a submersible vessel carrying  
2           at least one passenger for hire.”.

3 **SEC. 605. DEFINITION OF UNINSPECTED PASSENGER VES-**  
4           **SEL.**

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

7           “(42) ‘uninspected passenger vessel’ means an  
8           uninspected vessel—

9           “(A) of at least 100 gross tons—

10           “(i) that is carrying not more than 12  
11           passengers, including at least one pas-  
12           senger for hire; or

13           “(ii) that is chartered, with the crew  
14           provided or specified by the owner or the  
15           owner’s representative, and carrying not  
16           more than 12 passengers; or

17           “(B) of less than 100 gross tons—

18           “(i) that is carrying not more than 6  
19           passengers, including at least one pas-  
20           senger for hire; or

21           “(ii) that is chartered, with the crew  
22           provided or specified by the owner or the  
23           owner’s representative, and carrying not  
24           more than 6 passengers.”.



1 **SEC. 606. DEFINITION OF PASSENGER FOR HIRE.**

2 Section 2101 of title 46, United States Code, is  
3 amended by inserting immediately after clause (21) the  
4 following new clause:

5 “(21a) ‘passenger for hire’ means a passenger  
6 for whom consideration is contributed as a condition  
7 of carriage on the vessel, whether directly or indi-  
8 rectly flowing to the owner, charterer, operator,  
9 agent, or any other person having an interest in the  
10 vessel.”.

11 **SEC. 607. DEFINITION OF CONSIDERATION.**

12 Section 2101 of title 46, United States Code, is  
13 amended by inserting immediately after clause (5) the fol-  
14 lowing new clause:

15 “(5a) ‘consideration’ means an economic bene-  
16 fit, inducement, right, or profit, including pecuniary  
17 payment accruing to an individual, person, or entity,  
18 but not including a voluntary sharing of the actual  
19 expenses of the voyage by monetary contribution or  
20 donation of fuel, food, beverage, or other supplies.”.

21 **SEC. 608. DEFINITION OF OFFSHORE SUPPLY VESSEL.**

22 Section 2101(19) of title 46, United States Code, is  
23 amended by inserting “individuals in addition to the  
24 crew,” immediately after “supplies,” and by striking “and  
25 is not a small passenger vessel”.

1 **SEC. 609. DEFINITION OF SAILING SCHOOL VESSEL.**

2 Section 2101(30)(B) of title 46, United States Code,  
3 is amended by striking “at least 6” and inserting in lieu  
4 thereof “more than 6”.

5 **SEC. 610. DEFINITION OF SUBMERSIBLE VESSEL.**

6 Section 2101 of title 46, United States Code, is  
7 amended by inserting immediately after clause (37) the  
8 following new clause:

9 “(37a) ‘submersible vessel’ means a vessel that  
10 is capable of operating below the surface of the  
11 water.”.

12 **SEC. 611. EXEMPTION AUTHORITY.**

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

15 **“§ 2113. Authority to exempt certain vessels**

16 “If the Secretary decides that the application of a  
17 provision of part B, C, F, or G of this subtitle is not nec-  
18 essary in performing the mission of certain vessels en-  
19 gaged in excursions or an oceanographic research vessel,  
20 or not necessary for the safe operation of certain vessels  
21 carrying passengers, the Secretary by regulation may—

22 “(1) for an excursion vessel, issue a special per-  
23 mit specifying the conditions of operation and equip-  
24 ment;

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

4           “(3) establish different operating and equip-  
5           ment requirements for uninspected passenger vessels  
6           described in section 2101(42)(A) of this title.”.

7   **SEC. 612. EQUIPMENT AND STANDARDS FOR UNINSPECTED**  
8                           **PASSENGER VESSELS.**

9           Section 4105 of title 46, United States Code, is  
10          amended—

11           (1) by redesignating the existing text as sub-  
12           section (a); and

13           (2) by adding at the end the following new sub-  
14           section:

15           “(b) Within 24 months after the date of enactment  
16           of this subsection, the Secretary shall, by regulation, re-  
17           quire certain additional equipment (including liferafts or  
18           other lifesaving equipment), or establish construction  
19           standards or additional operating standards, for the  
20           uninspected passenger vessels described in section  
21           2101(42)(A) of this title.”.

22   **SEC. 613. APPLICABILITY DATE FOR REVISED REGULA-**  
23                           **TIONS.**

24           (a) **APPLICABILITY DATE FOR CERTAIN CHARTERED**  
25   **VESSELS.**—Revised regulations governing small passenger

1 vessels and passenger vessels, as the definitions of those  
2 terms in section 2101 of title 46, United States Code, are  
3 amended by this Act, shall not apply before May 1, 1994,  
4 to such vessels when chartered with no crew provided.

5 (b) EXTENSION OF PERIOD.—The Secretary of the  
6 department in which the Coast Guard is operating may  
7 extend for up to 1 additional year the period of inapplica-  
8 bility specified in subsection (a) if the owner of the vessel  
9 concerned demonstrates to the satisfaction of the Sec-  
10 retary that a good faith effort, with due diligence and care,  
11 has failed to enable compliance with the regulations by  
12 May 1, 1994.

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