

STATEMENT OF COMMISSIONER ROBERT T. BARTLEY,
FEDERAL COMMUNICATIONS COMMISSION, BEFORE THE
SUBCOMMITTEE ON COMMUNICATIONS AND POWER OF
THE COMMITTEE ON INTERSTATE AND FOREIGN
COMMERCE, HOUSE OF REPRESENTATIVES, ON
H.R. 7954, A BILL TO AMEND THE COMMUNICATIONS
ACT TO CONFORM TO THE CONVENTION FOR SAFETY
OF LIFE AT SEA

May 19, 1965

The Commission has asked me to represent it and to testify for it on behalf of H.R. 7954, introduced by Congressman Harris. This bill, which is part of our legislative program for the first session of the 89th Congress, would amend the Communications Act to conform to the Convention for the Safety of Life at Sea (SOLAS), a conference held in London in 1960.

Upon the invitation of the Inter-Governmental Maritime Consultative Organization this Conference was held in London during May and June 1960, a major purpose of which was the drafting of a Convention to replace the International Convention for the Safety of Life at Sea, signed in London in 1948. In addition to myself, Curtis B. Plummer, Harold R. Woodyard and Duncan Peters of the Commission's staff participated in the Conference as part of the delegation representing the United States. I served as Chairman of the U.S. Delegation on Chapter IV of the Convention.

As a result of its deliberations, the conference prepared and opened for signature and acceptance, The International Convention for

the Safety of Life at Sea, 1960, to replace the International Convention for the Safety of Life at Sea, 1948.

This convention was submitted to the Senate on April 27, 1961, as Executive K of the 87th Congress with a view to receiving the advice and consent of the Senate. A hearing thereon was held before the Committee on Foreign Relations, United States Senate, on February 27, 1962. Thereafter, a favorable report was submitted by that Committee (Ex. Rep. No. 5, 87th Cong., 2d Sess.) On April 12, 1962, the Senate gave its advice and consent to the ratification of such Convention.

Pursuant to Article XI of SOLAS, the Inter-Governmental Maritime Consultative Organization has informed all Governments which have signed or accepted the present Convention (including the United States) that it shall come into force on May 26, 1965.

The amendments contained in H.R. 7954 have as their objective the modernization of compulsory ship radio safety requirements. The provisions proposed to be amended, other than a few definition changes in Section 3, are contained in Sections 351 through 361, Part II of Title III of the Communications Act, which apply to vessels navigated in the open sea on both domestic and international voyages. The present provisions are designed to apply radio safety standards in each respect equal to or higher than those in the 1948 Safety Convention.

In respect to those provisions of the 1960 Safety Convention which provide for higher standards than those now contained in the Communications Act, and in the 1948 SOLAS Convention, H.R. 7954 would amend the Act to raise the standards of the Act to those of the new Safety Convention.

The principal effect of enactment of the proposed legislation would be to insure that vessels engaged on domestic voyages in the open sea will comply with radio safety requirements no less effective than those applicable to ships engaged on international voyages.

In the process of forwarding H.R. 7954 to the Congress, the Commission has been advised by other interested Government agencies such as the Bureau of the Budget, the Coast Guard and the Department of the Navy that they have no objection to the enactment of this bill.

Since the United States has already agreed to the provisions in the SOLAS Convention, the amendments made by H.R. 7954 are conforming in nature and, in our opinion, non-controversial.

The major substantive changes the bill would make are (i) to extend application of compulsory radio installation requirements of Section 351 of the Communications Act to cargo ships as low as 300 gross tons. Presently cargo ships under 500 gross tons are excepted from the requirements of this section of the Communications Act; (ii) to eliminate nuclear ships from the Commission's exemption

authority contained in Section 352 of the Communications Act; and (iii) to eliminate the compulsory radio requirements of the Communications Act for vessels which are navigated both in the open sea and on the Great Lakes during the time that such vessels are on the Great Lakes. SOLAS 1960 eliminated the compulsory radio requirements of the Safety Convention for vessels under similar circumstances. The proposed amendment to the Communications Act would effect similar relief for vessels subject to the Communications Act. The purpose in both cases is to eliminate dual radio safety requirements since vessels on the Great Lakes are subject also to the safety radio requirements of the Great Lakes Agreement between the United States and Canada.

The other amendments are generally nonsubstantive -- involving changes in terminology of the Act to conform to that adopted by the Convention and other changes for purposes of clarification.

These changes brought about by the Convention are designed to promote the safety of life and property on the high seas. We urge that H.R. 7954 be enacted so that the Communications Act may reflect them. This concludes my prepared statement. With assistance from the staff accompanying me, I shall be happy to answer any questions you may have.

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