

Union Calendar No. 228

75TH CONGRESS
1ST SESSION

S. 595

[Report No. 686]

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 1937

Referred to the Committee on Merchant Marine and Fisheries

APRIL 23, 1937

Reported with amendments, committed to the Committee of the Whole House
on the state of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

AN ACT

To amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, 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 That section 1 of the Communications Act of 1934 is hereby
4 amended by inserting after the words "for the purpose of the
5 national defense" a comma and the words "for the purpose
6 of promoting safety of life and property through the use of
7 wire and radio communication".

1 SEC. 2. Section 3 of the Communications Act of 1934
2 is hereby amended by adding at the end thereof five new
3 subsections to read as follows:

4 “(w) (1) ‘Ship’ or ‘vessel’ includes every description
5 of watercraft or other artificial contrivance, except aircraft,
6 used or capable of being used as a means of transportation
7 on water, whether or not it is actually afloat.

8 “(2) A ship shall be considered a passenger ship if it
9 carries or is licensed or certificated to carry more than
10 twelve passengers.

11 “(3) A cargo ship means any ship not a passenger
12 ship.

13 “(4) A passenger is any person carried on board a
14 ship or vessel except (1) the officers and crew actually
15 employed to man and operate the ship, (2) persons em-
16 ployed to carry on the business of the ship, and (3) per-
17 sons on board a ship when they are carried, either because
18 of the obligation laid upon the master to carry shipwrecked,
19 distressed, or other persons in like or similar situations or
20 by reason of any circumstance over which neither the master,
21 the owner, nor the charterer (if any) has control.

22 “(x) ‘Auto-alarm’ on a foreign ship means an auto-
23 matic alarm receiver which has been approved by the
24 country to which the ship belongs, provided the United States
25 and the country to which the ship belongs are both parties

1 to the same treaty, convention, or agreement prescribing
2 the requirements for such apparatus. 'Auto-alarm' on a ship
3 of the United States subject to the provisions of part II of
4 title III of this Act means an automatic alarm receiver
5 complying with law and approved by the Commission.
6 Nothing in this Act or in any other provision of law shall
7 be construed to require the recognition of an auto-alarm as
8 complying with part II of title III of this Act, on a foreign
9 ship subject to such part, whose country of origin is not a
10 party to a treaty, convention, or agreement with the United
11 States in regard to such apparatus.

12 “(y) (1) For the purpose of part II of title III, a
13 'qualified operator' or 'operator' on a foreign ship means a
14 person holding a certificate as such complying with the pro-
15 visions of the General Radio Regulations annexed to the
16 International Telecommunication Convention in force, or
17 complying with an agreement or treaty between the United
18 States and the country to which the ship belongs.

19 “(2) For the purpose of part II of title III, a 'qualified
20 operator' or 'operator' on a ship of the United States means
21 a person holding a radio operator's license of the proper
22 class, as prescribed and issued by the Commission.

23 “(z) 'Harbor' or 'port' means any place to which ships
24 may resort for shelter or to load or unload passengers or
25 goods, or to obtain fuel, water, or supplies. This term shall

1 apply to such places whether proclaimed public or not and
2 whether natural or artificial.

3 “(aa) ‘Safety convention’ means the International Con-
4 vention for the Safety of Life at Sea in force and the regu-
5 lations referred to therein.

6 “SEC. 3. Subsection (k) of section 4 of the Communi-
7 cations Act of 1934 is hereby amended by substituting a
8 colon for the period at the end of the subsection and adding
9 the following: ‘*Provided further*, That each year, at the
10 beginning of the session of the Congress, the Commission
11 shall report to the Congress whether or not any new wire or
12 radio communication legislation is required better to insure
13 safety of life and property. If any such new legislation is
14 considered necessary the Commission shall make specific
15 recommendations thereof to the Congress.’ ”

16 SEC. 4. Section 4 of the Communications Act of 1934
17 is amended by adding at the end thereof a new subsection
18 to read as follows:

19 “(o) For the purpose of obtaining maximum effective-
20 ness from the use of radio and wire communications in con-
21 nection with safety of life and property, the Commission
22 shall investigate and study all phases of the problem and the
23 best methods of obtaining the cooperation and coordination
24 of these systems.”

1 SEC. 5. Paragraph (m) of section 303 of the Com-
2 munications Act of 1934 is hereby amended to read as
3 follows:

4 “(m) (1) Have authority to suspend the license of any
5 operator upon proof sufficient to satisfy the Commission
6 that the licensee—

7 “(A) has violated any provision of any Act, treaty,
8 or convention binding on the United States, which the
9 Commission is authorized to administer, or any regula-
10 tion made by the Commission under any such Act,
11 treaty, or convention; or

12 “(B) has failed to carry out a lawful order of the
13 master or person lawfully in charge of the ship or
14 aircraft on which he is employed; or

15 “(C) has willfully damaged or permitted radio
16 apparatus or installations to be damaged; or

17 “(D) has transmitted superfluous radio communi-
18 cations or signals or communications containing profane
19 or obscene words, language, or meaning, or has know-
20 ingly transmitted—

21 “(1) false or deceptive signals or communications,
22 or

23 “(2) a call signal or letter which has not been
24 assigned by proper authority to the station he is operat-
25 ing; or

1 “(E) has willfully or maliciously interfered with
2 any other radio communications or signals; or

3 “(F) has obtained or attempted to obtain, or has
4 assisted another to obtain or attempt to obtain, an
5 operator’s license by fraudulent means.

6 “(2) No order of suspension of any operator’s license
7 shall take effect until fifteen days’ notice in writing thereof,
8 stating the cause for the proposed suspension, has been given
9 to the operator licensee who may make written application
10 to the Commission at any time within said fifteen days for
11 a hearing upon such order. The notice to the operator
12 licensee shall not be effective until actually received by
13 him, and from that time he shall have fifteen days in which
14 to mail the said application. In the event that physical
15 conditions prevent mailing of the application at the expira-
16 tion of the fifteen-day period, the application shall then
17 be mailed as soon as possible thereafter, accompanied by a
18 satisfactory explanation of the delay. Upon receipt by the
19 Commission of such application for hearing, said order of
20 suspension shall be held in abeyance until the conclusion
21 of the hearing which shall be conducted under such rules
22 as the Commission may prescribe. Upon the conclusion of
23 said hearing the Commission may affirm, modify, or revoke
24 said order of suspension.”

1 SEC. 6. (a) Subsection (n) of section 303 of the Com-
2 munications Act of 1934 is hereby amended to read as
3 follows:

4 “(n) Have authority to inspect all radio installations
5 associated with stations required to be licensed by any Act
6 or which are subject to the provisions of any Act, treaty,
7 or convention binding on the United States, to ascertain
8 whether in construction, installation, and operation they con-
9 form to the requirements of the rules and regulations of the
10 Commission, the provisions of any Act, the terms of any
11 treaty or convention binding on the United States, and the
12 conditions of the license or other instrument of authorization
13 under which they are constructed, installed, or operated.”

14 (b) Section 303 of the Communications Act of 1934 is
15 hereby further amended by adding at the end thereof a new
16 subsection to read as follows:

17 “(r) Make such rules and regulations and prescribe
18 such restrictions and conditions, not inconsistent with law,
19 as may be necessary to carry out the provisions of this Act,
20 or any international radio or wire communications treaty
21 or convention, or regulations annexed thereto, including any
22 treaty or convention insofar as it relates to the use of radio,
23 to which the United States is or may hereafter become a
24 party.”

1 SEC. 7. Section 321 (a) of the Communications Act of
2 1934 is hereby amended to read as follows:

3 “SEC. 321. (a) The transmitting set in a radio station
4 on shipboard may be adjusted in such a manner as to produce
5 a maximum of radiation, irrespective of the amount of inter-
6 ference which may thus be caused, when such station is
7 sending radio communications or signals of distress and radio
8 communications relating thereto.”

9 SEC. 8. Section 322 of the Communications Act of
10 1934 is hereby amended to read as follows:

11 “SEC. 322. Every land station open to general public
12 service between the coast and vessels or aircraft at sea shall,
13 within the scope of its normal operations, be bound to ex-
14 change radio communications or signals with any ship or
15 aircraft station at sea; and each station on shipboard or air-
16 craft at sea shall, within the scope of its normal operations,
17 be bound to exchange radio communications or signals with
18 any other station on shipboard or aircraft at sea or with any
19 land station open to general public service between the coast
20 and vessels or aircraft at sea: *Provided*, That such exchange
21 of radio communication shall be without distinction as to
22 radio systems or instruments adopted by each station.”

23 SEC. 9. Section 329 of the Communications Act of
24 1934 is hereby amended to read as follows:

1 “SEC. 329. The Commission is authorized to designate
2 any officer or employee of any other department of the
3 Government on duty in any Territory or possession of the
4 United States to render therein such service in connection
5 with the administration of this Act as the Commission may
6 prescribe and also to designate any officer or employee of
7 any other department of the Government to render such
8 services at any place within the United States in connection
9 with the administration of title III of this Act as may be
10 necessary: *Provided*, That such designation shall be ap-
11 proved by the head of the department in which such person
12 is employed.”

13 SEC. 10. (a) The heading of title III of the Commu-
14 nications Act of 1934 is hereby amended to read as follows:

15 “TITLE III—PROVISIONS RELATING TO RADIO

16 “PART I—GENERAL PROVISIONS

17 (b) Such title III is further amended by adding at the
18 end thereof a new part as follows:

19 “PART II—RADIO EQUIPMENT AND RADIO OPERATORS
20 ON BOARD SHIP

21 “SHIP RADIO INSTALLATIONS AND OPERATIONS

22 “SEC. 351. (a) Except as provided in section 352
23 hereof, it shall be unlawful—

24 “~~(a)~~ (1) For any ship of the United States, other than a
25 cargo ship of less than sixteen hundred gross tons, to be

1 navigated in the open sea outside of a harbor or port, or
2 for any ship of the United States or any foreign country,
3 other than a cargo ship of less than sixteen hundred gross
4 tons, to leave or attempt to leave any harbor or port of the
5 United States for a voyage in the open sea, unless such ship
6 is equipped with an efficient radio installation in operating
7 condition, in charge of and operated by a qualified operator
8 or operators, adequately installed and protected so as to
9 insure proper operation, and so as not to endanger the ship
10 and radio installation, as hereinafter provided, and in the
11 case of a ship of the United States, unless there is on board
12 a valid station license issued in accordance with this Act;

13 “(b) (2) For any passenger ship of the United States of
14 five thousand gross tons, or over, to be navigated outside of
15 a harbor or port, in the open sea, or for any such ship of the
16 United States or any foreign country to leave or attempt
17 to leave any harbor or port of the United States for a voyage
18 in the open sea, unless such ship is equipped with an efficient
19 radio direction finder apparatus (radio compass) properly
20 adjusted in operating condition as hereinafter provided, which
21 apparatus is approved by the Commission;

22 “(e) (b) A ship which is not subject to the provisions of
23 this part at the time of its departure on a voyage shall not
24 become subject to such provisions on account of any devia-
25 tion from its intended voyage due to stress of weather or any

1 other cause over which neither the master, the owner, nor
2 the charterer (if any) has control.

3 "EXCEPTIONS

4 "SEC. 352. (a) The provisions of this part shall not
5 apply to—

6 "(1) A ship of war;

7 "(2) A ship of the United States belonging to and
8 operated by the Government, except a ship of the United
9 States Maritime Commission, the Inland and Coastwise
10 Waterways Service, or the Panama Railroad Company;

11 "(3) A foreign ship belonging to a country which
12 is a party to the Safety Convention and which ship
13 carries a valid certificate exempting said ship from the
14 radio provisions of that Convention, or which ship con-
15 forms to the radio requirements of such Convention or
16 Regulations and has on board a valid certificate to that
17 ~~effect.~~ effect;

18 "(4) *Yachts of less than six hundred gross tons not*
19 *subject to the radio provisions of the Safety Convention;*

20 "(5) *Vessels in tow;*

21 "(6) *A vessel navigating solely on the Great Lakes,*
22 *or on any bays, sounds, rivers, or protected waters within*
23 *the jurisdiction of the United States, or to a vessel leaving*
24 *or attempting to leave any harbor or port of the United*
25 *States for a voyage solely on the Great Lakes, or on any*

1 *bays, sounds, rivers, or protected waters within the juris-*
 2 *diction of the United States.*

3 “(b) The Commission may, if it considers that the
 4 route or the conditions of the voyage or other circumstances
 5 are such as to render a radio installation unreasonable or
 6 unnecessary for the purposes of this part, exempt from the
 7 provisions of this part any ship, or any class of ships, which
 8 falls within any of the following descriptions:

9 “(1) Passenger ships which in the course of their
 10 voyage do not go more than twenty nautical miles from
 11 the nearest land or more than two hundred nautical
 12 miles between two consecutive ports;

13 “(2) Cargo ships which in the course of their
 14 voyage do not go more than one hundred and fifty
 15 nautical miles from the nearest land;

16 ~~“(3) Barges in tow;~~

17 “(3) *Passenger vessels of less than one hundred*
 18 *gross tons not subject to the radio provisions of the Safety*
 19 *Convention;*

20 “(4) Sailing ships.

21 “OPERATORS, WATCHES, AUTO-ALARM

22 “SEC. 353. (a) Each cargo ship required by this part
 23 to be fitted with a radio installation and which is not fitted
 24 with an auto-alarm, and each passenger ship required by

1 this part to be fitted with a radio installation, shall, for safety
2 purposes, carry at least two qualified operators.

3 “(b) A cargo ship, required by this part to be fitted
4 with a radio installation, which is fitted with an auto-alarm
5 in accordance with this title, shall, for safety purposes, carry
6 at least one qualified operator who shall have had at least
7 six months’ previous service in the aggregate as a qualified
8 operator in a station on board a ship or ships of the United
9 States.

10 “(c) Each ship of the United States required by this
11 part to be fitted with a radio installation shall, while being
12 navigated outside a harbor or port, keep a continuous watch
13 by means of qualified operators: *Provided, however,* That
14 in lieu thereof on a cargo ship fitted with an auto-alarm in
15 proper operating condition, a watch of at least eight hours
16 per day, in the aggregate, shall be maintained by means of
17 a qualified operator.

18 “(d) The Commission shall, when it finds it necessary
19 for safety purposes, have authority to prescribe the partic-
20 ular hours of watch on a ship of the United States required
21 by this part to be fitted with a radio installation.

22 “(e) On all ships of the United States fitted with an
23 auto-alarm, said apparatus shall be in operation at all times
24 while the ship is being navigated outside of a harbor or port
25 when the operator is not on watch.

1 "TECHNICAL REQUIREMENTS

2 "SEC. 354. The radio installation and the radio direc-
3 tion-finding apparatus required by section 351 of this part
4 shall comply with the following requirements:

5 "(a) The radio installation shall comprise a main and
6 an emergency or reserve installation: *Provided, however,*
7 That on a cargo ship, if the main installation complies also
8 with all the requirements of an emergency or reserve in-
9 stallation, the emergency or reserve installation may be
10 omitted.

11 "(b) The ship's radio operating room and the emer-
12 gency or reserve installation shall be placed in the upper
13 part of the ship in a position of the greatest possible safety
14 and as high as practicable above the deepest load water
15 line, and the location of such room or rooms shall be ap-
16 proved by the Bureau of Marine Inspection and Navigation,
17 Department of Commerce.

18 "(c) The main and emergency or reserve installations
19 shall be capable of transmitting and receiving on the fre-
20 quencies and types of waves designated by the Commission
21 pursuant to law for the purpose of distress and safety of
22 navigation.

23 "(d) The main installation shall have a normal trans-
24 mitting and receiving range of at least two hundred nautical
25 miles, that is to say, it must be capable of transmitting and

1 receiving clearly perceptible signals from ship to ship over
2 a range of at least two hundred nautical miles by day under
3 normal conditions and circumstances.

4 “(e) Sufficient power shall be available at all times to
5 operate the main radio installation efficiently under normal
6 conditions over the range specified in subsection (d) of this
7 section.

8 “(f) The emergency or reserve installation shall in-
9 clude a source of energy independent of the propelling power
10 of the ship and of any other electrical system and shall be
11 capable of being put into operation rapidly and of work-
12 ing for at least six continuous hours. For the emergency
13 or reserve installation, the normal range as defined in sub-
14 section (d) of this section shall be at least one hundred
15 nautical miles.

16 “(g) There shall be provided between the bridge of
17 the ship and the radio room, and between the bridge and
18 the location of the direction finding apparatus, when the
19 direction finding apparatus is not located on the bridge, an
20 efficient means of communication independent of any other
21 communication system of the ship.

22 “(h) The direction finding apparatus shall be efficient
23 and capable of receiving clearly perceptible radio signals and
24 of taking bearings from which the true bearing and direction
25 may be determined. It shall be capable of receiving signals

1 on the frequencies prescribed for distress, direction finding,
2 and radio beacons by the General Radio Regulations annexed
3 to the International Telecommunication Convention in force
4 and in new installations after the effective date of this part,
5 such other frequencies as the Commission may for safety
6 purposes designate.

7 "LIFEBOATS

8 "SEC. 355. Every motor lifeboat, required to be
9 equipped with radio by treaty or convention to which the
10 United States is a party, by statute, or by regulation made
11 in conformity with a treaty, convention, or statute, shall
12 be fitted with an efficient radio installation under such rules
13 and regulations as the Commission may find necessary to
14 promote the safety of life.

15 "APPROVAL OF INSTALLATIONS

16 "SEC. 356. (a) Insofar as is necessary to carry out
17 the purposes and requirements of this part, the Commission
18 shall have authority, for any ship subject to this part—

19 "(1) To approve the details as to the location
20 and manner of installations of the equipment required
21 by this part or of equipment necessitated by reason of
22 the purposes and requirements of this part.

23 "(2) To approve installations, apparatus, and spare
24 parts necessary to comply with the purposes and
25 requirements of this part.

1 “(3) To prescribe such additional equipment as
2 may be determined to be necessary to supplement that
3 specified herein, for the proper functioning of the radio
4 installation installed in accordance with this part or for
5 the proper conduct of radio communication in time of
6 emergency or distress.

7 “TRANSMISSION OF INFORMATION

8 “SEC. 357. (a) The master of every ship of the United
9 States equipped with radio transmitting apparatus, on meet-
10 ing with dangerous ice, a dangerous derelict, a tropical
11 storm, or any other direct danger to navigation, shall cause
12 to be transmitted all pertinent information relating thereto,
13 to ships in the vicinity and to the appropriate authorities,
14 in accordance with rules and regulations issued by the Com-
15 mission, which authorities of the United States shall, when
16 they consider it necessary, promptly bring the information
17 received by them to the knowledge of those concerned and
18 foreign authorities interested.

19 “(b) No charge shall be made by any ship or station
20 in the mobile service of the United States for the transmission,
21 receipt, or relay of the information designated in subsection
22 (a) originating on a ship of the United States or of a foreign
23 country.

24 “(c) The transmission by any ship of the United
25 States, made in compliance with subsection (a), to any

1 of messages, and the radio service of the ship except as
2 they may be regulated by law or international agreement,
3 or by rules and regulations made in pursuance thereof, shall
4 in the case of a ship of the United States be under the
5 supreme control of the master.

6 "CERTIFICATES

7 "SEC. 359. (a) Each vessel of the United States to
8 which the safety convention applies shall comply with the
9 radio and communication provisions of said convention at all
10 times while the vessel is in use, in addition to all other
11 requirements of law, and have on board an appropriate
12 certificate as prescribed by the safety convention.

13 "(b) Appropriate certificates concerning the radio par-
14 ticulars provided for in said convention shall be issued to
15 any vessel of the United States which is subject to the radio
16 provisions of the safety convention and is found by the
17 Commission to comply therewith. Such certificates shall
18 be issued by the Department of Commerce, or whatever
19 other agency is authorized by law so to do, upon request
20 of the Commission made after proper inspection or deter-
21 mination of the facts. If the holder of such certificate
22 violates the provisions of the safety convention, or of this
23 Act, or the rules, regulations, or conditions prescribed by
24 the Commission, and if the effective administration of the
25 safety convention or of this part so requires, the Commission,

1 after hearing in accordance with law, is authorized to request
2 the modification or cancelation of such certificate. Upon
3 receipt of such request the Department of Commerce, or
4 whatever other agency is authorized by law to do so, shall
5 modify or cancel the certificate in accord therewith. The
6 Commission is authorized to issue, modify, or cancel such
7 certificates in the event that no other agency is authorized
8 to do so.

9 "INSPECTIONS

10 "SEC. 360. (a) In addition to any other provisions
11 required to be included in a radio station license, the station
12 license of each ship of the United States subject to this title
13 shall include particulars with reference to the items specifi-
14 cally required by this title.

15 "(b) Every ship of the United States, subject to this
16 part, shall have the equipment and apparatus prescribed
17 therein, inspected at least once each year by the Commis-
18 sion. If, after such inspection, the Commission is satisfied
19 that all relevant provisions of this Act and the station license
20 have been complied with, that fact shall be certified to on
21 the station license by the Commission. The Commission
22 shall make such additional inspections at frequent intervals
23 as may be necessary to insure compliance with the require-
24 ments of this Act.

1 "CONTROL BY COMMISSION

2 "SEC. 361. Nothing in this title shall be interpreted as
3 lessening in any degree the control of the Commission over
4 all matters connected with the radio equipment and its opera-
5 tion on shipboard and its decision and determination in
6 regard to the radio requirements, installations, or exemptions
7 from prescribed radio requirements shall be final, subject
8 only to review in accordance with law.

9 "FORFEITURES

10 "SEC. 362. The following forfeitures shall apply to this
11 part, in addition to the penalties and forfeitures provided by
12 title V of this Act:

13 "(a) Any ship that leaves or attempts to leave any
14 harbor or port of the United States in violation of the pro-
15 visions of this part, or the rules and regulations of the Com-
16 mission made in pursuance thereof, or any ship of the
17 United States that is navigated outside of any harbor or
18 port in violation of any of the provisions of this part, or
19 the rules and regulations of the Commission made in pur-
20 suance thereof, shall forfeit to the United States the sum
21 of \$500, recoverable by way of suit or libel. Each such
22 departure or attempted departure, and in the case of a
23 ship of the United States each day during which such navi-
24 gation occurs shall constitute a separate offense.

1 “(b) Every willful failure on the part of the master
2 of a ship of the United States to enforce or to comply with
3 the provisions of this Act or the rules and regulations of
4 the Commission as to equipment, operators, watches, or
5 radio service shall cause him to forfeit to the United States
6 the sum of \$100.”

7 SEC. 11. Paragraph (a) of section 402 of the Com-
8 munications Act of 1934 is hereby amended by inserting after
9 the words “or for modifications of an existing radio station
10 license” a comma and the words “or suspending a radio
11 operator’s license”.

12 SEC. 12. Subsection (b) of section 402 of the Com-
13 munications Act of 1934 is hereby amended by adding at
14 the end thereof a new paragraph to read as follows:

15 “(3) By any radio operator whose license has been
16 suspended by the Commission.”

17 SEC. 13. Paragraph (c) of section 402 of the Com-
18 munications Act of 1934 is hereby amended by inserting
19 after the words in the last sentence “upon the application”
20 the words “or order”.

21 SEC. 14. Section 504 of the Communications Act of
22 1934 is hereby amended to read as follows:

23 “PROVISIONS RELATING TO FORFEITURES

24 “SEC. 504. (a) The forfeitures provided for in this
25 Act shall be payable into the Treasury of the United States,

1 and shall be recoverable in a civil suit in the name of the
2 United States brought in the district where the person or
3 carrier has its principal operating office or in any district
4 through which the line or system of the carrier runs:
5 *Provided*, That in the case of forfeiture by a ship, said
6 forfeiture may also be recoverable by way of libel in any
7 district in which such ship shall arrive or depart. Such for-
8 feitures shall be in addition to any other general or specific
9 penalties herein provided. It shall be the duty of the
10 various district attorneys, under the direction of the Attorney
11 General of the United States, to prosecute for the recovery
12 of forfeitures under this Act. The costs and expenses of
13 such prosecutions shall be paid from the appropriation for
14 the expenses of the courts of the United States.

15 “(b) The forfeitures imposed by title III, part II of
16 this Act shall be subject to remission or mitigation by the
17 Commission, upon application therefor, under such regula-
18 tions and methods of ascertaining the facts as may seem
19 to it advisable, and, if suit has been instituted, the Attorney
20 General, upon request of the Commission, shall direct the
21 discontinuance of any prosecution to recover such forfeitures:
22 *Provided, however*, That no forfeiture shall be remitted or
23 mitigated after determination by a court of competent
24 jurisdiction.”

1 SEC. 15. Section 602 of the Communications Act of
2 1934 is hereby amended by adding at the end thereof a new
3 subsection to read as follows:

4 “(e) Such part or parts of the Act entitled “An Act to
5 require apparatus and operators for radio communication on
6 certain ocean steamers”, approved June 24, 1910, as
7 amended, as relate to the ocean and to steamers navigating
8 thereon, are hereby repealed. In all other respects said Act
9 shall continue in full force and effect. The Commission is
10 requested and directed to make a special study of the radio
11 requirements necessary or desirable for safety purposes for
12 ships navigating the Great Lakes and the inland waters of
13 the United States, and to report its recommendations, and
14 the reasons therefor, to the Congress not later than December
15 31, 1939.”

16 SEC. 16. This Act shall take effect upon approval, pro-
17 vided that the Commission may defer the application of all
18 or any part of sections 351 to 355, inclusive, for a period
19 not to exceed six months after approval, in regard to any
20 ship or classes of ships of the United States which are not
21 subject to the provisions of the safety convention, if it is
22 found impracticable to obtain the necessary equipment or
23 make the required installations.

Passed the Senate March 19, 1937.

Attest:

EDWIN A. HALSEY,

Secretary.

AN ACT

To amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes.

MARCH 22, 1937

Referred to the Committee on Merchant Marine and Fisheries

APRIL 23, 1937

Reported with amendments, committed to the Committee of the Whole House on the state of the Union, and ordered to be printed

75TH CONGRESS
1ST SESSION

S. 595

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 1937

Referred to the Committee on Merchant Marine and Fisheries

AN ACT

To amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, 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 That section 1 of the Communications Act of 1934 is hereby
4 amended by inserting after the words "for the purpose of the
5 national defense" a comma and the words "for the purpose
6 of promoting safety of life and property through the use of
7 wire and radio communication".

1 SEC. 2. Section 3 of the Communications Act of 1934
2 is hereby amended by adding at the end thereof five new
3 subsections to read as follows:

4 “(w) (1) ‘Ship’ or ‘vessel’ includes every description
5 of watercraft or other artificial contrivance, except aircraft,
6 used or capable of being used as a means of transportation
7 on water, whether or not it is actually afloat.

8 “(2) A ship shall be considered a passenger ship if it
9 carries or is licensed or certificated to carry more than
10 twelve passengers.

11 “(3) A cargo ship means any ship not a passenger
12 ship.

13 “(4) A passenger is any person carried on board a
14 ship or vessel except (1) the officers and crew actually
15 employed to man and operate the ship, (2) persons em-
16 ployed to carry on the business of the ship, and (3) per-
17 sons on board a ship when they are carried, either because
18 of the obligation laid upon the master to carry shipwrecked,
19 distressed, or other persons in like or similar situations or
20 by reason of any circumstance over which neither the master,
21 the owner, nor the charterer (if any) has control.

22 “(x) ‘Auto-alarm’ on a foreign ship means an auto-
23 matic alarm receiver which has been approved by the
24 country to which the ship belongs, provided the United States
25 and the country to which the ship belongs are both parties

1 to the same treaty, convention, or agreement prescribing
2 the requirements for such apparatus. 'Auto-alarm' on a ship
3 of the United States subject to the provisions of part II of
4 title III of this Act means an automatic alarm receiver
5 complying with law and approved by the Commission.
6 Nothing in this Act or in any other provision of law shall
7 be construed to require the recognition of an auto-alarm as
8 complying with part II of title III of this Act, on a foreign
9 ship subject to such part, whose country of origin is not a
10 party to a treaty, convention, or agreement with the United
11 States in regard to such apparatus.

12 “(y) (1) For the purpose of part II of title III, a
13 'qualified operator' or 'operator' on a foreign ship means a
14 person holding a certificate as such complying with the pro-
15 visions of the General Radio Regulations annexed to the
16 International Telecommunication Convention in force, or
17 complying with an agreement or treaty between the United
18 States and the country to which the ship belongs.

19 “(2) For the purpose of part II of title III, a 'qualified
20 operator' or 'operator' on a ship of the United States means
21 a person holding a radio operator's license of the proper
22 class, as prescribed and issued by the Commission.

23 “(z) 'Harbor' or 'port' means any place to which ships
24 may resort for shelter or to load or unload passengers or
25 goods, or to obtain fuel, water, or supplies. This term shall

1 apply to such places whether proclaimed public or not and
2 whether natural or artificial.

3 “(aa) ‘Safety convention’ means the International Con-
4 vention for the Safety of Life at Sea in force and the regu-
5 lations referred to therein.

6 “SEC. 3. Subsection (k) of section 4 of the Communi-
7 cations Act of 1934 is hereby amended by substituting a
8 colon for the period at the end of the subsection and adding
9 the following: ‘*Provided further*, That each year, at the
10 beginning of the session of the Congress, the Commission
11 shall report to the Congress whether or not any new wire or
12 radio communication legislation is required better to insure
13 safety of life and property. If any such new legislation is
14 considered necessary the Commission shall make specific
15 recommendations thereof to the Congress.’”

16 SEC. 4. Section 4 of the Communications Act of 1934
17 is amended by adding at the end thereof a new subsection
18 to read as follows:

19 “(o) For the purpose of obtaining maximum effective-
20 ness from the use of radio and wire communications in con-
21 nection with safety of life and property, the Commission
22 shall investigate and study all phases of the problem and the
23 best methods of obtaining the cooperation and coordination
24 of these systems.”

1 SEC. 5. Paragraph (m) of section 303 of the Com-
 2 munications Act of 1934 is hereby amended to read as
 3 follows:

4 “(m) (1) Have authority to suspend the license of any
 5 operator upon proof sufficient to satisfy the Commission
 6 that the licensee—

7 “(A) has violated any provision of any Act, treaty,
 8 or convention binding on the United States, which the
 9 Commission is authorized to administer, or any regula-
 10 tion made by the Commission under any such Act,
 11 treaty, or convention; or

12 “(B) has failed to carry out a lawful order of the
 13 master or person lawfully in charge of the ship or
 14 aircraft on which he is employed; or

15 “(C) has willfully damaged or permitted radio
 16 apparatus or installations to be damaged; or

17 “(D) has transmitted superfluous radio communi-
 18 cations or signals or communications containing profane
 19 or obscene words, language, or meaning, or has know-
 20 ingly transmitted—

21 “(1) false or deceptive signals or communications,
 22 or

23 “(2) a call signal or letter which has not been
 24 assigned by proper authority to the station he is operat-
 25 ing; or

1 “(E) has willfully or maliciously interfered with
2 any other radio communications or signals; or

3 “(F) has obtained or attempted to obtain, or has
4 assisted another to obtain or attempt to obtain, an
5 operator’s license by fraudulent means.

6 “(2) No order of suspension of any operator’s license
7 shall take effect until fifteen days’ notice in writing thereof,
8 stating the cause for the proposed suspension, has been given
9 to the operator licensee who may make written application
10 to the Commission at any time within said fifteen days for
11 a hearing upon such order. The notice to the operator
12 licensee shall not be effective until actually received by
13 him, and from that time he shall have fifteen days in which
14 to mail the said application. In the event that physical
15 conditions prevent mailing of the application at the expira-
16 tion of the fifteen-day period, the application shall then
17 be mailed as soon as possible thereafter, accompanied by a
18 satisfactory explanation of the delay. Upon receipt by the
19 Commission of such application for hearing, said order of
20 suspension shall be held in abeyance until the conclusion
21 of the hearing which shall be conducted under such rules
22 as the Commission may prescribe. Upon the conclusion of
23 said hearing the Commission may affirm, modify, or revoke
24 said order of suspension.”

1 SEC. 6. (a) Subsection (n) of section 303 of the Com-
2 munications Act of 1934 is hereby amended to read as
3 follows:

4 “(n) Have authority to inspect all radio installations
5 associated with stations required to be licensed by any Act
6 or which are subject to the provisions of any Act, treaty,
7 or convention binding on the United States, to ascertain
8 whether in construction, installation, and operation they con-
9 form to the requirements of the rules and regulations of the
10 Commission, the provisions of any Act, the terms of any
11 treaty or convention binding on the United States, and the
12 conditions of the license or other instrument of authorization
13 under which they are constructed, installed, or operated.”

14 (b) Section 303 of the Communications Act of 1934 is
15 hereby further amended by adding at the end thereof a new
16 subsection to read as follows:

17 “(r) Make such rules and regulations and prescribe
18 such restrictions and conditions, not inconsistent with law,
19 as may be necessary to carry out the provisions of this Act,
20 or any international radio or wire communications treaty
21 or convention, or regulations annexed thereto, including any
22 treaty or convention insofar as it relates to the use of radio,
23 to which the United States is or may hereafter become a
24 party.”

1 SEC. 7. Section 321 (a) of the Communications Act of
2 1934 is hereby amended to read as follows:

3 "SEC. 321. (a) The transmitting set in a radio station
4 on shipboard may be adjusted in such a manner as to produce
5 a maximum of radiation, irrespective of the amount of inter-
6 ference which may thus be caused, when such station is
7 sending radio communications or signals of distress and radio
8 communications relating thereto."

9 SEC. 8. Section 322 of the Communications Act of
10 1934 is hereby amended to read as follows:

11 "SEC. 322. Every land station open to general public
12 service between the coast and vessels or aircraft at sea shall,
13 within the scope of its normal operations, be bound to ex-
14 change radio communications or signals with any ship or
15 aircraft station at sea; and each station on shipboard or air-
16 craft at sea shall, within the scope of its normal operations,
17 be bound to exchange radio communications or signals with
18 any other station on shipboard or aircraft at sea or with any
19 land station open to general public service between the coast
20 and vessels or aircraft at sea: *Provided*, That such exchange
21 of radio communication shall be without distinction as to
22 radio systems or instruments adopted by each station."

23 SEC. 9. Section 329 of the Communications Act of
24 1934 is hereby amended to read as follows:

1 navigated in the open sea outside of a harbor or port, or
2 for any ship of the United States or any foreign country,
3 other than a cargo ship of less than sixteen hundred gross
4 tons, to leave or attempt to leave any harbor or port of the
5 United States for a voyage in the open sea, unless such ship
6 is equipped with an efficient radio installation in operating
7 condition, in charge of and operated by a qualified operator
8 or operators, adequately installed and protected so as to
9 insure proper operation, and so as not to endanger the ship
10 and radio installation, as hereinafter provided, and in the
11 case of a ship of the United States, unless there is on board
12 a valid station license issued in accordance with this Act;

13 “(b) For any passenger ship of the United States of
14 five thousand gross tons, or over, to be navigated outside of
15 a harbor or port, in the open sea, or for any such ship of the
16 United States or any foreign country to leave or attempt
17 to leave any harbor or port of the United States for a voyage
18 in the open sea, unless such ship is equipped with an efficient
19 radio direction finder apparatus (radio compass) properly
20 adjusted in operating condition as hereinafter provided, which
21 apparatus is approved by the Commission;

22 “(c) A ship which is not subject to the provisions of
23 this part at the time of its departure on a voyage shall not
24 become subject to such provisions on account of any devia-
25 tion from its intended voyage due to stress of weather or any

1 other cause over which neither the master, the owner, nor
2 the charterer (if any) has control.

3 "EXCEPTIONS

4 "SEC. 352. (a) The provisions of this part shall not
5 apply to—

6 " (1) A ship of war;

7 " (2) A ship of the United States belonging to and
8 operated by the Government, except a ship of the United
9 States Maritime Commission, the Inland and Coastwise
10 Waterways Service, or the Panama Railroad Company;

11 " (3) A foreign ship belonging to a country which
12 is a party to the Safety Convention and which ship
13 carries a valid certificate exempting said ship from the
14 radio provisions of that Convention, or which ship con-
15 forms to the radio requirements of such Convention or
16 Regulations and has on board a valid certificate to that
17 effect.

18 " (b) The Commission may, if it considers that the
19 route or the conditions of the voyage or other circumstances
20 are such as to render a radio installation unreasonable or
21 unnecessary for the purposes of this part, exempt from the
22 provisions of this part any ship, or any class of ships, which
23 falls within any of the following descriptions:

24 " (1) Passenger ships which in the course of their
25 voyage do not go more than twenty nautical miles from

1 the nearest land or more than two hundred nautical
2 miles between two consecutive ports;

3 “(2) Cargo ships which in the course of their
4 voyage do not go more than one hundred and fifty
5 nautical miles from the nearest land;

6 “(3) Barges in tow;

7 “(4) Sailing ships.

8 “OPERATORS, WATCHES, AUTO-ALARM

9 “SEC. 353. (a) Each cargo ship required by this part
10 to be fitted with a radio installation and which is not fitted
11 with an auto-alarm, and each passenger ship required by
12 this part to be fitted with a radio installation, shall, for safety
13 purposes, carry at least two qualified operators.

14 “(b) A cargo ship, required by this part to be fitted
15 with a radio installation, which is fitted with an auto-alarm
16 in accordance with this title, shall, for safety purposes, carry
17 at least one qualified operator who shall have had at least
18 six months' previous service in the aggregate as a qualified
19 operator in a station on board a ship or ships of the United
20 States.

21 “(c) Each ship of the United States required by this
22 part to be fitted with a radio installation shall, while being
23 navigated outside a harbor or port, keep a continuous watch
24 by means of qualified operators: *Provided, however, That*
25 in lieu thereof on a cargo ship fitted with an auto-alarm in

1 proper operating condition, a watch of at least eight hours
2 per day, in the aggregate, shall be maintained by means of
3 a qualified operator.

4 “(d) The Commission shall, when it finds it necessary
5 for safety purposes, have authority to prescribe the partic-
6 ular hours of watch on a ship of the United States required
7 by this part to be fitted with a radio installation.

8 “(e) On all ships of the United States fitted with an
9 auto-alarm, said apparatus shall be in operation at all times
10 while the ship is being navigated outside of a harbor or port
11 when the operator is not on watch.

12 “TECHNICAL REQUIREMENTS

13 “SEC. 354. The radio installation and the radio direc-
14 tion-finding apparatus required by section 351 of this part
15 shall comply with the following requirements:

16 “(a) The radio installation shall comprise a main and
17 an emergency or reserve installation: *Provided, however,*
18 That on a cargo ship, if the main installation complies also
19 with all the requirements of an emergency or reserve in-
20 stallation, the emergency or reserve installation may be
21 omitted.

22 “(b) The ship’s radio operating room and the emer-
23 gency or reserve installation shall be placed in the upper
24 part of the ship in a position of the greatest possible safety
25 and as high as practicable above the deepest load water

1 line, and the location of such room or rooms shall be ap-
2 proved by the Bureau of Marine Inspection and Navigation,
3 Department of Commerce.

4 “(c) The main and emergency or reserve installations
5 shall be capable of transmitting and receiving on the fre-
6 quencies and types of waves designated by the Commission
7 pursuant to law for the purpose of distress and safety of
8 navigation.

9 “(d) The main installation shall have a normal trans-
10 mitting and receiving range of at least two hundred nautical
11 miles, that is to say, it must be capable of transmitting and
12 receiving clearly perceptible signals from ship to ship over
13 a range of at least two hundred nautical miles by day under
14 normal conditions and circumstances.

15 “(e) Sufficient power shall be available at all times to
16 operate the main radio installation efficiently under normal
17 conditions over the range specified in subsection (d) of this
18 section.

19 “(f) The emergency or reserve installation shall in-
20 clude a source of energy independent of the propelling power
21 of the ship and of any other electrical system and shall be
22 capable of being put into operation rapidly and of work-
23 ing for at least six continuous hours. For the emergency
24 or reserve installation, the normal range as defined in sub-

1 section (d) of this section shall be at least one hundred
2 nautical miles.

3 “(g) There shall be provided between the bridge of
4 the ship and the radio room, and between the bridge and
5 the location of the direction finding apparatus, when the
6 direction finding apparatus is not located on the bridge, an
7 efficient means of communication independent of any other
8 communication system of the ship.

9 “(h) The direction finding apparatus shall be efficient
10 and capable of receiving clearly perceptible radio signals and
11 of taking bearings from which the true bearing and direction
12 may be determined. It shall be capable of receiving signals
13 on the frequencies prescribed for distress, direction finding,
14 and radio beacons by the General Radio Regulations annexed
15 to the International Telecommunication Convention in force
16 and in new installations after the effective date of this part,
17 such other frequencies as the Commission may for safety
18 purposes designate.

19 “LIFEBOATS

20 “SEC. 355. Every motor lifeboat, required to be
21 equipped with radio by treaty or convention to which the
22 United States is a party, by statute, or by regulation made
23 in conformity with a treaty, convention, or statute, shall
24 be fitted with an efficient radio installation under such rules

1 and regulations as the Commission may find necessary to
2 promote the safety of life.

3 "APPROVAL OF INSTALLATIONS

4 "SEC. 356. (a) Insofar as is necessary to carry out
5 the purposes and requirements of this part, the Commission
6 shall have authority, for any ship subject to this part—

7 "(1) To approve the details as to the location
8 and manner of installations of the equipment required
9 by this part or of equipment necessitated by reason of
10 the purposes and requirements of this part.

11 "(2) To approve installations, apparatus, and spare
12 parts necessary to comply with the purposes and
13 requirements of this part.

14 "(3) To prescribe such additional equipment as
15 may be determined to be necessary to supplement that
16 specified herein, for the proper functioning of the radio
17 installation installed in accordance with this part or for
18 the proper conduct of radio communication in time of
19 emergency or distress.

20 "TRANSMISSION OF INFORMATION

21 "SEC. 357. (a) The master of every ship of the United
22 States equipped with radio transmitting apparatus, on meet-
23 ing with dangerous ice, a dangerous derelict, a tropical
24 storm, or any other direct danger to navigation, shall cause
25 to be transmitted all pertinent information relating thereto,

1 to ships in the vicinity and to the appropriate authorities,
2 in accordance with rules and regulations issued by the Com-
3 mission, which authorities of the United States shall, when
4 they consider it necessary, promptly bring the information
5 received by them to the knowledge of those concerned and
6 foreign authorities interested.

7 “(b) No charge shall be made by any ship or station
8 in the mobile service of the United States for the transmission,
9 receipt, or relay of the information designated in subsection
10 (a) originating on a ship of the United States or of a foreign
11 country.

12 “(c) The transmission by any ship of the United
13 States, made in compliance with subsection (a), to any
14 station which imposes a charge for the reception, relay,
15 or forwarding of the required information, shall be free of
16 cost to the ship concerned and any communication charges
17 incurred by the ship for transmission, relay, or forwarding
18 of the information may be certified to the Commission for
19 reimbursement out of moneys appropriated to the Com-
20 mission for that purpose.

21 “(d) No charge shall be made by any ship or station
22 in the mobile service of the United States for the transmis-
23 sion of distress messages and replies thereto in connection
24 with situations involving the safety of life and property
25 at sea.

1 “(e) Notwithstanding any other provision of law, any
2 station or carrier may render free service in connection with
3 situations involving the safety of life and property, includ-
4 ing hydrographic reports, weather reports, reports regard-
5 ing aids to navigation and medical assistance to injured
6 or sick persons on ships and aircraft at sea. All free service
7 permitted by this subsection shall be subject to such rules
8 and regulations as the Commission may prescribe, which
9 rules may limit such free service to the extent which the
10 Commission finds desirable in the public interest.

11 “AUTHORITY OF MASTER

12 “SEC. 358. The radio installation, the operators, the
13 regulation of their watches, the transmission and receipt
14 of messages, and the radio service of the ship except as
15 they may be regulated by law or international agreement,
16 or by rules and regulations made in pursuance thereof, shall
17 in the case of a ship of the United States be under the
18 supreme control of the master.

19 “CERTIFICATES

20 “SEC. 359. (a) Each vessel of the United States to
21 which the safety convention applies shall comply with the
22 radio and communication provisions of said convention at all
23 times while the vessel is in use, in addition to all other
24 requirements of law, and have on board an appropriate
25 certificate as prescribed by the safety convention.

1 shall include particulars with reference to the items specifi-
2 cally required by this title.

3 “(b) Every ship of the United States, subject to this
4 part, shall have the equipment and apparatus prescribed
5 therein, inspected at least once each year by the Commis-
6 sion. If, after such inspection, the Commission is satisfied
7 that all relevant provisions of this Act and the station license
8 have been complied with, that fact shall be certified to on
9 the station license by the Commission. The Commission
10 shall make such additional inspections at frequent intervals
11 as may be necessary to insure compliance with the require-
12 ments of this Act.

13 “CONTROL BY COMMISSION

14 “SEC. 361. Nothing in this title shall be interpreted as
15 lessening in any degree the control of the Commission over
16 all matters connected with the radio equipment and its opera-
17 tion on shipboard and its decision and determination in
18 regard to the radio requirements, installations, or exemptions
19 from prescribed radio requirements shall be final, subject
20 only to review in accordance with law.

21 “FORFEITURES

22 “SEC. 362. The following forfeitures shall apply to this
23 part, in addition to the penalties and forfeitures provided by
24 title V of this Act:

1 “(a) Any ship that leaves or attempts to leave any
2 harbor or port of the United States in violation of the pro-
3 visions of this part, or the rules and regulations of the Com-
4 mission made in pursuance thereof, or any ship of the
5 United States that is navigated outside of any harbor or
6 port in violation of any of the provisions of this part, or
7 the rules and regulations of the Commission made in pur-
8 suance thereof, shall forfeit to the United States the sum
9 of \$500, recoverable by way of suit or libel. Each such
10 departure or attempted departure, and in the case of a
11 ship of the United States each day during which such navi-
12 gation occurs shall constitute a separate offense.

13 “(b) Every willful failure on the part of the master
14 of a ship of the United States to enforce or to comply with
15 the provisions of this Act or the rules and regulations of
16 the Commission as to equipment, operators, watches, or
17 radio service shall cause him to forfeit to the United States
18 the sum of \$100.”

19 SEC. 11. Paragraph (a) of section 402 of the Com-
20 munications Act of 1934 is hereby amended by inserting after
21 the words “or for modifications of an existing radio station
22 license” a comma and the words “or suspending a radio
23 operator’s license”.

1 SEC. 12. Subsection (b) of section 402 of the Com-
2 munications Act of 1934 is hereby amended by adding at
3 the end thereof a new paragraph to read as follows:

4 “(3) By any radio operator whose license has been
5 suspended by the Commission.”

6 SEC. 13. Paragraph (c) of section 402 of the Com-
7 munications Act of 1934 is hereby amended by inserting
8 after the words in the last sentence “upon the application”
9 the words “or order”.

10 SEC. 14. Section 504 of the Communications Act of
11 1934 is hereby amended to read as follows:

12 “PROVISIONS RELATING TO FORFEITURES

13 “SEC. 504. (a) The forfeitures provided for in this
14 Act shall be payable into the Treasury of the United States,
15 and shall be recoverable in a civil suit in the name of the
16 United States brought in the district where the person or
17 carrier has its principal operating office or in any district
18 through which the line or system of the carrier runs:
19 *Provided*, That in the case of forfeiture by a ship, said
20 forfeiture may also be recoverable by way of libel in any
21 district in which such ship shall arrive or depart. Such for-
22 feitures shall be in addition to any other general or specific
23 penalties herein provided. It shall be the duty of the
24 various district attorneys, under the direction of the Attorney
25 General of the United States, to prosecute for the recovery

1 of forfeitures under this Act. The costs and expenses of
2 such prosecutions shall be paid from the appropriation for
3 the expenses of the courts of the United States.

4 “(b) The forfeitures imposed by title III, part II of
5 this Act shall be subject to remission or mitigation by the
6 Commission, upon application therefor, under such regula-
7 tions and methods of ascertaining the facts as may seem
8 to it advisable, and, if suit has been instituted, the Attorney
9 General, upon request of the Commission, shall direct the
10 discontinuance of any prosecution to recover such forfeitures:
11 *Provided, however,* That no forfeiture shall be remitted or
12 mitigated after determination by a court of competent
13 jurisdiction.”

14 SEC. 15. Section 602 of the Communications Act of
15 1934 is hereby amended by adding at the end thereof a new
16 subsection to read as follows:

17 “(e) Such part or parts of the Act entitled “An Act to
18 require apparatus and operators for radio communication on
19 certain ocean steamers”, approved June 24, 1910, as
20 amended, as relate to the ocean and to steamers navigating
21 thereon, are hereby repealed. In all other respects said Act
22 shall continue in full force and effect. The Commission is
23 requested and directed to make a special study of the radio
24 requirements necessary or desirable for safety purposes for
25 ships navigating the Great Lakes and the inland waters of

1 the United States, and to report its recommendations, and
2 the reasons therefor, to the Congress not later than December
3 31, 1939.”

4 SEC. 16. This Act shall take effect upon approval, pro-
5 vided that the Commission may defer the application of all
6 or any part of sections 351 to 355, inclusive, for a period
7 not to exceed six months after approval, in regard to any
8 ship or classes of ships of the United States which are not
9 subject to the provisions of the safety convention, if it is
10 found impracticable to obtain the necessary equipment or
11 make the required installations.

Passed the Senate March 19, 1937.

Attest:

EDWIN A. HALSEY,

Secretary.

AN ACT

To amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes.

MARCH 22, 1937

Referred to the Committee on Merchant Marine and Fisheries