

89TH CONGRESS
1ST SESSION

H. R. 7954

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 1965

Mr. HARRIS introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

A BILL

To amend the Communications Act of 1934 to conform to the Convention for the Safety of Life at Sea, London (1960).

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 3 of the Communications Act of 1934, as
4 amended (47 U.S.C. 153), is amended as follows:

5 (1) Subsection (w) is amended by adding the following
6 new paragraph at the end thereof:

7 “(5) ‘Nuclear ship’ means a ship provided with a
8 nuclear powerplant.”

9 (2) Subsection (x) is amended to read as follows:

10 “(x) ‘Radiotelegraph auto alarm’ on a ship of the
11 United States subject to the provisions of part II of title

1 III of this Act means an automatic alarm receiving appa-
2 ratus which responds to the radiotelegraph alarm signal and
3 has been approved by the Commission. 'Radiotelegraph auto
4 alarm' on a foreign ship means an automatic alarm receiving
5 apparatus which responds to the radiotelegraph alarm sig-
6 nal and has been approved by the government of the country
7 in which the ship is registered: *Provided*, That the United
8 States and the country in which the ship is registered are
9 parties to the same treaty, convention, or agreement pre-
10 scribing the requirements for such apparatus. Nothing in
11 this Act or in any other provision of law shall be construed
12 to require the recognition of a radiotelegraph auto alarm as
13 complying with part II of title III of this Act, on a foreign
14 ship subject to such part, where the country in which the
15 ship is registered and the United States are not parties to
16 the same treaty, convention, or agreement prescribing the
17 requirements for such apparatus."

18 (3) Subsection (y) is amended to read as follows:

19 "(y) (1) 'Operator' on a ship of the United States
20 means, for the purpose of parts II and III of title III of this
21 Act, a person holding a radio operator's license of the proper
22 class as prescribed and issued by the Commission.

23 "(2) 'Operator' on a foreign ship means, for the purpose
24 of part II of title III of this Act, a person holding a certifi-
25 cate as such of the proper class complying with the provisions

1 of the radio regulations annexed to the International Tele-
2 communication Convention in force, or complying with an
3 agreement or treaty between the United States and the coun-
4 try in which the ship is registered.”

5 (4) (A) Subsections (aa) through (dd) are redesis-
6 nated as subsections (bb) through (ee), respectively; (B)
7 subsections (ee) and (ff) are repealed; (C) subsection
8 (gg) is redesignated as subsection (ff); (D) subsection (z)
9 is redesignated as subsection (aa); and (E) the following
10 new subsection is inserted immediately after subsection (y) :

11 “(z) (1) ‘Radio officer’ on a ship of the United States
12 means, for the purpose of part II of title III of this Act, a
13 person holding at least a first or second class radiotele-
14 graph operator’s license as prescribed and issued by the
15 Commission. When such person is employed to operate a
16 radiotelegraph station aboard a ship of the United States,
17 he is also required to be licensed as a ‘radio officer’ in ac-
18 cordance with the Act of May 12, 1948 (46 U.S.C.
19 229a-h).

20 “(2) ‘Radio officer’ on a foreign ship means, for the
21 purpose of part II of title III of this Act, a person holding
22 at least a first or second class radiotelegraph operator’s cer-
23 tificate complying with the provisions of the radio regu-
24 lations annexed to the International Telecommunication
25 Convention in force.”

1 SEC. 2. (a) The heading of section 351 of the Communi-
2 cations Act of 1934 is amended to read as follows: "SHIP
3 RADIO STATIONS AND OPERATIONS".

4 (b) Subsection (a) of such section 351 is amended to
5 read as follows:

6 "(a) Except as provided in section 352 hereof it shall
7 be unlawful—

8 "(1) For any ship of the United States, other than
9 a cargo ship of less than three hundred gross tons, to
10 be navigated in the open sea outside of a harbor or
11 port, or for any ship of the United States or any foreign
12 country, other than a cargo ship of less than three
13 hundred gross tons, to leave or attempt to leave any
14 harbor or port of the United States for a voyage in the
15 open sea, unless such ship is equipped with an efficient
16 radio station in operating condition, as specified by
17 subparagraphs (A) and (B) of this paragraph, in
18 charge of and operated by one or more radio officers
19 or operators, adequately installed and protected so as
20 to insure proper operation, and so as not to endanger
21 the ship and radio station as hereinafter provided, and,
22 in the case of a ship of the United States, unless there
23 is on board a valid station license issued in accordance
24 with this Act.

25 "(A) Passenger ships irrespective of size and

1 cargo ships of one thousand six hundred gross tons
2 and upward shall be equipped with a radiotelegraph
3 station complying with the provisions of this part;

4 “(B) Cargo ships of three hundred gross tons
5 and upward but less than one thousand six hundred
6 gross tons, unless equipped with a radiotelegraph
7 station complying with the provisions of this part,
8 shall be equipped with a radiotelephone station com-
9 plying with the provisions of this part.

10 “(2) For any ship of the United States of one thou-
11 sand six hundred gross tons and upward to be navigated
12 in the open sea outside of a harbor or port, or for any
13 such ship of the United States or any foreign country to
14 leave or attempt to leave any harbor or port of the
15 United States for a voyage in the open sea, unless such
16 ship is equipped with efficient radio direction finding
17 apparatus approved by the Commission, properly ad-
18 justed in operating condition as hereinafter provided.”

19 SEC. 3. (a) Subsection (a) of section 352 of the Com-
20 munications Act of 1934 is amended by striking out para-
21 graph (6) and inserting after paragraph (5) thereof the
22 following new paragraphs:

23 “(6) A ship navigating solely on any bays, sounds,
24 rivers, or protected waters within the jurisdiction of the

1 United States, or to a ship leaving or attempting to leave
2 any harbor or port of the United States for a voyage solely
3 on any bays, sounds, rivers, or protected waters within the
4 jurisdiction of the United States;

5 “(7) A ship navigating solely on the Great Lakes of
6 North America and the River Saint Lawrence as far east as
7 a straight line drawn from Cap des Rosiers to West Point,
8 Anticosti Island, and, on the north side of Anticosti Island,
9 the sixty-third meridian, or to a ship leaving or attempting
10 to leave any harbor or port of the United States for a voyage
11 solely on such waters and within such area;

12 “(8) A ship which is navigated during the course of a
13 voyage both on the Great Lakes of North America and in
14 the open sea, during the period while such ship is being
15 navigated within the Great Lakes of North America and their
16 connecting and tributary waters as far east as the lower exit
17 of the Saint Lambert lock at Montreal in the Province of
18 Quebec, Canada.”

19 (b) Subsection (b) of such section 352 is amended by
20 striking out all through paragraph (1) and inserting in lieu
21 thereof the following:

22 “(b) Except for nuclear ships, the Commission may, if
23 it considers that the route or the conditions of the voyage
24 or other circumstances are such as to render a radio station
25 unreasonable or unnecessary for the purposes of this part,

1 exempt from the provisions of this part any ship or class of
2 ships which falls within any of the following descriptions:

3 “(1) Passenger ships which in the course of their voy-
4 age do not go more than twenty nautical miles from the
5 nearest land or, alternatively, do not go more than two hun-
6 dred nautical miles between two consecutive ports;”

7 (c) Such section 352 is further amended by adding at
8 the end thereof the following new subsection:

9 “(d) Except for nuclear ships, and except for ships of
10 five thousand gross tons and upward which are subject to
11 the Safety Convention, the Commission may exempt from
12 the requirements, for radio direction finding apparatus, of
13 this part and of the Safety Convention, any ship which falls
14 within the descriptions set forth in paragraphs (1), (2),
15 (3), and (4) of subsection (b) of this section, if it considers
16 that the route or conditions of the voyage or other circum-
17 stances are such as to render such apparatus unreasonable
18 or unnecessary.”

19 SEC. 4. Section 353 of the Communications Act of 1934
20 is amended to read as follows:

21 “RADIO OFFICERS, WATCHES, AUTO ALARM-RADIOTELE-
22 GRAPH EQUIPPED SHIPS

23 “SEC. 353. (a) Each cargo ship which in accordance
24 with this part is equipped with a radiotelegraph station and
25 which is not equipped with a radiotelegraph auto alarm, and

1 each passenger ship required by this part to be equipped with
2 a radiotelegraph station, shall, for safety purposes, carry at
3 least two radio officers.

4 “(b) A cargo ship which in accordance with this part
5 is equipped with a radiotelegraph station, which is equipped
6 with a radiotelegraph auto alarm, shall, for safety purposes,
7 carry at least one radio officer who shall have had at least
8 six months’ previous service in the aggregate as a radio officer
9 in a station on board a ship or ships of the United States.

10 “(c) Each ship of the United States which in accord-
11 ance with this part is equipped with a radiotelegraph sta-
12 tion shall, while being navigated in the open sea outside of
13 a harbor or port, keep a continuous watch by means of radio
14 officers whenever the station is not being used for authorized
15 traffic: *Provided*, That, in lieu thereof, on a cargo ship
16 equipped with a radiotelegraph auto alarm in proper operat-
17 ing condition, a watch of at least eight hours per day, in the
18 aggregate, shall be maintained by means of a radio officer.

19 “(d) The Commission shall, when it finds it necessary
20 for safety purposes, have authority to prescribe the par-
21 ticular hours of watch on a ship of the United States which
22 in accordance with this part is equipped with a radiotele-
23 graph station.

24 “(e) On all ships of the United States equipped with a
25 radiotelegraph auto alarm, said apparatus shall be in opera-

1 tion at all times while the ship is being navigated in the
2 open sea outside of a harbor or port when the radio officer
3 is not on watch.”

4 SEC. 5. Section 354 of the Communications Act of 1934
5 is amended to read as follows:

6 “OPERATORS, WATCHES—RADIO TELEPHONE EQUIPPED
7 SHIPS

8 “SEC. 354. (a) Each cargo ship which in accordance
9 with this part is equipped with a radiotelephone station shall,
10 for safety purposes, carry at least one operator who may be
11 the master, an officer, or a member of the crew.

12 “(b) Each cargo ship of the United States which in
13 accordance with this part is equipped with a radiotelephone
14 station shall, while being navigated in the open sea outside
15 of a harbor or port, maintain continuous watch whenever the
16 station is not being used for authorized traffic.”

17 SEC. 6. Section 355 of the Communications Act of 1934
18 is amended to read as follows:

19 “TECHNICAL REQUIREMENTS—RADIOTELEGRAPH EQUIPPED
20 SHIPS

21 “SEC. 355. The radiotelegraph station and the radio
22 direction finding apparatus required by section 351 of this
23 part shall comply with the following requirements:

24 “(a) The radiotelegraph station shall include a main in-

1. stallation and a reserve installation, electrically separate and
2. electrically independent of each other: *Provided*, That, in
3. installations on cargo ships of three hundred gross tons and
4. upward but less than one thousand six hundred gross
5. tons, and in installations on cargo ships of one thousand
6. six hundred gross tons and upward installed prior to No-
7. vember 19, 1952, if the main transmitter complies with all
8. the requirements for the reserve transmitter, the latter may
9. be omitted.

10. “(b) The radiotelegraph station shall be so located that
11. no harmful interference from extraneous mechanical or other
12. noise will be caused to the proper reception of radio signals,
13. and shall be placed in the upper part of the ship in a position
14. of the greatest possible safety and as high as practicable
15. above the deepest load waterline. The location of the radio-
16. telegraph operating room or rooms shall be approved by the
17. Commandant of the Coast Guard. The radiotelegraph instal-
18. lation shall be installed in such a position that it will be pro-
19. tected against the harmful effects of water or extremes of
20. temperature, and shall be readily accessible both for imme-
21. diate use in case of distress and for repair.

22. “(c) The radiotelegraph operating room shall be of
23. sufficient size and of adequate ventilation to enable the
24. main and reserve radiotelegraph installations to be operated

1 efficiently, and shall not be used for any purpose which will
2 interfere with the operation of the radiotelegraph station.
3 The sleeping accommodation of at least one radio officer
4 shall be situated as near as practicable to the radiotelegraph
5 operating room. In ships the keels of which are laid on or
6 after May 26, 1965, this sleeping accommodation shall not
7 be within the radiotelegraph operating room.

8 “(d) The main and reserve installations shall be capable
9 of transmitting and receiving on the frequencies, and using
10 the classes of emission, designated by the Commission pur-
11 suant to law for the purposes of distress and safety of
12 navigation.

13 “(e) The main and reserve installations shall, when
14 connected to the main antenna, have a minimum normal
15 range of two hundred nautical miles and one hundred nau-
16 tical miles, respectively; that is, they must be capable of
17 transmitting and receiving clearly perceptible signals from
18 ship to ship by day and under normal conditions and circum-
19 stances over the specified ranges.

20 “(f) Sufficient electrical energy shall be available at
21 all times to operate the main installation over the normal
22 range required by subsection (e) of this section as well as
23 for the purpose of charging any batteries forming part of
24 the radiotelegraph station.

1 “(g) The reserve installation shall include a source of
2 electrical energy independent of the propelling power of the
3 ship and of any other electrical system and shall be capable
4 of being put into operation rapidly and of working for at
5 least six continuous hours. The reserve source of energy
6 and its switchboard shall be as high as practicable in the
7 ship and readily accessible to the radio officer.

8 “(h) There shall be provided between the bridge of
9 the ship and the radiotelegraph operating room, and be-
10 tween the bridge and the location of the radio direction
11 finding apparatus, when such apparatus is not located on
12 the bridge, an efficient two-way system for calling and voice
13 communication which shall be independent of any other
14 communication system in the ship.

15 “(i) The radio direction finding apparatus shall be
16 efficient and capable of receiving signals with the minimum
17 of receiver noise and of taking bearings from which the
18 true bearing and direction may be determined. It shall be
19 capable of receiving signals on the radiotelegraph frequen-
20 cies assigned by the radio regulations annexed to the In-
21 ternational Telecommunication Convention in force for the
22 purposes of distress, direction finding, and maritime radio
23 beacons, and such other frequencies as the Commission may
24 for safety purposes designate.”

1 with dangerous ice, a dangerous derelict, a tropical storm, or
2 any other direct danger to navigation, or encounters sub-
3 freezing air temperatures associated with gale force winds
4 causing severe ice accretion on superstructures, or winds of
5 force 10 or above on the Beaufort scale for which no storm
6 warning has been received, shall cause to be transmitted all
7 pertinent information relating thereto to ships in the vicinity
8 and to the appropriate authorities on land, in accordance with
9 rules and regulations issued by the Commission. When they
10 consider it necessary, such authorities of the United States
11 shall promptly bring the information received by them to
12 the knowledge of those concerned, including interested for-
13 eign authorities.”

14 SEC. 10. Section 361 of the Communications Act of
15 1934 is amended to read as follows:

16 “CERTIFICATES

17 “SEC. 361. (a) Each vessel of the United States to
18 which the Safety Convention applies shall comply with the
19 radio and communication provisions of said Convention at all
20 times while the vessel is in use, in addition to all other re-
21 quirements of law, and shall have on board an appropriate
22 certificate as prescribed by the Safety Convention.

23 “(b) Appropriate certificates concerning the radio par-
24 ticulars provided for in said Convention shall be issued upon
25 proper request to any vessel which is subject to the radio

1 provisions of the Safety Convention and is found by the Com-
2 mission to comply therewith. Cargo ship safety radio teleg-
3 raphy certificates, cargo ship safety radiotelephony cer-
4 tificates, and exemption certificates with respect to radio
5 particulars shall be issued by the Commission. Other cer-
6 tificates concerning the radio particulars provided for in the
7 said Convention shall be issued by the Commandant of the
8 Coast Guard or whatever other agency is authorized by law
9 to do so upon request of the Commission made after proper
10 inspection or determination of the facts. If the holder of a
11 certificate violates the radio provisions of the Safety Conven-
12 tion or the provisions of this Act, or the rules, regulations, or
13 conditions prescribed by the Commission, and if the effective
14 administration of the Safety Convention or of this part so
15 requires, the Commission, after hearing in accordance with
16 law, is authorized to modify or cancel a certificate which it
17 has issued, or to request the modification or cancellation of a
18 certificate which has been issued by another agency upon
19 the Commission's request. Upon receipt of such request for
20 modification or cancellation, the Commandant of the Coast
21 Guard, or whatever agency is authorized by law to do so,
22 shall modify or cancel the certificate in accordance there-
23 with."

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A BILL

To amend the Communications Act of 1934 to conform to the Convention for the Safety of Life at Sea, London (1960).

By Mr. HARRIS

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A BILL

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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 3 of the Communications Act of 1934, as
4 amended (47 U.S.C. 153), is amended as follows:

5 (1) Subsection (w) is amended by adding the following
6 new paragraph at the end thereof:

7 “(5) ‘Nuclear ship’ means a ship provided with a
8 nuclear powerplant.”

9 (2) Subsection (x) is amended to read as follows:

10 “(x) ‘Radiotelegraph auto alarm’ on a ship of the
11 United States subject to the provisions of part II of title

1 III of this Act means an automatic alarm receiving appa-
2 ratus which responds to the radiotelegraph alarm signal and
3 has been approved by the Commission. 'Radiotelegraph auto
4 alarm' on a foreign ship means an automatic alarm receiving
5 apparatus which responds to the radiotelegraph alarm sig-
6 nal and has been approved by the government of the country
7 in which the ship is registered: *Provided*, That the United
8 States and the country in which the ship is registered are
9 parties to the same treaty, convention, or agreement pre-
10 scribing the requirements for such apparatus. Nothing in
11 this Act or in any other provision of law shall be construed
12 to require the recognition of a radiotelegraph auto alarm as
13 complying with part II of title III of this Act, on a foreign
14 ship subject to such part, where the country in which the
15 ship is registered and the United States are not parties to
16 the same treaty, convention, or agreement prescribing the
17 requirements for such apparatus."

18 (3) Subsection (y) is amended to read as follows:

19 "(y) (1) 'Operator' on a ship of the United States
20 means, for the purpose of parts II and III of title III of this
21 Act, a person holding a radio operator's license of the proper
22 class as prescribed and issued by the Commission.

23 "(2) 'Operator' on a foreign ship means, for the purpose
24 of part II of title III of this Act, a person holding a certifi-
25 cate as such of the proper class complying with the provisions

1 of the radio regulations annexed to the International Tele-
2 communication Convention in force, or complying with an
3 agreement or treaty between the United States and the coun-
4 try in which the ship is registered.”

5 (4) (A) Subsections (aa) through (dd) are redesign-
6 nated as subsections (bb) through (ee), respectively; (B)
7 subsections (ee) and (ff) are repealed; (C) subsection
8 (gg) is redesignated as subsection (ff); (D) subsection (z)
9 is redesignated as subsection (aa); and (E) the following
10 new subsection is inserted immediately after subsection (y) :

11 “(z) (1) ‘Radio officer’ on a ship of the United States
12 means, for the purpose of part II of title III of this Act, a
13 person holding at least a first or second class radiotele-
14 graph operator’s license as prescribed and issued by the
15 Commission. When such person is employed to operate a
16 radiotelegraph station aboard a ship of the United States,
17 he is also required to be licensed as a ‘radio officer’ in ac-
18 cordance with the Act of May 12, 1948 (46 U.S.C.
19 229a-h).

20 “(2) ‘Radio officer’ on a foreign ship means, for the
21 purpose of part II of title III of this Act, a person holding
22 at least a first or second class radiotelegraph operator’s cer-
23 tificate complying with the provisions of the radio regu-
24 lations annexed to the International Telecommunication
25 Convention in force.”

1 SEC. 2. (a) The heading of section 351 of the Communi-
2 cations Act of 1934 is amended to read as follows: "SHIP
3 RADIO STATIONS AND OPERATIONS".

4 (b) Subsection (a) of such section 351 is amended to
5 read as follows:

6 "(a) Except as provided in section 352 hereof it shall
7 be unlawful—

8 "(1) For any ship of the United States, other than
9 a cargo ship of less than three hundred gross tons, to
10 be navigated in the open sea outside of a harbor or
11 port, or for any ship of the United States or any foreign
12 country, other than a cargo ship of less than three
13 hundred gross tons, to leave or attempt to leave any
14 harbor or port of the United States for a voyage in the
15 open sea, unless such ship is equipped with an efficient
16 radio station in operating condition, as specified by
17 subparagraphs (A) and (B) of this paragraph, in
18 charge of and operated by one or more radio officers
19 or operators, adequately installed and protected so as
20 to insure proper operation, and so as not to endanger
21 the ship and radio station as hereinafter provided, and,
22 in the case of a ship of the United States, unless there
23 is on board a valid station license issued in accordance
24 with this Act.

25 "(A) Passenger ships irrespective of size and

1 cargo ships of one thousand six hundred gross tons
2 and upward shall be equipped with a radiotelegraph
3 station complying with the provisions of this part;

4 “(B) Cargo ships of three hundred gross tons
5 and upward but less than one thousand six hundred
6 gross tons, unless equipped with a radiotelegraph
7 station complying with the provisions of this part,
8 shall be equipped with a radiotelephone station com-
9 plying with the provisions of this part.

10 “(2) For any ship of the United States of one thou-
11 sand six hundred gross tons and upward to be navigated
12 in the open sea outside of a harbor or port, or for any
13 such ship of the United States or any foreign country to
14 leave or attempt to leave any harbor or port of the
15 United States for a voyage in the open sea, unless such
16 ship is equipped with efficient radio direction finding
17 apparatus approved by the Commission, properly ad-
18 justed in operating condition as hereinafter provided.”

19 SEC. 3. (a) Subsection (a) of section 352 of the Com-
20 munications Act of 1934 is amended by striking out para-
21 graph (6) and inserting after paragraph (5) thereof the
22 following new paragraphs:

23 “(6) A ship navigating solely on any bays, sounds,
24 rivers, or protected waters within the jurisdiction of the

1 United States, or to a ship leaving or attempting to leave
2 any harbor or port of the United States for a voyage solely
3 on any bays, sounds, rivers, or protected waters within the
4 jurisdiction of the United States;

5 “(7) A ship navigating solely on the Great Lakes of
6 North America and the River Saint Lawrence as far east as
7 a straight line drawn from Cap des Rosiers to West Point,
8 Anticosti Island, and, on the north side of Anticosti Island,
9 the sixty-third meridian, or to a ship leaving or attempting
10 to leave any harbor or port of the United States for a voyage
11 solely on such waters and within such area;

12 “(8) A ship which is navigated during the course of a
13 voyage both on the Great Lakes of North America and in
14 the open sea, during the period while such ship is being
15 navigated within the Great Lakes of North America and their
16 connecting and tributary waters as far east as the lower exit
17 of the Saint Lambert lock at Montreal in the Province of
18 Quebec, Canada.”

19 (b) Subsection (b) of such section 352 is amended by
20 striking out all through paragraph (1) and inserting in lieu
21 thereof the following:

22 “(b) Except for nuclear ships, the Commission may, if
23 it considers that the route or the conditions of the voyage
24 or other circumstances are such as to render a radio station
25 unreasonable or unnecessary for the purposes of this part,

1 exempt from the provisions of this part any ship or class of
2 ships which falls within any of the following descriptions:

3 “(1) Passenger ships which in the course of their voy-
4 age do not go more than twenty nautical miles from the
5 nearest land or, alternatively, do not go more than two hun-
6 dred nautical miles between two consecutive ports;”

7 (c) Such section 352 is further amended by adding at
8 the end thereof the following new subsection:

9 “(d) Except for nuclear ships, and except for ships of
10 five thousand gross tons and upward which are subject to
11 the Safety Convention, the Commission may exempt from
12 the requirements, for radio direction finding apparatus, of
13 this part and of the Safety Convention, any ship which falls
14 within the descriptions set forth in paragraphs (1), (2),
15 (3), and (4) of subsection (b) of this section, if it considers
16 that the route or conditions of the voyage or other circum-
17 stances are such as to render such apparatus unreasonable
18 or unnecessary.”

19 SEC. 4. Section 353 of the Communications Act of 1934
20 is amended to read as follows:

21 “RADIO OFFICERS, WATCHES, AUTO ALARM-RADIOTELE-
22 GRAPH EQUIPPED SHIPS

23 “SEC. 353. (a) Each cargo ship which in accordance
24 with this part is equipped with a radiotelegraph station and
25 which is not equipped with a radiotelegraph auto alarm, and

1 each passenger ship required by this part to be equipped with
2 a radiotelegraph station, shall, for safety purposes, carry at
3 least two radio officers.

4 “(b) A cargo ship which in accordance with this part
5 is equipped with a radiotelegraph station, which is equipped
6 with a radiotelegraph auto alarm, shall, for safety purposes,
7 carry at least one radio officer who shall have had at least
8 six months’ previous service in the aggregate as a radio officer
9 in a station on board a ship or ships of the United States.

10 “(c) Each ship of the United States which in accord-
11 ance with this part is equipped with a radiotelegraph sta-
12 tion shall, while being navigated in the open sea outside of
13 a harbor or port, keep a continuous watch by means of radio
14 officers whenever the station is not being used for authorized
15 traffic: *Provided*, That, in lieu thereof, on a cargo ship
16 equipped with a radiotelegraph auto alarm in proper operat-
17 ing condition, a watch of at least eight hours per day, in the
18 aggregate, shall be maintained by means of a radio officer.

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3 installations on cargo ships of three hundred gross tons and
4 upward but less than one thousand six hundred gross
5 tons, and in installations on cargo ships of one thousand
6 six hundred gross tons and upward installed prior to No-
7 vember 19, 1952, if the main transmitter complies with all
8 the requirements for the reserve transmitter, the latter may
9 be omitted.

10 “(b) The radiotelegraph station shall be so located that
11 no harmful interference from extraneous mechanical or other
12 noise will be caused to the proper reception of radio signals,
13 and shall be placed in the upper part of the ship in a position
14 of the greatest possible safety and as high as practicable
15 above the deepest load waterline. The location of the radio-
16 telegraph operating room or rooms shall be approved by the
17 Commandant of the Coast Guard. The radiotelegraph instal-
18 lation shall be installed in such a position that it will be pro-
19 tected against the harmful effects of water or extremes of
20 temperature, and shall be readily accessible both for imme-
21 diate use in case of distress and for repair.

22 “(c) The radiotelegraph operating room shall be of
23 sufficient size and of adequate ventilation to enable the
24 main and reserve radiotelegraph installations to be operated

1 efficiently, and shall not be used for any purpose which will
2 interfere with the operation of the radiotelegraph station.
3 The sleeping accommodation of at least one radio officer
4 shall be situated as near as practicable to the radiotelegraph
5 operating room. In ships the keels of which are laid on or
6 after May 26, 1965, this sleeping accommodation shall not
7 be within the radiotelegraph operating room.

8 “(d) The main and reserve installations shall be capable
9 of transmitting and receiving on the frequencies, and using
10 the classes of emission, designated by the Commission pur-
11 suant to law for the purposes of distress and safety of
12 navigation.

13 “(e) The main and reserve installations shall, when
14 connected to the main antenna, have a minimum normal
15 range of two hundred nautical miles and one hundred nau-
16 tical miles, respectively; that is, they must be capable of
17 transmitting and receiving clearly perceptible signals from
18 ship to ship by day and under normal conditions and circum-
19 stances over the specified ranges.

20 “(f) Sufficient electrical energy shall be available at
21 all times to operate the main installation over the normal
22 range required by subsection (e) of this section as well as
23 for the purpose of charging any batteries forming part of
24 the radiotelegraph station.

1 “(g) The reserve installation shall include a source of
2 electrical energy independent of the propelling power of the
3 ship and of any other electrical system and shall be capable
4 of being put into operation rapidly and of working for at
5 least six continuous hours. The reserve source of energy
6 and its switchboard shall be as high as practicable in the
7 ship and readily accessible to the radio officer.

8 “(h) There shall be provided between the bridge of
9 the ship and the radiotelegraph operating room, and be-
10 tween the bridge and the location of the radio direction
11 finding apparatus, when such apparatus is not located on
12 the bridge, an efficient two-way system for calling and voice
13 communication which shall be independent of any other
14 communication system in the ship.

15 “(i) The radio direction finding apparatus shall be
16 efficient and capable of receiving signals with the minimum
17 of receiver noise and of taking bearings from which the
18 true bearing and direction may be determined. It shall be
19 capable of receiving signals on the radiotelegraph frequen-
20 cies assigned by the radio regulations annexed to the In-
21 ternational Telecommunication Convention in force for the
22 purposes of distress, direction finding, and maritime radio
23 beacons, and such other frequencies as the Commission may
24 for safety purposes designate.”

1 “(d) There shall be available at all times a main source
2 of electrical energy sufficient to operate the installation over
3 the normal range required by subsection (c) of this section.
4 If batteries are provided they shall have sufficient capacity
5 to operate the transmitter and receiver for at least six con-
6 tinuous hours under normal working conditions. In installa-
7 tions made on or after November 19, 1952, a reserve source
8 of electrical energy shall be provided in the upper part of the
9 ship unless the main source of energy is so situated.”

10 SEC. 8. Section 357 of the Communications Act of 1934
11 is amended to read as follows:

12 “SURVIVAL CRAFT

13 “SEC. 357. Every ship required to be provided with sur-
14 vival craft radio by treaty to which the United States is a
15 party, by statute, or by regulation made in conformity with a
16 treaty, convention, or statute, shall be fitted with efficient
17 radio equipment appropriate to such requirement under such
18 rules and regulations as the Commission may find necessary
19 for safety of life. For purposes of this section, ‘radio equip-
20 ment’ shall include portable as well as nonportable appa-
21 ratus.”

22 SEC. 9. Subsection (a) of section 359 of the Communi-
23 cations Act of 1934 is amended to read as follows:

24 “(a) The master of every ship of the United States,
25 equipped with radio transmitting apparatus, which meets

1 with dangerous ice, a dangerous derelict, a tropical storm, or
2 any other direct danger to navigation, or encounters sub-
3 freezing air temperatures associated with gale force winds
4 causing severe ice accretion on superstructures, or winds of
5 force 10 or above on the Beaufort scale for which no storm
6 warning has been received, shall cause to be transmitted all
7 pertinent information relating thereto to ships in the vicinity
8 and to the appropriate authorities on land, in accordance with
9 rules and regulations issued by the Commission. When they
10 consider it necessary, such authorities of the United States
11 shall promptly bring the information received by them to
12 the knowledge of those concerned, including interested for-
13 eign authorities.”

14 SEC. 10. Section 361 of the Communications Act of
15 1934 is amended to read as follows:

16 “CERTIFICATES

17 “SEC. 361. (a) Each vessel of the United States to
18 which the Safety Convention applies shall comply with the
19 radio and communication provisions of said Convention at all
20 times while the vessel is in use, in addition to all other re-
21 quirements of law, and shall have on board an appropriate
22 certificate as prescribed by the Safety Convention.

23 “(b) Appropriate certificates concerning the radio par-
24 ticulars provided for in said Convention shall be issued upon
25 proper request to any vessel which is subject to the radio

1 provisions of the Safety Convention and is found by the Com-
2 mission to comply therewith. Cargo ship safety radio teleg-
3 raphy certificates, cargo ship safety radiotelephony cer-
4 tificates, and exemption certificates with respect to radio
5 particulars shall be issued by the Commission. Other cer-
6 tificates concerning the radio particulars provided for in the
7 said Convention shall be issued by the Commandant of the
8 Coast Guard or whatever other agency is authorized by law
9 to do so upon request of the Commission made after proper
10 inspection or determination of the facts. If the holder of a
11 certificate violates the radio provisions of the Safety Conven-
12 tion or the provisions of this Act, or the rules, regulations, or
13 conditions prescribed by the Commission, and if the effective
14 administration of the Safety Convention or of this part so
15 requires, the Commission, after hearing in accordance with
16 law, is authorized to modify or cancel a certificate which it
17 has issued, or to request the modification or cancellation of a
18 certificate which has been issued by another agency upon
19 the Commission's request. Upon receipt of such request for
20 modification or cancellation, the Commandant of the Coast
21 Guard, or whatever agency is authorized by law to do so,
22 shall modify or cancel the certificate in accordance there-
23 with."

89TH CONGRESS
1ST SESSION

H. R. 7954

A BILL

To amend the Communications Act of 1934 to conform to the Convention for the Safety of Life at Sea, London (1960).

By Mr. HARRIS

MAY 6, 1965

Referred to the Committee on Interstate and Foreign
Commerce

H. R. 7954

[Report No. 380]

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 1965

Mr. HARRIS introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

MAY 26, 1965

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Insert the part printed in italic]

A BILL

To amend the Communications Act of 1934 to conform to the Convention for the Safety of Life at Sea, London (1960).

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 3 of the Communications Act of 1934, as
4 amended (47 U.S.C. 153), is amended as follows:

5 (1) Subsection (w) is amended by adding the following
6 new paragraph at the end thereof:

7 “(5) ‘Nuclear ship’ means a ship provided with a
8 nuclear powerplant.”

9 (2) Subsection (x) is amended to read as follows:

10 “(x) ‘Radiotelegraph auto alarm’ on a ship of the
11 United States subject to the provisions of part II of title

1 III of this Act means an automatic alarm receiving appa-
2 ratus which responds to the radiotelegraph alarm signal and
3 has been approved by the Commission. 'Radiotelegraph auto
4 alarm' on a foreign ship means an automatic alarm receiving
5 apparatus which responds to the radiotelegraph alarm sig-
6 nal and has been approved by the government of the country
7 in which the ship is registered: *Provided*, That the United
8 States and the country in which the ship is registered are
9 parties to the same treaty, convention, or agreement pre-
10 scribing the requirements for such apparatus. Nothing in
11 this Act or in any other provision of law shall be construed
12 to require the recognition of a radiotelegraph auto alarm as
13 complying with part II of title III of this Act, on a foreign
14 ship subject to such part, where the country in which the
15 ship is registered and the United States are not parties to
16 the same treaty, convention, or agreement prescribing the
17 requirements for such apparatus."

18 (3) Subsection (y) is amended to read as follows:

19 "(y) (1) 'Operator' on a ship of the United States
20 means, for the purpose of parts II and III of title III of this
21 Act, a person holding a radio operator's license of the proper
22 class as prescribed and issued by the Commission.

23 "(2) 'Operator' on a foreign ship means, for the purpose
24 of part II of title III of this Act, a person holding a certifi-
25 cate as such of the proper class complying with the provisions

1 of the radio regulations annexed to the International Tele-
2 communication Convention in force, or complying with an
3 agreement or treaty between the United States and the coun-
4 try in which the ship is registered.”

5 (4) (A) Subsections (aa) through (dd) are redesis-
6 nated as subsections (bb) through (ee), respectively; (B)
7 subsections (ee) and (ff) are repealed; (C) subsection
8 (gg) is redesignated as subsection (ff) ; (D) subsection (z)
9 is redesignated as subsection (aa) ; and (E) the following
10 new subsection is inserted immediately after subsection (y) :

11 “(z) (1) ‘Radio officer’ on a ship of the United States
12 means, for the purpose of part II of title III of this Act, a
13 person holding at least a first or second class radiotele-
14 graph operator’s license as prescribed and issued by the
15 Commission. When such person is employed to operate a
16 radiotelegraph station aboard a ship of the United States,
17 he is also required to be licensed as a ‘radio officer’ in ac-
18 cordance with the Act of May 12, 1948 (46 U.S.C.
19 229a-h) .

20 “(2) ‘Radio officer’ on a foreign ship means, for the
21 purpose of part II of title III of this Act, a person holding
22 at least a first or second class radiotelegraph operator’s cer-
23 tificate complying with the provisions of the radio regu-
24 lations annexed to the International Telecommunication
25 Convention in force.”

1 SEC. 2. (a) The heading of section 351 of the Communi-
2 cations Act of 1934 is amended to read as follows: "SHIP
3 RADIO STATIONS AND OPERATIONS".

4 (b) Subsection (a) of such section 351 is amended to
5 read as follows:

6 "(a) Except as provided in section 352 hereof it shall
7 be unlawful—

8 "(1) For any ship of the United States, other than
9 a cargo ship of less than three hundred gross tons, to
10 be navigated in the open sea outside of a harbor or
11 port, or for any ship of the United States or any foreign
12 country, other than a cargo ship of less than three
13 hundred gross tons, to leave or attempt to leave any
14 harbor or port of the United States for a voyage in the
15 open sea, unless such ship is equipped with an efficient
16 radio station in operating condition, as specified by
17 subparagraphs (A) and (B) of this paragraph, in
18 charge of and operated by one or more radio officers
19 or operators, adequately installed and protected so as
20 to insure proper operation, and so as not to endanger
21 the ship and radio station as hereinafter provided, and,
22 in the case of a ship of the United States, unless there
23 is on board a valid station license issued in accordance
24 with this Act.

25 "(A) Passenger ships irrespective of size and

1 cargo ships of one thousand six hundred gross tons
2 and upward shall be equipped with a radiotelegraph
3 station complying with the provisions of this part;

4 “(B) Cargo ships of three hundred gross tons
5 and upward but less than one thousand six hundred
6 gross tons, unless equipped with a radiotelegraph
7 station complying with the provisions of this part,
8 shall be equipped with a radiotelephone station com-
9 plying with the provisions of this part.

10 “(2) For any ship of the United States of one thou-
11 sand six hundred gross tons and upward to be navigated
12 in the open sea outside of a harbor or port, or for any
13 such ship of the United States or any foreign country to
14 leave or attempt to leave any harbor or port of the
15 United States for a voyage in the open sea, unless such
16 ship is equipped with efficient radio direction finding
17 apparatus approved by the Commission, properly ad-
18 justed in operating condition as hereinafter provided.”

19 SEC. 3. (a) Subsection (a) of section 352 of the Com-
20 munications Act of 1934 is amended by striking out para-
21 graph (6) and inserting after paragraph (5) thereof the
22 following new paragraphs:

23 “(6) A ship navigating solely on any bays, sounds,
24 rivers, or protected waters within the jurisdiction of the

1 United States, or to a ship leaving or attempting to leave
2 any harbor or port of the United States for a voyage solely
3 on any bays, sounds, rivers, or protected waters within the
4 jurisdiction of the United States;

5 “(7) A ship navigating solely on the Great Lakes of
6 North America and the River Saint Lawrence as far east as
7 a straight line drawn from Cap des Rosiers to West Point,
8 Anticosti Island, and, on the north side of Anticosti Island,
9 the sixty-third meridian, or to a ship leaving or attempting
10 to leave any harbor or port of the United States for a voyage
11 solely on such waters and within such area;

12 “(8) A ship which is navigated during the course of a
13 voyage both on the Great Lakes of North America and in
14 the open sea, during the period while such ship is being
15 navigated within the Great Lakes of North America and their
16 connecting and tributary waters as far east as the lower exit
17 of the Saint Lambert lock at Montreal in the Province of
18 Quebec, Canada.”

19 (b) Subsection (b) of such section 352 is amended by
20 striking out all through paragraph (1) and inserting in lieu
21 thereof the following:

22 “(b) Except for nuclear ships, the Commission may, if
23 it considers that the route or the conditions of the voyage
24 or other circumstances are such as to render a radio station
25 unreasonable or unnecessary for the purposes of this part,

1 exempt from the provisions of this part any ship or class of
2 ships which falls within any of the following descriptions:

3 “(1) Passenger ships which in the course of their voy-
4 age do not go more than twenty nautical miles from the
5 nearest land or, alternatively, do not go more than two hun-
6 dred nautical miles between two consecutive ports;”

7 (c) Such section 352 is further amended by adding at
8 the end thereof the following new subsection:

9 “(d) Except for nuclear ships, and except for ships of
10 five thousand gross tons and upward which are subject to
11 the Safety Convention, the Commission may exempt from
12 the requirements, for radio direction finding apparatus, of
13 this part and of the Safety Convention, any ship which falls
14 within the descriptions set forth in paragraphs (1), (2),
15 (3), and (4) of subsection (b) of this section, if it considers
16 that the route or conditions of the voyage or other circum-
17 stances are such as to render such apparatus unreasonable
18 or unnecessary.”

19 SEC. 4. Section 353 of the Communications Act of 1934
20 is amended to read as follows:

21 “RADIO OFFICERS, WATCHES, AUTO ALARM-RADIOTELE-
22 GRAPH EQUIPPED SHIPS

23 “SEC. 353. (a) Each cargo ship which in accordance
24 with this part is equipped with a radiotelegraph station and
25 which is not equipped with a radiotelegraph auto alarm, and

1 each passenger ship required by this part to be equipped with
2 a radiotelegraph station, shall, for safety purposes, carry at
3 least two radio officers.

4 “(b) A cargo ship which in accordance with this part
5 is equipped with a radiotelegraph station, which is equipped
6 with a radiotelegraph auto alarm, shall, for safety purposes,
7 carry at least one radio officer who shall have had at least
8 six months’ previous service in the aggregate as a radio officer
9 in a station on board a ship or ships of the United States.

10 “(c) Each ship of the United States which in accord-
11 ance with this part is equipped with a radiotelegraph sta-
12 tion shall, while being navigated in the open sea outside of
13 a harbor or port, keep a continuous watch by means of radio
14 officers whenever the station is not being used for authorized
15 traffic: *Provided*, That, in lieu thereof, on a cargo ship
16 equipped with a radiotelegraph auto alarm in proper operat-
17 ing condition, a watch of at least eight hours per day, in the
18 aggregate, shall be maintained by means of a radio officer.

19 “(d) The Commission shall, when it finds it necessary
20 for safety purposes, have authority to prescribe the par-
21 ticular hours of watch on a ship of the United States which
22 in accordance with this part is equipped with a radiotele-
23 graph station.

24 “(e) On all ships of the United States equipped with a
25 radiotelegraph auto alarm, said apparatus shall be in opera-

1 tion at all times while the ship is being navigated in the
 2 open sea outside of a harbor or port when the radio officer
 3 is not on watch.”

4 SEC. 5. Section 354 of the Communications Act of 1934
 5 is amended to read as follows:

6 “OPERATORS, WATCHES—RADIO TELEPHONE EQUIPPED
 7 SHIPS

8 “SEC. 354. (a) Each cargo ship which in accordance
 9 with this part is equipped with a radiotelephone station shall,
 10 for safety purposes, carry at least one operator who may be
 11 the master, an officer, or a member of the crew.

12 “(b) Each cargo ship of the United States which in
 13 accordance with this part is equipped with a radiotelephone
 14 station shall, while being navigated in the open sea outside
 15 of a harbor or port, maintain continuous watch whenever the
 16 station is not being used for authorized traffic.”

17 SEC. 6. Section 355 of the Communications Act of 1934
 18 is amended to read as follows:

19 “TECHNICAL REQUIREMENTS—RADIOTELEGRAPH EQUIPPED
 20 SHIPS

21 “SEC. 355. The radiotelegraph station and the radio
 22 direction finding apparatus required by section 351 of this
 23 part shall comply with the following requirements:

24 “(a) The radiotelegraph station shall include a main in-

1 stallation and a reserve installation, electrically separate and
2 electrically independent of each other: *Provided*, That, in
3 installations on cargo ships of three hundred gross tons and
4 upward but less than one thousand six hundred gross
5 tons, and in installations on cargo ships of one thousand
6 six hundred gross tons and upward installed prior to No-
7 vember 19, 1952, if the main transmitter complies with all
8 the requirements for the reserve transmitter, the latter may
9 be omitted.

10 “(b) The radiotelegraph station shall be so located that
11 no harmful interference from extraneous mechanical or other
12 noise will be caused to the proper reception of radio signals,
13 and shall be placed in the upper part of the ship in a position
14 of the greatest possible safety and as high as practicable
15 above the deepest load waterline. The location of the radio-
16 telegraph operating room or rooms shall be approved by the
17 Commandant of the Coast Guard. The radiotelegraph instal-
18 lation shall be installed in such a position that it will be pro-
19 tected against the harmful effects of water or extremes of
20 temperature, and shall be readily accessible both for imme-
21 diate use in case of distress and for repair.

22 “(c) The radiotelegraph operating room shall be of
23 sufficient size and of adequate ventilation to enable the
24 main and reserve radiotelegraph installations to be operated

1 efficiently, and shall not be used for any purpose which will
2 interfere with the operation of the radiotelegraph station.
3 The sleeping accommodation of at least one radio officer
4 shall be situated as near as practicable to the radiotelegraph
5 operating room. In ships the keels of which are laid on or
6 after May 26, 1965, this sleeping accommodation shall not
7 be within the radiotelegraph operating room.

8 “(d) The main and reserve installations shall be capable
9 of transmitting and receiving on the frequencies, and using
10 the classes of emission, designated by the Commission pur-
11 suant to law for the purposes of distress and safety of
12 navigation.

13 “(e) The main and reserve installations shall, when
14 connected to the main antenna, have a minimum normal
15 range of two hundred nautical miles and one hundred nau-
16 tical miles, respectively; that is, they must be capable of
17 transmitting and receiving clearly perceptible signals from
18 ship to ship by day and under normal conditions and circum-
19 stances over the specified ranges.

20 “(f) Sufficient electrical energy shall be available at
21 all times to operate the main installation over the normal
22 range required by subsection (e) of this section as well as
23 for the purpose of charging any batteries forming part of
24 the radiotelegraph station.

1 “(g) The reserve installation shall include a source of
2 electrical energy independent of the propelling power of the
3 ship and of any other electrical system and shall be capable
4 of being put into operation rapidly and of working for at
5 least six continuous hours. The reserve source of energy
6 and its switchboard shall be as high as practicable in the
7 ship and readily accessible to the radio officer.

8 “(h) There shall be provided between the bridge of
9 the ship and the radiotelegraph operating room, and be-
10 tween the bridge and the location of the radio direction
11 finding apparatus, when such apparatus is not located on
12 the bridge, an efficient two-way system for calling and voice
13 communication which shall be independent of any other
14 communication system in the ship.

15 “(i) The radio direction finding apparatus shall be
16 efficient and capable of receiving signals with the minimum
17 of receiver noise and of taking bearings from which the
18 true bearing and direction may be determined. It shall be
19 capable of receiving signals on the radiotelegraph frequen-
20 cies assigned by the radio regulations annexed to the In-
21 ternational Telecommunication Convention in force for the
22 purposes of distress, direction finding, and maritime radio
23 beacons, and, *in installations made after May 26, 1965,*
24 such other frequencies as the Commission may for safety
25 purposes designate.”

1 with dangerous ice, a dangerous derelict, a tropical storm, or
2 any other direct danger to navigation, or encounters sub-
3 freezing air temperatures associated with gale force winds
4 causing severe ice accretion on superstructures, or winds of
5 force 10 or above on the Beaufort scale for which no storm
6 warning has been received, shall cause to be transmitted all
7 pertinent information relating thereto to ships in the vicinity
8 and to the appropriate authorities on land, in accordance with
9 rules and regulations issued by the Commission. When they
10 consider it necessary, such authorities of the United States
11 shall promptly bring the information received by them to
12 the knowledge of those concerned, including interested for-
13 eign authorities.”

14 SEC. 10. Section 361 of the Communications Act of
15 1934 is amended to read as follows:

16 “CERTIFICATES

17 “SEC. 361. (a) Each vessel of the United States to
18 which the Safety Convention applies shall comply with the
19 radio and communication provisions of said Convention at all
20 times while the vessel is in use, in addition to all other re-
21 quirements of law, and shall have on board an appropriate
22 certificate as prescribed by the Safety Convention.

23 “(b) Appropriate certificates concerning the radio par-
24 ticulars provided for in said Convention shall be issued upon
25 proper request to any vessel which is subject to the radio

1 provisions of the Safety Convention and is found by the Com-
2 mission to comply therewith. Cargo ship safety radio teleg-
3 raphy certificates, cargo ship safety radiotelephony cer-
4 tificates, and exemption certificates with respect to radio
5 particulars shall be issued by the Commission. Other cer-
6 tificates concerning the radio particulars provided for in the
7 said Convention shall be issued by the Commandant of the
8 Coast Guard or whatever other agency is authorized by law
9 to do so upon request of the Commission made after proper
10 inspection or determination of the facts. If the holder of a
11 certificate violates the radio provisions of the Safety Conven-
12 tion or the provisions of this Act, or the rules, regulations, or
13 conditions prescribed by the Commission, and if the effective
14 administration of the Safety Convention or of this part so
15 requires, the Commission, after hearing in accordance with
16 law, is authorized to modify or cancel a certificate which it
17 has issued, or to request the modification or cancellation of a
18 certificate which has been issued by another agency upon
19 the Commission's request. Upon receipt of such request for
20 modification or cancellation, the Commandant of the Coast
21 Guard, or whatever agency is authorized by law to do so,
22 shall modify or cancel the certificate in accordance there-
23 with."

Union Calendar No. 183

89TH CONGRESS
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