

“§ 633. Fees and expenses”.

(b) That section 633 of title 28, United States Code, is amended by adding at the end thereof a new subsection (c), reading as follows:

Office expenses.

“(c) United States commissioners who are required to devote full time to the performance of the duties of the office, as determined by the Director of the Administrative Office of the United States Courts under the supervision and direction of the Judicial Conference of the United States and who do not engage in the practice of the law, shall be allowed their actual and necessary office expenses, including the compensation of a necessary clerical assistant. Such office expense shall be determined and paid and such compensation shall be fixed and paid by the Director of the Administrative Office of the United States Courts under the provisions of section 604 of this title.”

62 Stat. 915.

(c) The analysis of chapter 43 of title 28, United States Code, immediately preceding section 631 of such title, is amended so that item 633 in such analysis will read as follows:

“633. Fees and expenses.”

SEC. 2. The amendment made by the first section of this Act shall not apply to any United States Commissioner for the District of Columbia, and this Act shall not be deemed to modify, supersede, or repeal the provisions of section 403 of the District of Columbia Law Enforcement Act of 1953.

67 Stat. 102.  
D. C. Code 11-332.

Approved August 13, 1954.

## Public Law 584

## CHAPTER 729

### AN ACT

August 13, 1954  
[S. 2453]

To amend the Communications Act of 1934, as amended, with respect to implementing the International Convention for the Safety of Life at Sea relating to radio equipment and radio operators on board ship.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) paragraphs (1) and (2) of section 351 (a) of the Communications Act of 1934, as amended, are amended to read as follows:

Sea safety by  
radio.  
50 Stat. 192.  
47 USC 351.

Unlawful acts.  
Cargo ships.  
Under 500 tons.

“(1) For any ship of the United States, other than a cargo ship of less than five hundred gross tons, to be navigated in the open sea outside of a harbor or port, or for any ship of the United States or any foreign country, other than a cargo ship of less than five hundred gross tons, to leave or attempt to leave any harbor or port of the United States for a voyage in the open sea, unless such ship is equipped with an efficient radio installation in operating condition in charge of and operated by a qualified operator or operators, adequately installed and protected so as to insure proper operation, and so as not to endanger the ship and radio installation, as hereinafter provided, and in the case of a ship of the United States, unless there is on board a valid station license issued in accordance with this Act: *Provided*, That the Commission may defer the application of the provisions of this section for a period not beyond January 1, 1955, with respect to cargo ships of less than sixteen hundred gross tons not subject to the radio requirements of the Safety Convention when it is found impracticable to obtain or install equipment necessary for compliance therewith;

Exception.

TIAS 2495.

1600 tons or over.

“(2) For any ship of the United States of sixteen hundred gross tons, or over, to be navigated outside of a harbor or port, in the open sea, or for any such ship of the United States or any foreign country to leave or attempt to leave any harbor or port of the United States for

a voyage in the open sea, unless such ship is equipped with an efficient radio direction finding apparatus (radio compass) properly adjusted in operating condition as hereinafter provided, which apparatus is approved by the Commission: *Provided*, That the Commission may defer the application of the provisions of this section with respect to radio direction finding apparatus to a ship or ships between one thousand six hundred and five thousand gross tons for a period not beyond November 19, 1954, if it is found impracticable to obtain or install such direction finding apparatus."

(b) Paragraph (3) of section 352 (a) of such Act is amended to read as follows:

"(3) A foreign ship belonging to a country which is a party to any Safety Convention in force between the United States and that country which ship carries a valid certificate exempting said ship from the radio provisions of that Convention, or which ship conforms to the radio requirements of such Convention or Regulations and has on board a valid certificate to that effect, or which ship is not subject to the radio provisions of any such Convention;"

(c) Section 352 of such Act is amended by adding at the end thereof a new subsection as follows:

"(c) If, because of unforeseeable failure of equipment, a ship is unable to comply with the equipment requirements of this part without undue delay of the ship, the mileage limitations set forth in paragraphs (1) and (2) of subsection (b) shall not apply: *Provided*, That exemption of the ship is found to be reasonable or necessary in accordance with subsection (b) to permit the ship to proceed to a port where the equipment deficiency may be remedied."

(d) Section 353 of such Act is amended to read as follows:

"OPERATORS, WATCHES, AUTO-ALARM—RADIOTELEGRAPH EQUIPPED SHIPS

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

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

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

"(d) The Commission shall, when it finds it necessary for safety purposes, have authority to prescribe the particular hours of watch on a ship of the United States which is required by this part to be fitted with a radiotelegraph installation.

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

Exception.

50 Stat. 192.  
47 USC 352.

Exempt vessels.

47 USC 352.

Equipment failure.

50 Stat. 193.  
47 USC 353.

Redesignation of sections.

47 USC 354-362.

SEC. 2. (a) Such Act is amended by—

(1) redesignating sections 354, 355, 356, 357, 358, 359, 360, 361, and 362 thereof as sections 355, 357, 358, 359, 360, 361, 362, 363, and 364 thereof, respectively; and

(2) amending each such section number wherever it appears therein to conform to the redesignation prescribed by paragraph (1) of this subsection.

(b) Such Act is amended by inserting, immediately after section 353 thereof, the following new section:

“OPERATORS, WATCHES—RADIOTELEPHONE EQUIPPED SHIPS

“SEC. 354. (a) Each cargo ship fitted with a radiotelephone installation in accordance with section 356 shall, for safety purposes, carry at least one qualified operator who may be a member of the crew holding only a certificate for radio telephony.

“(b) Each cargo ship of the United States fitted with a radiotelephone installation in accordance with section 356 shall, while being navigated outside a harbor or port, keep a listening watch in such manner and during such periods as determined by the Commission.”

(c) That portion of section 355 of such Act, as redesignated hereby, which precedes subsection (b) thereof is amended to read as follows:

“TECHNICAL REQUIREMENTS—RADIOTELEGRAPH EQUIPPED SHIPS

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

“(a) The radio installation shall comprise a main and an emergency or reserve radiotelegraph installation: *Provided*, That, in the case of an existing installation on a cargo ship and a new installation on a cargo ship of five hundred gross tons and upwards but less than one thousand six hundred gross tons, if the main installation complies with all requirements of an emergency or reserve installation, the emergency or reserve installation may be omitted, except that a separate emergency receiver must, in all cases, be provided.”

(d) Such Act is amended by inserting, immediately after section 355 thereof, as redesignated hereby, the following new section:

“TECHNICAL REQUIREMENTS—RADIOTELEPHONE EQUIPPED SHIPS

“SEC. 356. Cargo ships of less than sixteen hundred gross tons may, in lieu of the radiotelegraph installation prescribed by section 355, carry a radiotelephone installation meeting the following requirements:

“(a) The ship’s radiotelephone installation shall be in the upper part of the ship and, unless situated on the bridge, there shall be efficient communication with the bridge.

“(b) The radiotelephone installation shall be capable of transmitting and receiving on the frequencies and with types of emissions designated by the Commission pursuant to law for the purpose of distress and safety of navigation.

“(c) The transmitter shall be capable of transmitting clearly perceptible signals from ship to ship during daytime, under normal conditions and circumstances, over a minimum normal range of one hundred and fifty nautical miles.

“(d) There shall be available at all times a source of energy sufficient to operate the installation over the normal range required by paragraph (c). If batteries are provided they shall have sufficient capacity to operate the transmitter and receiver for at least six hours

continuously under normal working conditions. In new installations an emergency source of energy shall be provided in the upper part of the ship unless the main source of energy is so situated."

(e) The text of section 357 of such Act, as redesignated hereby, is amended to read as follows:

"SEC. 357. Every ship required to be provided with lifeboat radio by treaty to which the United States is a party, by statute, or by regulation made in conformity with a treaty, convention, or statute, shall be fitted with efficient radio equipment appropriate to such requirement under such rules and regulations as the Commission may find necessary for safety of life. For purposes of this section, 'radio equipment' shall include portable as well as nonportable apparatus."

(f) Subsection 361 (b) of such Act, as redesignated hereby, is amended to read as follows:

"(b) Appropriate certificates concerning the radio particulars provided for in said Convention shall be issued upon proper request to any vessel which is subject to the radio provisions of the Safety Convention and is found by the Commission to comply therewith. Safety Radiotelegraphy Certificates and Safety Radiotelephony Certificates, as prescribed by the said Convention, and Exemption Certificates issued in lieu of such certificates, shall be issued by the Commission. Other certificates concerning the radio particulars provided for in the said Convention shall be issued by the Commandant of the Coast Guard or whatever other agency is authorized by law to do so upon request of the Commission made after proper inspection or determination of the facts. If the holder of a certificate violates the radio provisions of the Safety Convention or the provisions of this Act, or the rules, regulations or conditions prescribed by the Commission, and if the effective administration of the Safety Convention or of this part so requires, the Commission, after hearing in accordance with law, is authorized to modify or cancel a certificate which it has issued, or to request the modification or cancellation of a certificate which has been issued by another agency upon the Commission's request. Upon receipt of such request for modification or cancellation, the Commandant of the Coast Guard, or whatever agency is authorized by law to do so, shall modify or cancel the certificate in accordance therewith."

SEC. 3. Section 3 of such Act is amended by inserting at the end thereof the following new subsections:

"(ee) 'Existing installation', as used in section 355 of this Act, means an installation installed on a ship prior to November 19, 1952, in the case of a United States ship subject to the radio provisions of the Safety Convention, or one installed on a ship prior to a date one year after the effective date of this subsection in the case of other ships subject to part II of title III of this Act.

"(ff) 'New installation', as used in sections 355 and 356 of this Act, means an installation which replaces an existing installation or, in the case of a United States ship subject to the radio provisions of the Safety Convention, one installed on a ship subsequent to November 19, 1952, and, in the case of other ships subject to part II of title III of this Act, one which is installed subsequent to a date one year after the effective date of this subsection."

Approved August 13, 1954.

Life boat radio equipped ships.

"Radio equipment."

Certificates of Convention, radio particulars.

Violations.

Modification or cancellation.

47 USC 153.

Definitions.