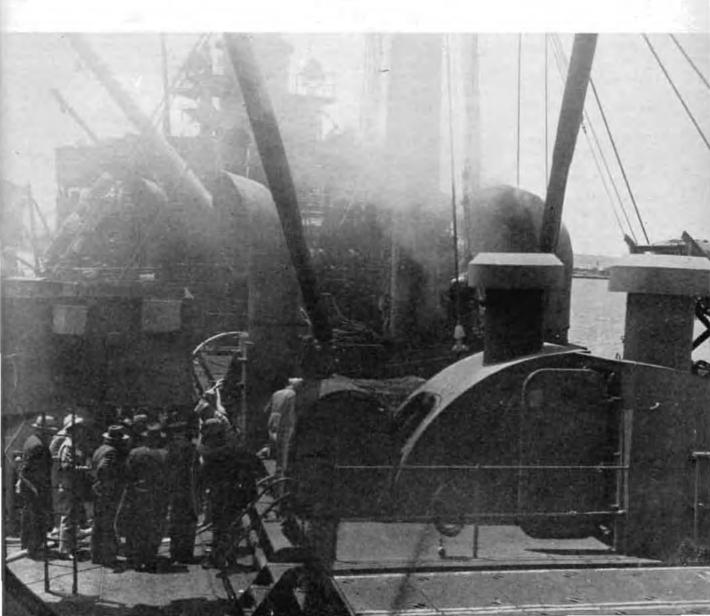
# PROCEEDINGS OF THE

# MERCHANT MARINE COUNCIL



Vol. 3 November 1946 No. 11



# MERCHANT MARINE COUNCIL

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# The Merchant Marine Council of the United States Coast Guard

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For each meeting two District Commanders and three Marine Inspection Officers are designated as members by the Commandant.

# CONTENTS

	Pag
Council Activities	18
Admiral Waesche Dies	18
Fire Fighting Aboard Ship; Advanced Training Developed Under War Impetus	18
Differences in the Various Rules of the Road.	19
Lessons from Casualties:	
Short Cuts to Doom	19
Stairway Safety	19
Appendix:	-
Amendments to Regulations	19
Items Suitable for Merchant Marine Use	
Merchant Marine Personnel Statistics	
Cover:	
Observing the Test Fire in Cargo Hold in Operation Phobos.	

# COUNCIL ACTIVITIES

The Merchant Marine Council held its first public hearing on 22 October 1946 since the enactment of the Administrative Procedure Act. Many written and oral comments were received on the proposed changes in the regulations announced in accordance with the notice published in the Federal Register and this Proceeding. At the meeting it was announced by the Chairman that many requests to postpone the hearing had been received. but due to the conditions existing in the industry and the shortness of time given for submission of comments it was not possible to postpone the hearing. However, the opportunity to submit comments and suggestions was extended to 22 November 1946. before the Council will take executive action on the proposals under consid-

Many comments were received in connection with the proposed changes in regulations for licensing and certificating personnel. The plan proposed contemplates the placing of all regulations dealing with licensing and certificating of merchant marine personnel in one book and to eliminate as much as possible in duplications of requirements. The proposed regulations distributed only showed the changes contemplated from present requirements. The plan is not to put any of the proposed regulations in effect, if adopted, until after 31 March 1947, when the power to grant waivers expires under the Second War Powers

The proposed rewriting of the requirements for construction or material alteration of passenger vessels of the United States of 100 gross tons and over propelled by machinery was well received. Few comments were made and most of them will receive favorable consideration from the Mer-

chant Marine Council. The proposed regulations go into further detail regarding the construction of passenger vessels to make them fireproof in accordance with requests from naval architects.

The regulations concerning the use of butane or propane for heating and cooking on tank vessels appear to be acceptable to the industry as proposed since few comments were received and those comments were in favor of the proposed changes.

Regarding proposed amendments to the regulations for numbering and recording of undocumented vessels, the proposed changes appear to be satisfactory for the most part since no comments or suggestions were received from the public.

The public participation in the matters of rule making by the Coast Guard is considered as a step forward in a better understanding of the requirements of the regulations. The reasons for the changes in the regulations are obvious. The proposed changes in regulations for licensing and certificating of merchant marine personnel reflect the experiences gained by accelerated programs in effect under wartime conditions. The need for fire preventive measures and the adoption of standards in construction should provide the shipping industry a better guide in determining whether or not proposed passenger vessel construction is fireproof.

To further the participation of the public in the rule making responsibilities of the Coast Guard, the Commandant has established panels of consultants for the Merchant Marine Council. The panel members are selected for their ability in particular phases of the merchant marine industry. The Western Rivers Panel has

been outstanding in its assistance to the Coast Guard in considering recommendations for changes in regulations and the statutes.

Another group that has given the Coast Guard great assistance is the Committee on Rules for Tank Vessels of the American Petroleum Institute. This committee has responded to many Coast Guard requests for their opinion on proposed changes in the rules and regulations governing tank vessels.

The establishment of panels and the selection of panel members will be made by the Commandant upon the request of the Merchant Marine Council. It is hoped that other panels which may be established in the future will actively participate in matters referred to them for consideration previous to placing such items on the agenda for consideration by the Merchant Marine Council.

# ADMIRAL WAESCHE DIES

Admiral Russell Randolph Waesche, retired wartime Commandant of the United States Coast Guard died on 17 October 1946, at the Naval Medical Reo Center, Bethesda, Md. Admiral Waesche served as Coast Guard Commandant from his appointment on 14 June 1936 to his retirement on 31 December 1945.

He was born on 6 January 1886 in Thurmont, Frederick County, Md., the son of Mr. and Mrs. L. R. Waesche. He received his early education in the public schools of Maryland and following a year at Purdue University. Lafayette, Ind., applied for entrance to the United States Coast Guard Academy, New London, Conn. He was appointed a cadet on 19 May 1904 and received a commission as an ensign on 27 October 1906. In addition to his numerous assignments affoat. Admiral Waesche has served periods as Coast Guard Ordnance Officer, Budget Officer, and Chief of the Finance Division. He was appointed as Commandant in 1936 by President Roosevelt. with the rank of rear admiral. He was reappointed as Commandant in 1940 and 1944. In March 1942 he was raised to the rank of vice admiral and in April 1945 was promoted to the rank of full admiral.

His service record credits him with originating the Coast Guard Institute and Correspondence School for warrant officers and enlisted men, with instituting a reorganization plan of Coast Guard field forces, put into effect in 1931 and 1932; and with sponsoring a plan for selection of commissioned officers to improve efficiency and stimulate endeavor.

During his first term as Commandant, the Bureau of Lighthouses in the Department of Commerce and its functions were transferred to and consolidated with and administered as part of the Coast Guard in the Department of the Treasury. The duties, responsibilities, and functions of the Commissioner of Lighthouses were vested in the Commandant of the Coast Guard. The transfer was made by the President's Reorganization Plan No. II, 1939 on 1 July 1939.

On 1 March 1942 the former Bureau of Marine Inspection and Navigation was temporarily transferred to the jurisdiction of the Coast Guard as a war measure and it was retained in that status until 16 July 1946 at which time it was made a permanent part of the Coast Guard by the President's Reorganization Plan No. III, 1946. It was during the early part of the transfer and while Admiral Waesche was Commandant that numerous changes were made in the organization. The most outstanding of these was the creation of a Merchant Marine Council where items affecting the merchant marine industry could be discussed in open session. There

was also instituted the pamphlet PROCEEDINGS OF THE MERCHANT MARINE COUNCIL which keeps the industry informed of changes in regulations as well as other items of interest.

Admiral Waesche was awarded the Distinguished Service Medal for exceptionally meritorious service to the Government of the United States in a duty of great responsibility as Commandant, United States Coast Guard, from December 7, 1941 to August 31, 1945.



# FIRE-FIGHTING ABOARD SHIP; ADVANCED TRAINING AND METHODS DEVELOPED UNDER WAR IMPETUS

The war needs of our fighting forces affoat gave impetus to research and the development of advanced methods of prevention and control of fire on board ships. The Navy and the Coast Guard lead in these endeavors. Fire training schools were set up on both the east and west coasts: mockups of boiler and engine rooms were built, and tests simulating actual conditions affoat were carried out day after day; the fires being controlled and extinguished by personnel assigned to the training schools to fit them for the tasks which lay ahead. The theories of damage control, chemistry of fire, types and application of portable fire extinguishers, and use of CO: foam, fog, and water as extinguishing agents were taught and the actual application of each was practiced.

Fires on ships may be divided into three general categories: Fires occurring in passenger and crew accommodations; fires in machinery spaces, and fires in cargo. In fighting a ship fire the stability of the vessel is the most important factor aside from actual extinguishment of the fire. Stated simply, a ship is a box-like structure having buoyancy and trim which must be maintained within certain limits if the ship is to stay afloat. Lack of appreciation of these limits has resulted disastrously in

some ship fires.

Fires occurring in passenger and crew accommodations on board ships was the subject of investigation and experiment, beginning in 1935. From these experiments a form of construction eliminating combustible materials to such an extent that combustion cannot be sustained was developed without increasing materially the cost of the construction or the weight of the vessel. Certain elements of design and construction practices, especially in passenger quarters, were found to be faulty; having the practical effect of forming flues tending to provide excellent methods of increasing combustion and communicating fire from compartment to compartment through the over-all length of the structure. These faults were pointed out and design requirement altered to provide fire stops in an effort to isolate a fire within a compartment in which it initially occurs.

'Address delivered at 34th National Safety Congress and Exposition 9 October 1946, Chicago, Ill., by Mr. William T. Butler, Chief, Hazard Prevention Section, Merchant Vessel Inspection Division, United States Coast Guard Headquarters. These provisions apply primarily to passenger-carrying vessels and do not have specific applicability to cargo vessels.

Substantial investigation of methods of controlling and extinguishing fires in the machinery spaces of ships was delayed until 1943. An experience in New York Harbor when the cargo ship El Estero, with 3,000 tons of ammunition on board, caught fire in its boiler room was the impetus which lead the Coast Guard to expand its experiments and develop a realistic program of tests in the control of fires occuring in the engine room and boiler room spaces of ships.

There appears to be a general impression that fires in ships engine or boiler rooms are very infrequent. Analyses of 737 fires reported on board ships for the year 1944 show 70 of these fires occurred in machinery spaces of the vessels; 135 in passenger and crew accommodations, and 84 in cargo holds. 21 experimental fire tests were conducted in the engine and boiler rooms of a Liberty type ship.

Low pressure water fog, foam, and CO: were used as extinguishing agents in these tests. From a study of case histories preceding the tests, it is believed the test fires were more severe than would be expected in the engine or boiler rooms of operating vessels under normal conditions. One of the objectives of these tests was to determine the possible effect upon extinguishment of machinery space fires by controling air flow through the medium of ventilators and other openings in the ship's structure which permit additional amounts of oxygen in air reaching the fire. It was definitely established that the rate of burning within the space decreased as airintake openings were blanked off. This was one of the most significant findings as it was noted in the fires that as the temperature increased within the machinery space there was a considerable increase in the volume of additional fresh air being drawn into the space through the air-intake openings. Fires were permitted to burn from 15 to 30 minutes with all ventilating apparatus remaining open.

Starting from scratch it required approximately 15 minutes to close off openings using tarpaulins as seals. Mechanical type of closing means appears to be desirable. Waterfog and mechanical foam were found to be effective extinguishing agents. That portion of the water in the fog which was converted into steam escaped by way of the funnel casing which was

always left open; resulting in the maximum heat absorbing capacity of fog being fully utilized. Water which remained in liquid form within the space was of such limited volume that it would not have endangered the stability of the ship.

In applying mechanical foam twin 10-gallon pressure proportioners were used. It was found that 1½-inch working lines were sufficient to supply either waterfog or mechanical foam. Ease of handling this size hose makes it particularly suitable for ship fire fighting. 2½-inch hose was used for supply lines serving the 1½-inch working lines.

Methods found to be successful in fighting fires in machinery spaces may be summed up as follows:

- Control the supply of air into the compartment.
- (2) Abandon the idea that volume of water from straight streams is an efficient fire-extinguishing agent for these fires.
- (3) In the control of ventilation, provide an escape vent from the top side of the compartment to the atmosphere to prevent an explosion from hot gases and provide a ready escape for those gases and steam generated during application of waterfog.
- (4) Provide foghead equipment, foam proportioners, or foam generators, foam nozzles, high velocity fog nozzles, and portable oxyacetylene burning equipment, and familiarize fire fighters with their use on board vessels.

The interest engendered by the machinery space experiments led to an extension of these experiments to the field of fires in cargoes on board ships. A joint operation was created participated in by the Transportation Corps, Army Service Forces; Bureau of Ships, Navy Department; Research Division. United States Maritime Commission; War Shipping Administration, and the Coast Guard as the operating agent. Industry had participated to a limited extent in the machinery space experiment. For the cargo experiment this interest was expanded to include owners and operators of merchant vessels, vessel designers and builders, maritime underwriters, the National Board of Fire Underwriters, the National Fire Protection Association, The International Association of Fire Chiefs, and the manufacturers of safety appliances and fire extinguishing equipment. Representatives of these segments of industry served on the committee in an advisory capacity.

The tests were still underway on board a ship at an anchorage in San Francisco Bay. The ship is a converted Liberty having crew spaces in the 'tween deck with lower holds intact. Otherwise the vessel conforms in all respects to a normal seagoing ship.

A combination CO<sub>2</sub> smoke detecting and steam smothering system is fitted in the cargo holds in accordance with existing regulations applicable to merchant vessels. An approved type of smoke detector and automatic alarm is installed in the bridge house. A bank of CO<sub>2</sub> cylinders is installed in the 'tween deck compartment above No. 5 hold. A Coast Guard fireboat having a 5-ton low pressure CO<sub>3</sub> tank and distributing system is being used in these tests.

The principal objectives of this

cargo fire experiment are:

(a) To obtain information on the characteristics of fires in holds involving typical cargos, with respect to; speed of development of the fire, temperatures both inside the hold and on boundary bulkheads and deck; nature of gases evolved; intake of air and efflux of gases; and probable rapidity of spread of fire to adjacent holds.

(b) To establish best methods of controlling and holding such fire in check, which would involve experimentation with: Methods of sealing off the hold, introduction of carbon dioxide and introduction of steam.

(c) To determine most effective methods of final extinguishment; working cargo under adverse conditions; probably involving a combination of steps indicated in paragraph (b), together with: Application of fog and water streams; development of methods of ventilating the hold to remove smoke and hot gases; use of respiratory protection; possible effectiveness of water tension reducers in producing better water penetration into baled fibers, and determination of best means of entry into the hold.

(d) To develop data which would lead to effectiveness and economical fixed methods of fire control, information such as: Proper quantity, rate of discharge, and points of application of carbon dioxide; establishing or disproving the value of steam as smothering agent; development of improved closures for ventilators and hatch

openings.

The principal cargo used up to the present is standard density type bales of low grade cotton. The first three tests were in the nature of pilot tests. The hold was loaded with 130 bales of cotton, representing about 10 percent of the bale capacity of the hold. The first fire was permitted to burn after ignition with no steps taken with reference to extinguishment. Seventeen minutes after ignition the

smoke indicator cabinet functioned. Thirty-five minutes after ignition the temperature in the bales was 872° F. Average ambient temperature in the hold was 333° F.

Forty-five minutes after ignition steps were taken to seal off the ventilators. At this time the temperature in the bales registered 1.067° F. The bulkhead between the No. 5 hold where the fire was and the No. 4 hold showed a maximum of 105" F. on the No. 4 side of the bulkhead. Twenty minutes after the ventilators were sealed, temperature reading showed 470° F. in the bales; ambient temperatures in the hold 108° F. Three hours later, and still without the introduction of any extinguishing agent, the temperature in the bales showed 135" F; ambient temperature within the hold 68" F., and the maximum temperature in the division bulkhead between No. 4 and No. 5 holds 60° F. Gas observations in the hold following this period of burnout showed CO-12 percent, O-7 percent, CO-2 to 3 percent

This burn-out in a sealed hold is believed to be significant, especially in view of the results obtained in the machinery space fire by control of ventilation. No. 2 and No. 3 pilot tests did not materially vary these results. In test No. 2, CO: was introduced at the bottom of the hold. In both tests extinguishment was complete. No reignition occurred.

The next two tests were conducted with holds practically fully stowed with cotton. In the first of these tests extinguishment was to be by CO<sub>2</sub>. Source of supply; cylinder bank at high pressure and topside introduction in accordance with existing requirements of vessel regulations. In the second test extinguishment was to be by CO<sub>2</sub>. Source of supply; tank storage at low pressure and introduction at the bottom of the hold.

It was decided to permit a free burning period following ignition to secure a fire of maximum proportions before sealing off the hold. One hour and thirty-two minutes after ignition smoke detecting cabinet showed smoke and the audible smoke alarm sounded. Maximum temperature at cargo 780° F. Maximum ambient temperature in hold 1,105° F. One hour and forty-five minutes after ignition, sealing of ventilators commenced. Nine hours after ignition introduction of CO, began. Maximum temperature at cargo 100° F., maximum temperature in hold 105° F. During the next 26 hours 45 cylinders of gas were introduced into the hold. This represents maximum regulatory requirements of CO, for that size hold.

Soaking was carried on for 60 hours. The ventilator seals were broken 117 hours after ignition. The temperature before breaking seals showed cargo 65° F., ambient temperature in hold approximately 65° F. One and three-fourths hours after breaking seals smoke was observed at the starboard cowl. One-half hour later smoke alarm sounded and sizable flames were observed in the hold. Vents were resealed. This ended the initial phase of this test.

An experimental phase, based on controlling oxygen content within the hold and continuous soaking of cargo by CO<sub>1</sub>, was undertaken.

The principal points in the second

phase of this test were:

(a) It was estimated that during prior ventilation the hold was purged of CO<sub>2</sub> at least half way down into the cargo and that approximately at 24 percent concentration existed in the lower portion of the hold.

(b) The oxygen content of the hold ranged from 8.5 percent at the bottom

to 12 percent at the top.

(c) Eighty cylinders, 4,000 pounds of CO<sub>3</sub> were introduced over a period

of 30 hours.

(d) After the introduction of 55 cylinders the oxygen content was reduced to 5 percent; after 75 cylinders 4.5 percent; after 80 cylinders 4.2 percent. Subsequently the oxygen content did not rise above 4.6 percent.

(c) Forty-two additional hours of soaking followed the introduction of

the 80 cylinders of CO2.

(f) At the end of this period the ventilator seals were broken and 4 hours later definite evidence of reignition was observed.

The ventilator seals were replaced and the third phase results were:

- (a) At the time of resealing, the CO<sub>1</sub> content was approximately 8.5 percent at the top of hold, and 53.5 percent at the bottom.
- (b) Oxygen content was about 17 percent at the top of the cargo and 5 percent at the bottom.
- (c) Two hundred and thirty-eight cylinders, 11,900 pounds of gas, were introduced at intervals over a period of 22 hours, with 367 additional hours of soaking; the equivalent of 16 days.
- (d) At the expiration of the soaking period hatches were opened, ventilators remained sealed, and stevedores with hose masks and air line respirators commenced working the cargo which was under a blanket of CO<sub>2</sub>. On the third day of the operation a hot spot was observed.
- (e) Thirty cylinders of gas were introduced over remaining cargo in a period of 8 hours. When the hot spot was uncovered, low velocity fog with wetting agent added was applied. Clean up of the hot spot, about 20 cubic feet in volume, uncovered an almost completely consumed gin bale as the source of the heat. No further

evidence of heat, glow or fire encountered.

(f) Six hundred and seventy-five bales out of a total of about 1,300 bales were removed from the hold. Balance of bales untouched by fire remained in hold for following test.

In phases one and two, during the application of high pressure CO<sub>2</sub> by standard topside introduction, marked billowing of hatch tarpaulins was observed, indicating escape of normal gases present in the hold; gases of combustion and some percentage of CO<sub>2</sub>. Subsequent tests using low pressure CO<sub>2</sub> and introducing it at the bottom of the hold appeared to conserve more of the CO<sub>2</sub>.

A gas sample extracted from about the middle of a bale showed 22 percent CO<sub>2</sub>, 14.8 percent oxygen. This bale was in the top tier in the hold and had been subject to varying concentrations of CO<sub>2</sub> from 7 to 60 percent over a period of 25 days.

For the second full hold test, some slightly damaged bales from prior tests were cleaned and restowed in the hold. A free burning period followed ignition. Two hours and 20 minutes after ignition the smoke detecting cabinet indicated smoke and the audible smoke alarm sounded-Maximum temperature at cargo 1105° F. Maximum ambient temperature in hold 370° F. Two and a half hours after ignition the ventilators were sealed. Four hours later ventilator seals were reopened and free burning occurred for 30 minutes when vents were resealed. At this time temperature readings showed: maximum temperature at cargo 1,700° F. Maximum temperature in hold 410° F. At the end of two hours a burnout in the sealed hold temperatures showed: maximum temperature at cargo 230° F. Maximum temperature in hold 125° F. In 30 minutes 7,500 pounds of CO, at low pressure, 300 pounds per square inch, were introduced at four orifices, two starboard, two port: alongside the shell of the vessel just above the level of the tank top.

The orifices were spaced about equal distance in the length of the hold. This amount of gas is slightly in excess of three times present regulatory requirements for this size of hold. There was some billowing of weather deck hatch tarpaulin. Soaking was carried on for 37 hours. The ventilator seals were broken 47 hours after ignition. The temperature readings before breaking seals were normal within the hold. Port cowl trimmed into wind, air mover placed in starboard ventilator and operated for 7 hours. Operation suspended and hold of cargo allowed to "set" for 31/2 days, at which time ventilator seals were replaced. Twenty-four hours later working of cargo for discharge commenced. No reignition occurred. Extinguishment was complete.

The principal points of the second full hold test were:

(a) A higher temperature attained in the cargo during free burning period.

(b) Marked buckling of 'tweendeck plates occurred over the fire area.

(c) The reduction of the temperature in the burning cotton and in the hold during burn-out period with the compartment sealed, and before introduction of CO<sub>2</sub>.

(d) A gas sample taken from the interior of a bale located in third tier from bottom of hold about center line and adjacent to aft bulkhead of hold showed concentration of 10 percent Co<sub>2</sub> and 9 percent O<sub>2</sub>. This bale had been subject only to CO<sub>2</sub> evolved during burn-out, a period of about 6½ hours.

(e) The length of time (30 minutes) required to introduce 7,500 pounds of CO<sub>2</sub> into the hold.

(f) A sample taken from a bale, 3½ hours after CO<sub>2</sub> was introduced showed 68.8 percent CO<sub>2</sub>, 2.6 percent O<sub>2</sub>, and 1.0 percent CO. Maximum concentration of CO<sub>2</sub> to which this bale was subjected 74 percent.

(g) The severe conditions of test for reignition wherein the hold was vented through ventilators using an air mover to exhaust CO<sub>2</sub> and other gases in the hold replacing them with air through intake ventilator and then allowing the hold to "set" for 3½ days with vents open.

(h) The complete extinguishment of the fire.

No. 6 experiment was a test of steam smothering type extinguishment. Steam was conveyed into the hold through a regular steam smothering system fitted in the ship in accordance with regulations. The No. 5 hold was partially loaded with 130 bales of cotton. The total bale capacity of this hold is 51,571 cubic feet. Free burning was permitted after ignition and at the time the ventilators were sealed a flash fire had occurred registering a temperature going off the scale at 2,400° F. Twenty minutes after ventilators were sealed temperature at point of ignition was 730° F.

Steam pressure at boilers was 220 pounds; at the manifold after reduction 87½ pounds. Estimated pressure at outlet in hold 85 pounds. Temperature of pipe leading to hold 280° F

Steam was applied three times during the test. The first steaming period was 1 hour; the second was 2 hours; the third was for 4-hours duration. During the first steaming a maximum pressure of 2½-inch (water) was observed. The second

steaming 1-inch pressure (water); the third steaming 4-inch pressure (water) was observed. When the steam was turned off pressure changed rather rapidly to vacuum. After the first steaming the monometer went from positive pressure to vacuum and off a 12-inch scale. Following the second steaming the vacuum exceeded 12-inch (water) on the scale. Following the third steaming the pressure changed to 8-inch (water) vacuum in 1 minute, to 19-inch (water) vacuum in 6 minutes, to a maximum of 211/2-inch (water) vacuum within 10 minutes.

Following the first steaming the hold was allowed to "set" for 5 hours with definite temperature indications of the continuance of fire in the cotton. Thirty-five hours after the second steaming vent seals were removed and 1 hour afterwards audible smoke alarm sounded indicating continuance of fire. Thirty-four hours after the third steaming ventilator seals were removed and an hour afterwards the audible smoke alarm sounded and the temperatures in the cotton began to rise.

At this time this phase of the test was terminated and extinguishment accomplished by use of CO: supplied by low pressure through a portable 11/2inch CO, hose line. Twenty-four hours after the first 10,000 pounds of gas were introduced ventilators were opened and reignition occurred. Four days after the second 10,000 pounds of CO, were introduced the hatches were opened; remaining so for three hours. when they were closed. The status quo was maintained for 4 days. On the fifth day the hatches were reopened. An hour later fire was observed. Fifty-four bales of cotton had been removed at this time and the hatches were reset and sealed. Five thousand additional pounds of CO, were introduced. Status quo was maintained for 21/2 days. Hatches were reopened; discharge of remaining cargo commenced. One bale with two bands missing and the cotton spread open was found to be glowing and when removed to the atmosphere, fire was observed between the layers of cotton at the open end of the bale. Reignition did not occur in any of the other remaining bales.

The foregoing is not considered conclusive enough to provide an answer as to the effectiveness of steam smothering. Additional tests, especially of a full hold of cotton, are indicated.

A test is now underway of an inert gas generator for use in the control and extinguishment of fire on board ships. The unit installed on the *Pho*bos uses gasoline for fuel. Diesel fuel units may be available for future installations. The record of these units especially those installed and used under actual battle damage conditions on board carriers during the war is impressive. The result of this test and its effect upon present practices in control and extinguishment of ship fires may prove interesting.

Operation Phobos is a joint program of the Army, Navy, Maritime Commission and the Coast Guard. It will continue for some time. Final reports will be published upon completion of the tests. Because the experiment is not completed, no conclusions are drawn in this paper.

It is hoped this paper will assist in contributing to the advancement of safety of ships when involved in a fire by fostering a greater scope of interest in Operation Phobos. Much of what has been said herein is not new. However, it is believed advantageous to repeat certain information to awaken new interest and extend its

application. Marked progress has been made in fire control practices on board vessels in the last 11 years. Despite this accomplishment, the record of ship's fires convinces us of the necessity of continually developing the art of fire prevention, control and extinguishment on board ships.

The right way is the safe way. Give the new man a few tips on safety,

# DIFFERENCES IN THE VARIOUS RULES OF THE ROAD

Of interest to all professional students of the Rules of the Road is a resolution adopted by the Propeller Club of the United States at its annual convention held in New York October 15, 16, and 17, 1946 which reads as follows:

"The rules of the road to prevent collisions on the high seas and in the various inland waters of the United States are in many respects needlessly different; and many of these differences have for years contributed to confusion in the minds of mariners whose vessels operate in more than one jurisdiction, oftentimes in a single voyage.

"A clear understanding and an intelligent observance of the rules of the road is conceded to be the surest preventive of collisions on the high seas.

"The Propeller Club of the United States hereby goes on record as favoring the principle of uniformity in the rules to prevent collisions on all public navigable waters; and further, as favoring the revision of both statutory and regulatory rules so as to bring them into agreement insofar as such agreement seems practicable to the various maritime interests concerned.

"The Secretary is hereby instructed to send copies of this resolution to all appropriate parties."

This is a resolution which strikes a very responsive chord at Coast Guard Headquarters where collision casualties are constantly being investigated which have occurred through violations of rules of the road. It may seem trite to say it, but long experience has proved the truth of the statement that the best preventive of collisions is obedience to the rules of the road. It is a fact that with more than 8,000 collisions in the books, fewer than 100, or 1 percent, occurred with both vessels obeying the rules. A case in point is a recent tragedy on the Mississippi River in which 11 lives were lost in a crossing collision at night and both vessels violated every rule that applied to their collision approach.

The law of collision prevention in the United States has proceeded from a simple beginning to a complex mass of conflicting statutes and regulations which often leave the law-abiding mariner in complete bewilderment as to what he is expected to do in a given situation. The original International Rules to prevent collisions were adopted in this country April 29, 1864 and applied on inland waters as well as on the high seas throughout the world. This act was made inapplicable to the high seas in 1890, to the Great Lakes in 1895, and to our coastal inland waters in 1897 and was succeeded by other statutes applying in the respective waters indicated. It thus remains in effect as the basic statute only on the rivers whose waters flow into the Gulf of Mexico.

In the United States there are thus, in addition to the high seas, three distinct inland water jurisdictions covered by statutes. Except the International Rules adopted by the Congress in 1897 as a result of the deliberations of the International Conference of 1889, each set of statutory rules is supplemented by pilot rules formulated under statutory authority by the former Steamboat Inspection Service and, since 1942, by the United States Coast Guard. These pilot rules, although in some instances older than the statute of 1864, may only supplement, but can not conflict with, the corresponding statute. Special lights in addition are prescribed by Army Regulations, and the statutory Motor Boat Act of 1940 further complicates the requirements with regard to small vessels in all the inland waters of the United States

A book might be written on the multitudinous differences that have developed in the various rules of the road in different sections of the United States—differences which are the more noticeable because in the other maritime countries the International Rules are followed and, except for local harbor regulations, departures such as found in our various codes are unknown. As one illustration of what the mariner is up against in navigating from one United States port to another, consider briefly the differences in whistle signals involved

on the high seas and in coastal inland waters.

Prior to the convention of 1889, clear weather whistle signals were optional although they had for many vears been compulsory in inland waters under the various pilot rules. The convention of 1889 may be said to have gone half way in the matter inasmuch as, in effect, it prescribed whistle signals when vessels approached each other closely enough to require a change of course. Article 28, International Rules, requires that when vessels are in sight and either makes a proper change in course she sound one short blast if turning to right, two short blasts if turning to the left. The rule further prescribes three short blasts to indicate that the engines are backing full speed. (Because of the great variation in full speed astern on different vessels and on the same vessel under different conditions of steam pressure. draft, trim, etc., this rule has long since been modified by the courts to mean that the three short-blast signal is required not only at full speed but at any speed astern.) Thus it follows that on the high seas the one or the two short-blast signal must be blown every time a proper change in course is made with another vessel in sight. If an insufficient change in course is made the first time and a second change must be made latera cause of numerous collisions-the whistle signal must be repeated; and conversely, there is no answering signal under International Rules. The second vessel whistles only if and when she likewise changes course. To express it somewhat differently. there is an inescapable casual relation under this rule between the rudder and the whistle string; the oneand two-blast signals are, in fact, rudder signals.

Crossing the line which separates high seas from United States coastal inland waters—and the darker the night or the foggier the weather the more invisible is that line—we find a very different requirement for clear weather whistle signals under inland and pilot rules. To get the whole picture we must examine both the inland and the pilot rules. Article 23, Inland Rules, mentions only the backdown signal of three blasts and to find the other required whistle signals we must consult Article 18, Subsections I and VIII, and the signal section of the Pilot Rules, 312.03. These are the provisions for signaling in the three respective approaching situations-meeting, overtaking, and crossing-and they are further modified by two other rules, one of which, in fact, divorces the rudder from the whistle and requires an exchange of whistle signals regardless of any change in course.

The first of these major differences is found in Pilot Rule 312.3, the first paragraph of which reads as follows:

"The signals for passing, by the blowing of the whistle, shall be given and answered by pilots, in compliance with the rules in this part, not only when meeting 'head and head,' or nearly so, but at all times when the steam vessels are in sight of each other, when passing or meeting at a distance within half a mile of each other, and whether passing to the starboard or port."

This rule has been interpreted to mean not that steam vessels on inland waters wait until half a mile apart to signal but that they must signal and answer at a safe distance whenever it is apparent that they will pass each other at any angle within half a mile. When analyzed carefully, this is a very neat piece of law making. The most difficult thing to prove in any court after a collision where signals were not blown is that the vessels did not approach within half a mile. The mariner who fails to whistle in inland waters is thus self-convicted before he gets into court.

The other major difference between the signal requirements in inland waters and the high seas is found in Article 18, Subsection III, and in Pilot Rule 312.1. These rules provide that whenever a steam vessel is in doubt as to the course or intention of another. she shall sound four or more short blasts of the whistle-the danger signal. Here again the crux of the rule is in the word "shall." There is no more option about the danger signal in inland waters than there is about the one, two, and three short-blast signals. Like the other signals, the danger signal should be blown in a timely manner and since every collision in clear weather is preceded by "Risk of collision," it is well for the navigator to remember to blow the danger signal before his next inland water collision, if it is his last conscious act.

The two basic differences mentioned

in the meaning of whistle signals on the high seas and inland waters effects the use of these signals in all three of the approaching situations—meeting, crossing, and overtaking. On the high seas it means that in the meeting situation neither vessel blows unless she changes course and, conversely either vessel gives the appropriate signal as many times as she changes course. Under Inland and Pilot Rules, on the other hand, both vessels whistle whether they are close enough to necessitate a change in course or not as long as they pass within a half mile (article 18).

In the overtaking situation, where the side on which to pass is optional, the overtaking vessel on the high seas, swinging to the left to clear the other, blows two short blasts; when after passing clear of the overtaking vessel she swings right to return to her course, she blows one short blast; the overtaken vessel, holding course and speed, answers neither signal. Given the same situation in inland waters, the overtaking steam vessel blows two short blasts when changing course to the left and this signal must be answered by the overtaken vessel in one of two ways: Either with two short blasts indicating assent, or with the danger signal indicating dissent; and in the latter case, the overtaking vessel is forbidden to pass until an agreement is reached by subsequent exchange of signals. When the overtaking vessel has passed clear, she returns to her original course without a second signal.

In the crossing situation on the high seas, the holding on steam vessels maintains course and speed without benefit of any whistle signal, while the giving way steam vessel signals only according to change of course to the right or left, or a reversal of her engines. Should such a situation develop into one in extremis, the holding on vessel can have no lawful recourse to the danger signal, but only to the optional (and wholly innocuous) detonating signal offered by article 12. Under Inland and Pilot Rules and their present interpretation, on the other hand, the situation of two steam vessels crossing is handled very differently. Here the holding-on vessel indicates intention to keep course and speed by a short blast to be answered by the other vessel; or the giving way vessel may initiate this signal. Instead of holding on into the jaws of collision, as required on the high seas, the giving way vessel is required by Pilot Rule 312.7 to take immediate remedial action whenever there is a misunderstanding of signals, and the danger signal is required as a declaration of such misunderstanding.

If space permitted we might point out many other important differences in the rules for the high seas and coastal inland waters. And it must be remembered that every vessel proceeding from one United States port to another normally begins her voyage under inland and pilot rules, changes to International rules when she gets to sea, and again changes to inland and pilot rules upon entering her port of destination. In piloting ships between Puget Sound and Alaskan ports, Captain Farwell was accustomed to 15 or 20 changes in rules in a single voyage. When we consider the many other differences in fog signals and running and anchor lights that now tax the memory of the willing but anxious mariner, there is much merit to the proposal of the Propeller Club.

It is the oft-repeated policy of the United States Coast Guard to interfere as little as possible with private industry in the maritime field. On the other hand, it is the Coast Guard's well considered function to be as helpful as possible in obtaining regulations adequate for safety whenever the maritime industry leads the way. It is to be hoped that, notwithstanding the occasional necessity of a rule to fit strictly local conditions, the very practical suggestion embodied in the resolution above quoted will meet with a sufficient insistence from mariners everywhere so that the Coast Guard will be in a position to do something about it.

## SPECIMEN EXAMINATIONS FOR MERCHANT MARINE DECK OFFICERS

The Merchant Marine Personnel Division, Coast Guard Headquarters, recently announced the revision of two booklets of interest to active members of the merchant marine: Specimen Examinations for Merchant Marine Deck Officers, and Manual for Lifeboatmen and Able Seamen. The revision date of each pamphlet is June 1946. The booklets are now available upon request to the Commandant, United States Coast Guard, Washington 25, D. C. or any Coast Guard field Marine Inspection Office.

Each edition has been revised several times in the past. In this last revision all material has been brought up-to-date, and in accord with changes which constantly take place in the operation and maintenance of merchant ships and equipment. All material pertaining to wartime procedures only, has been deleted. All examples, illustrations, regulations and general information have been corrected, modified and refined to reflect existing conditions in each respective field.

The text Specimen Examinations for Merchant Marine Deck Officers conforms with the licensed officer examinations currently conducted by the local Marine Inspection Offices. 1946 navigation problems replace those formerly based upon the 1942 almanac, and other questions and problems have been redrafted. There are four complete specimen examinations, one each for master, chief mate, second mate and third mate. Each examination is comparable in length and subject matter to that actually given by the inspectors.

# THREE Safety Rules:

- 1. Know your job.
- 2. Keep your mind on it.
- 3. Use your head.

# LESSONS FROM CASUALTIES

# SHORTCUTS TO DOOM

If we were sufficiently psychic to have premonitions of impending danger, we might hesitate enough to review the situations we face before taking hasty action. Not being thus endowed, we must take recourse to more earthly, and more satisfactory, ways of avoiding harm by observing the simple rules of safety. From all sides we are bombarded with safety slogans "Take time to be safe," "Safety firsttake no chances," "Be alert-don't get hurt," etc., slogans authored by men who have spent their lifetimes in the study of accidents and their prevention. If some way could be found to persuade mariners to adopt and live up to one of these slogans, any one, all types of marine casualties would take a decided drop. Consider, then, the following two cases. Could not these deaths have been prevented by the observance of one of those frequently ignored safety slogans?

While a Liberty type vessel was in a domestic port, an A. B. was employed in chipping rust from the boat deck of the vessel. At about 1455, the bos'n knocked the deck crew off for coffee. At that time the A. B. was about in the center of the after part of the boat deck. Instead of using the ladders, one of which was located on either side of the boat deck, in descending to the main deck, he crawled over the guard rail on the after end of the boat deck, caught hold of the side rail of the

gangway, which was lashed athwartships outside of the guardrail on the after end of the boat deck, with the intention of jumping from the rail and landing on the forward section of No. 4 hatch, which was covered. The section of the gangway side rail that he caught hold of gave way and he lost his balance and when he landed on the forward section of No. 4 hatch he was unable to check his momentum and fell into the No. 4 hold of the vessel. In falling he struck the second 'tween deck hatch beam from the forward end and landed at the bottom of the hold. He was rushed to a hospital but was declared dead upon arrival.

The second case happened in a foreign port and involved a deck-maintenance man and a chief engineer who had been assigned the task of tying up a motorboat, which they had been using, astern of a vessel. Arrangements had been made to pick these men up with another boat from a nearby dock and to transport them ashore.

While awaiting the boat, the maintenance man became impatient and decided to climb the painter to the stern of the vessel. He succeeded in climbing to the rail but apparently could not support himself long enough to clasp it. He began slipping and slid down to where the bight of the painter leveled off towards the boat. At this point he let go and disappeared under the surface and was not seen again until his body was recovered

2 days later. The chief engineer went over the side trying to rescue the maintenance man, but was unsuccessful. Evidence presented at the Coast Guard investigation indicated that the maintenance man did not know how to swim.

These cases were chosen at random from our files. Other fatalities have resulted from men riding cargo nets to get ashore and falling onto the docks and, among others, from failures to use properly provided gangways in boarding and departing from vessels.

It is pertinent to mention here that masters should report deaths not involving casualty to the vessel on Coast Guard Form 2692. Injuries not fatal and not involving a casualty to the vessel should be reported on Coast Guard Form 924-E.

## STAIRWAY SAFETY:

Walk-Do not run or crowd on or near stairways.

- Use handrails and watch where you are going.
  - Keep your hands out of your pockets.
  - Don't carry packages you can't see over. Get help, if necessary.
  - Be especially careful when carrying glass or sharp objects.
  - Pick up loose objects on the stairs.

# **APPENDIX**

# Amendments to Regulations

# TITLE 33—NAVIGATION AND NAVIGABLE WATERS

# Chapter I—Coast Guard, Department of the Treasury

Note: This issue contains the new regulations on organizational and procedural material published pursuant to section 3 (a) (1) and (2) of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 238).

PART 1—GENERAL ORGANIZATION AND JURISDICTION

SUBPART 1.01-AUTHORITY, FUNCTIONS, AND GENERAL ORGANIZATION

Sec. 1.01-1 Authority. 1.01-5 Functions. 1.01-10 General.

SUBPART 1.05-GENERAL ORGANIZATION

1.05-1 Commandant.

1.05-5 Assistant Commandant.

Sec.

1.05-10 Headquarters.

1.05-15 Offices within Headquarters.

1.05-50 Intra- and Inter-Agency Committees.

#### SUBPART 1.10-FIELD ORGANIZATION

1.10-1 General description.

1.10-5 Coast Guard Districts and offices.

1.10-10 District organization.

1.10-15 Obtaining information.

 1.10-20 Marine inspection districts and offices. Sec

1.10-75 Other district facilities.

1.10-90 Independent Coast Guard facilities.

SUBPART 1.50-DELEGATIONS OF AUTHORITY

1.50-1 District Commander.

1.50-20 Officer in Charge, Marine Inspection.

1.50-30 Captains of the Port.

SUMPART 1.60-FINAL OPINIONS OR ORDERS AND RULES

1.60-1 Final opinions or orders. 1.60-50 Rules.

SUBPART 1.75-RULE MAKING

1.75-1 General,

1.75-10 Notices, hearings and panels.

SUBPART 1.80-OFFICIAL RECORDS AND DOCUMENTS

1.80-1 Access to records.

1.80-10 Records at Headquarters.

1.80-60 Records at field offices.

1.80-90 Copies of records.

CROSS EXTERENCES: For procedures applicable to the public see Part 20 of this chapter, infra and Parts 1 to 4, inclusive, of Title 46, infra.

#### SUBPART 1.01—AUTHORITY, FUNCTIONS, AND GENERAL ORGANIZATION

§ 1.01-1 Authority. Pursuant to the act of January 28, 1915 (38 Stat. 800; 14 U. S. C. 1), as amended, the Coast Guard is constituted a military service and at all times constitutes a branch of the land and naval forces of the United States, operating under the Treasury Department in time of peace and as a part of the Navy in time of war, or whenever the President shall so direct.

§ 1.01-5 Functions. The functions of the Coast Guard, as the federal maritime police, embrace in general terms maritime law enforcement, saving and protecting life and property, safeguarding navigation on the high seas and navigable waters of the United States, and readiness for military operations.

§ 1.01-10 General organization-(a) Basic organization. The Coast Guard basic organization pattern reflects an assignment of military and administrative authority and responsibility among Coast Guard Headquarters, the 14 District Offices, and individual units in the field. Duties of the Coast Guard are in most instances actually performed by individual operating units such as ships; aircraft; air, light, radio, and lifeboat stations; Captain of the Port offices; marine inspection offices; and individual logistics units such as recruiting, receiving, and training stations: repair yards; and telephone system offices. The District Offices provide central direction and coordination of the performance of duties by individual field units located within certain geographical limits. Headquarters plans, supervises and coordinates the activities of the several districts and gives immediate direction to specific units in the field where such units report directly to Headquarters although located within the geographical limits of a particular district.

(b) Chain of commands. The chain of administrative and military command ordinarily runs from the Commandant to the District Commander, and in turn from the District Commander to the commanding officer or officer in charge of a particular operating or logistics unit. In the case of units reporting directly to Headquarters, the chain of command runs directly from the Commandant to the commanding officer of the unit.

(c) Administrative staffs. Administrative staffs are provided to assist the Commandant and the District Commanders in discharging their responsibilities. Any authority which these officers have is derived from the Commandant or the District Commander and the exercise of such authority is in behalf of the Commandant or the District Commandant or the District Commandant or the District Commander.

#### SUBPART 1.05-CENTRAL ORGANIZATION

§ 1.05-1 Commandant. The Commandant, U. S. Coast Guard, acts as chief of the Coast Guard and is charged with the administration of the Coast Guard. The Commandant is appointed by the President, by and with the advice and consent of the Senate, for a period of 4 years, and may be reappointed for further periods of 4 years each. He is selected from the active list of line officers not below the grade of commander.

§ 1.05-5 Assistant Commandant. The Assistant Commandant performs duties as prescribed by the Commandant and acts as Commandant during the absence or disability of that officer or in the event there is a vacancy in the office of the Commandant. The Assistant Commandant, upon recommendation of the Commandant, is appointed by the President, by and with the advice and consent of the Senate, for a period of 4 years, unless sooner relieved by the President. He is selected from the active list of line officers not below the grade of commander.

§ 1.05-10 Headquarters. The central office of the Coast Guard, officially designated Headquarters, U. S. Coast Guard, is located at 1300 E Street NW., Washington 25, D. C.

§ 1.05-15 Offices within Headquarters. The Headquarters organization consists of the Commandant's immediate office and the following operational and logistic offices: Office of Engineering; Office of Finance and Supply; Office of Merchant Marine Safety; Office of Operations; and Office of Personnel.

(a) Office of Commandant, The

immediate office of the Commandant consists of the Assistant Commandant, a Planning and Control Staff, and the following independent divisions: Public Information Division; Headquarters Administration Division; Intelligence and Law Enforcement Division; Inspection Division; and Legal Division. The Planning and Control Staff plans programs, policies and legislation, and determines the personnel and financial requirements, and the facilities for the Service. The head of the staff is the Chief, Planning and Control Staff, who is appointed by the Commandant from among the active list of line officers. The Planning and Control Staff consists of: Administrative Management Division; Budget Division; and Program Planning Division.

(b) Office of Engineering. The Office of Engineering directs those logistical activities of the Service that are of an engineering character including the design, construction, repair, maintenance, and alteration of vessels, aircraft, aids to navigation, establishments. shore machinery. electronic equipment, and utilities. This office is headed by the Engineer in Chief, who is appointed by the President, by and with the advice and consent of the Senate, for a period of 4 years and who may be reappointed for further periods of 4 years each. The Engineer in Chief is selected from the active list of engineering officers not below the grade of commander. This office comprises the following divisions all of which, as implied by their names, perform immediate duties in furtherance of the general responsibilities of the Chief of the Office: Aeronautical Engineering Division: Civil Engineering Division: Electronics Engineering Division; Naval Engineering Division: Testing and Development Division.

(c) Office of Finance and Supply. The Office of Finance and Supply directs those logistic functions of the Service that relate to (1) the disbursement of funds and the maintenance of accounts, and (2) the procurement, storage, and distribution of equipment, supplies and services. This office is headed by the Chief, Office of Finance and Supply, who is appointed by the Commandant from among the active list of line officers. This office comprises the following divisions, all of which, as implied by their names, perform immediate duties in furtherance of the general responsibilities of the Chief of the Office: Accounting Division; Supply Division.

(d) Office of Merchant Marine Safety. The Office of Merchant Marine Safety directs the program for prevention of marine casualties, including the inspection of merchant vessels to insure compliance with established standards, approval of vessel plans and equipment, and the development and application of standards for merchant marine personnel. This office is headed by the Chief, Office of Merchant Marine Safety, who is appointed by the Commandant from among the active list of line officers. This office comprises the following divisions, all of which, as implied by their names, perform immediate duties in furtherance of the general responsibilities of the chief of the office: Merchant Marine Personnel Division; Merchant Marine Technical Division; Merchant Vessel Inspection Division.

(e) Office of Operations. Office of Operations directs those operations of the Service which involve the saving of life and property, law enforcement and general patrol functions including (1) air-sea rescue, (2) aid to vessels in distress, (3) flood relief, and (4) distress, safety, and other communications; supervises the aids to navigation program; and provides for the operational readiness of the Service. This office is headed by the Chief, Office of Operations, who is appointed by the Commandant from among the active list of line officers. This office comprises the following divisions, all of which, as implied by their names, perform immediate duties in furtherance of the general responsibilities of the chief of the office: Aids to Navigation Division; Aviation Division: Communications Division; Floating Units Division; Ordnance, Gunnery, and Readiness Division: Shore Units Division.

(f) Office of Personnel. The Office of Personnel directs those logistic functions of the Service that are of a personnel character including the procurement, training, assignment, and separation of personnel; the provision of medical and morale services and the administration of the Coast Guard Reserve and the Coast Guard Auxiliary programs. This office is headed by the Chief, Office of Personnel, who is appointed by the Commandant from among the active list of line officers. This office comprises the following divisions, all of which, as implied by their names, perform immediate duties in furtherance of the general responsibilities of the chief of the office: Civilian Personnel Division; Enlisted Personnel Division: Medical Division; Military Morale Division; Officer Personnel Division; Reserve and Auxiliary Division; Training and Procurement Division.

§ 1.05-50 Intra- and Inter-Agency Committees — (a) Air-Sea Rescue Agency. The Air-Sea Rescue Agency, which was established during the war at the request of the Joint Chiefs of Staff functions under the Coast Guard

with the Commandant acting as the Head, assisted by a board of representatives from the Army, Navy, and Coast Guard under the immediate supervision of the Executive Assistant to the Head. The Air-Sea Rescue Agency is charged with conducting joint studies and assembling and disseminating information with respect to air-sea rescue equipment, methods and facilities.

(b) Merchant Marine Council. The Merchant Marine Council acts as a deliberative body to consider proposed Merchant Marine Regulations, to conduct public hearings, and generally to provide a forum where problems conterning the public and the merchant. marine industry may be considered. The Council advises on policy matters and serves as a medium for the discussion of merchant marine problems involving more than one office of Headquarters. It is composed of the Commandant, the Engineer in Chief as Chairman, the Chief, Planning and Control Staff, the Chief, Office of Merchant Marine Safety, who serves as

Vice Chairman, the Chief, Merchant Vessel Inspection Division, the Chief, Merchant Marine Personnel Division, the Chief, Merchant Marine Technical Division, and such additional Coast Guard officers as may be designated by the Commandant.

#### SUBPART 1.10-FIELD ORGANIZATION

§ 1.10-1 General description. The continental United States, the territory of Alaska, the territory of Hawaii, and Puerto Rico, are divided into 14 Coast Guard Districts. The central office for each district is known as the Coast Guard District Office. The area embraced by each district and the location of the District Office is indicated in § 1.10-5. The various Coast Guard floating and shore units come under the cognizance of the district in which geographically located.

§ 1.10-5 Coast Guard Districts and offices. The 14 Coast Guard Districts comprise the areas indicated and have offices located as specified in the table

below

Coast Guard district	Comprises	Address of Coast Guard district office
Pirst	States of Maine, New Hampshire, Vermont, Massachu- setts, and Rhode Island, and all United States naval reservations on shore in Newfoundland.	1400 Customhouse, Bos- ton 9, Mass.
Second	States of West Virvinia, Kentucky, Tennessee, Oklahoma, Kansas, Nebraska, North Dakota, South Dakota, Iowa, Missouri; and those parts of the States of Pennsylvania, Ohio, Indiana, Illinois, Wisconsin, Minnesota, Arkansas, Mississippi, and Alabama not included in the Fourth, Eighth, and Ninth Coast Guard Districts.	232 Old Customhouse, 8th and Olive Sts., St. Louis I, Mo.
Third	State of Connecticut; State of New York not included in the Ninth Coast Guard District; and the northern part of New Jersey, including counties of Mercer, Mon- mouth, and all counties north thereof.	42 Broadway, New York 4, N. Y.
Fourth	State of Pennsylvania, east of longitude 79" W.; southern part of New Jersey, including counties of Burlington, Ocesu, and all counties south thereof, and Delaware, in- cluding Fenwick Island Light.	210 West Washington Square, Philadelphia 6, Pu.
Fifth	States of Maryland, Virginia, and North Carolina	Box 540, New Post Office Bldg., Norfolk 1, Va.
Seventh	States of South Carolina, Georgia, and the State of Florida, less the counties west of the Apalachicola River.	Dupont Bldg. P. O. Box 2588, Miami 30, Fla.
Eighth	States of Texas and Louisiana; that part of the State of Alabama, Mississippi, and Arkansas south of latitude 34° N.; and that part of the State of Florida not included in the Seventh Coast Guard District.	P. O. Box 282, New Orleans 9, Ln. (Cus- tombouse).
Ninth.,,,,,	States of New York (west of longitude 74° 39′ W. and north of latitude 42° N.), Ponnsylvania (west of longitude 70° W. and north of latitude 41° N.), Michigan, Indiana (north of latitude 41° N.), Michigan, Indiana (north of latitude 41° N.), Illinois (north of latitude 41° N. and cast of longitude 90° W.), Wisconsin (east of longitude 90° W.), and that	1700 Keith Bldg., Cleve- land 15, Ohio.
Tenth.	part of Minnesota north of latirude 46°20′ N. Panama Camil Zone, all of the island possessions of the United States pertaining to Puerto Rico and Virgin Islands; and all United States naval reservations in the islands of the West Indies and on the north coast of South America.	La Marina, San Juan P. R.
Eleventh	States of New Mexico and Arizona, Clark County, Nevada, and the southern part of California including the counties of Santa Barbara, Kern, and San Bernardino and all	706 Times Bldg., Long Beach 2, Calif.
Twelfth	counties south thereof. States of Colorado, Utah, Nevada (except Clark County), and that part of the State of California not included in the Eleventh Coast Guard District.	907 Appraisers Bldg., 630 Samsome St., San Francisco 26, Calif.
Thirteenth		Alaskan Bldg., 618 2d Ave., Seattle 4, Wash.
Fourteenth		Federal Bldg., Hono- luin, T. H.
Seventeenth	Territory of Alaska	Ketchikan, Alaska.

§ 1.10-10 District Organization— (a) District Commander. The chief of each Coast Guard District, with headquarters as indicated in § 1.10-5 above, is officially designated as "Commander, ——— Coast Guard District." The District Commander is charged with the administration of all Coast Guard responsibilities and activities within his respective district.

(b) Chief of Staff. The Chief of Staff performs duties as prescribed by the District Commander and acts as District Commander during the absence or disability of that officer, or in the event there is a vacancy in the office of the District Commander.

(c) District Office. The immediate office of the District Commander consists of the Chief of Staff, the Planning and Control Officer, the Public Information Officer, the Marine Inspection Officer, and the following independent sections: Intelligence and Law Enforcement Section; Legal Section; and Office Services Section. In addition to the District Commander's immediate office, the District Office organization consists of the following operational and logistic divisions: Engineering Division; Fi-

nance and Supply Division; Operations Division and Personnel Division. The subdivisional organization of the District Office parallels that of Headquarters (see subpart 1.05).

§ 1.10-15 Obtaining information. Requests for general information concerning Coast Guard functions and for services of operating units for the enforcement of law, patrol of regattas, for rescue of persons or property, etc., should be made to the appropriate District Commander listed in § 1.10-5.

§ 1.10-20 Marine Inspection Districts and Offices—(a) General. For purposes of administering the marine inspection activities, local marine inspection offices are established within the several Coast Guard Districts. Each such office is responsible for a certain geographical area. The location of these offices and the Coast Guard District in which located are specified in the table below:

Coast Guard district	Marine inspection affice	Address
First	Portland, Maine	76 Pearl St., Portland 3, Maine. 40 Broad St., Boston 9, Mass.
	Providence	409 Federal Bldg., Providence 3, R. I.
Second.	Pittsburgh	1215 Park Bldg., Pittsburgh 22, Pa
	Point Pleasant	Post Office Bidg., Point Pleasant, W. Va. New Post Office Bidg., Cincinnati 2, Ohio.
	Louisville	Federal Bldg., Louisville 2, Ky.
	Nashville	1018 Stahlman Bldg., Nashville 3, Tenn.
	Memphis	322 Customhouse, Memphis 3, Tenn.
	Cairo	425 New Post Office Bldg., Cairo, III.
	St. Louis	937 New Federal Bldg., St. Louis I, Mo.
	Dubuque	Post Office and Courthouse, Dubuque, Iowa.
Third	New London	302 New Post Office Bldg., New London, Conn.
	New Haven	311 Federal Bldg., New Haven 10, Conn.
	New York	42 Broadway, New York 4, N. Y.
en de	Albany	313 Federal Bldg., Albany 1. N. Y.
Fourth	Philadelphia	801 Customhouse, Philadelphia 6, Pa. 209 Chamber of Commerce Bldg., Baltimore, Md.
Fifth	Baltimore Norfolk	Box 540, New Post Office Bldg., Norfolk 1, Va.
Seventh	Charleston	East Bay and Broad Sts., Charleston 3, S. C.
Seventin-	Savannah	Customhouse, Savannah 12, Ga.
	Jacksonville	Federal Bidg., Jacksonville I, Fla.
	M intri	Professional Bldg., Miami 32, Fla.
	Tampa	406 Federal Bidg., Tampa 2, Fla.
Eighth	Mobile	Court House and Customhouse, Mobile 9. Ala.
, Sec. 11. 11. 11. 11. 11. 11. 11. 11. 11. 1	New Orleans	311 Custombouse, Canal St., New Orleans 12, Lu.
	Port Arthur	Bluestine Bldg., Port Arthur, Tex.
	Houston.	312 Appraisers Store Bldg., Houston, Tex.
eticet.	Galveston	New Federal Bldg., Galveston, Tex.
Ninth.	Oswego	205 Federal Bldg., Oswego, N. Y. 440 Federal Bldg., Buffalo 3, N. Y.
	Ruffalo Cleveland	1134 Keith Bldg., 1621 Euclid Ave., Cleveland 15, Ohio,
	Toledo	402 Courthouse and Custom Bldg., Toledo 2, Ohio.
	Detroit.	430 Federal Bldg., Detroit 25, Mich.
	St. Ignace	Municipal Bldg., State St., St. Ignace, Mich.
	Duluth	30 Federal Bldg., Duluth 2 Minn.
	Chlengo	1102 Custombouse, 610 South Canal St., Chicago 7, III. 533 Federal Bidg., Milwankee 2, Wis.
	Milwankee	533 Federal Bldg., Milwankee 2, Wis.
	Ludington	National Bank of Ludington, Ludington, Mich.
Tenth	San Juan	Federal Bldg., San Juan, P. R.
Eleventh	Long Beach	1125 Times Bldg., Long Beach 2, Calif.
Twelfth	San Francisco	New Appraisers Bldg., 630 Sansome St., San Francisco, Cali
Thirteenth	Senttle.	Alaskan Bldg., 2d and Cherry Sts., Seattle 4, Wash.
Fourteenth	Portland	1005 Failing Bidg., Portland 4, Oreg. Pier 4, Honolulu, T. H.
Fourteenth	PRODUCTURE	Commercial Bldg., Keichikan, Alaska.

(b) Marine inspection office. (1) Each local marine inspection office is headed by an Officer in Charge, Marine Inspection, designated by the Commandant of the Coast Guard, who is responsible for the immediate direction of the marine inspection functions consisting of factory and shippard inspections, inspection of vessels

in order to determine that they comply with the applicable laws, rules, and regulations relating to safe construction, equipment, manning, and operation and that they are in a seaworthy condition for the services in which they are operated; the investigation of marine casualties and accidents; and the licensing, certificating and disciplining and shipment and discharge of seamen; and the enforcement of vessels inspection, navigation, and seamen's laws in general in the areas over which he has jurisdiction. Requests for performance of such functions and for information as to legal requirements vessels must comply with should be made to the appropriate marine inspection office. Matters of general information of interest to the maritime industry are published in the monthly publication "The Proceedings of the Merchant Marine Council" which may be obtained from the Commandant.

(2) Assisting the Officer in Charge, Marine Inspection, are Marine Inspector, Matériel, Marine Inspector, Personnel, Shipping Commissioner,

and Hearing Officer.

§ 1.10-75 Other district facilities— (a) Types. For the purpose of discharging the various Coast Guard duties and responsibilities other than those pertaining to marine inspection. the several districts maintain and operate numerous floating and shore facilities of various types. These include operating units such as ships; aircraft; air, light, radio, and lifeboat stations; Captain of the Port offices; and logistics units such as recruiting, receiving, and training stations; repair yards; and telephone system offices. These units are headed by Commanding Officers or Officers in Charge to whom is delegated responsibilities for the performance of the various Coast Guard duties.

(b) Obtaining services or information. Requests for the services of operating units for the enforcement of laws: search and rescue operations, and like operations within the capabilities of the unit may be made to the Commanding Officer of the local unit. However, conditions may prevent his acting on such request in which case request should be made to the appropriate District Commander. Local operating units are usually listed in local telephone direction.

tories.

§ 1.10-90 Independent Coast Guard /acilities—(a) Continental United States. Certain major logistics facilities, although within the geographical limits of the several districts, are directly under the cognizance of Headquarters. These include the Coast Guard Academy. New London, Connecticut; the Coast Guard Yard, Baltimore, Maryland; and the Washington Radio Station, Washington, D. C.

(b) Foreign. The several Merchant Marine Details located in foreign ports are likewise responsible directly to Headquarters. For location and address of these details apply to the Commandant, U. S. Coast Guard.

# SUBPART 1.50-DELEGATIONS OF AUTHORITY

§ 1.50-1 District Commander. Final authority for the performance within the confines of his district of the functions listed in § 1.01-5 is delegated to the District Commander by the Commandant. In turn delegations of final authority run from the District Commander to commanding officers of local operating units under his control in the performance of law enforcement, patrol of regattas and search and rescue functions coming within the scopes of their activities.

§ 1.50-20 Officer in Charge, Marine Inspection. (a) Final authority for the performance of functions listed in § 1.10-20 is vested in the Officer in Charge, Marine Inspection. Procedure for appealing from the decisions of that officer or his subordinates on such matters is set forth in the various types of procedures covered by Parts 1 to 4, inclusive, infra.

(b) By authority of §§ 312.15, 322.-18, 332.14 of this title, this officer is delegated authority to prescribe distinctive lights for ferryboats operated

by different companies.

\$ 1.50-30 Captain of the Port. Captains of the ports have been delegated authority to control the movements and anchorages of vessels within their port areas, by Part 6 of this chapter. The Captain of the Port at Sault Ste, Marie, Michigan, is in charge of the St. Mary's River Patrol, and has authority to control the routing of traffic through the dredged channels contingent upon the physical conditions at the time. The officers and men of the patrol have authority to enforce the regulations in accordance with Part 323 of this title.

#### SUBPART 1.60—FINAL OPINIONS OR ORDERS AND RULES

§ 1.60-1 Final opinions or orders. Final opinions or orders in the adjudication of cases relating to the U. S. Coast Guard are made available to public inspection except those held confidential and not cited as precedents. Final opinions or orders which are cited as precedents but which contain confidential information will be made available in abstract form showing the principles relied upon without revealing the confidential facts. The decision as to whether or not a final opinion or order contains confidential information will be determined in accordance with the standards set forth in \$\$ 1.80-1 to 1.80-90, inclusive, of this part.

§ 1.60-50 Rules. The rules issued or coming within the jurisdiction of the Coast Guard which apply to the public are usually published in Chapters I, III, and IV of this title or Chapter I of 46 CFR, and are avail-

able for inspection at Headquarters or Coast Guard District Offices (See § 1.10-5 for list of District Offices). Rules issued by a field officer and applicable to a specific locality are available for inspection at the office issuing the rule. (See §§ 1.10-1 to 1.10-90, inclusive, for field organization.)

#### SUBPART 1.75-RULE MAKING

§ 1.75-1 General. The procedures described in this subpart will be observed by the Coast Guard in enacting rules or regulations as authorized by navigation and vessel inspection laws, port security regulations and in granting or withdrawing approvals of safety equipment which require approval of the Commandant for use on vessels.

§ 1.75-10 Notices, hearings, and panels. (a) The Merchant Marine Council is the deliberative body which will consider material and arguments for or against adoption of proposed regulations. The Council meets in regular session on the second Tuesday in February and in October and in special sessions as necessary. Such meetings are open to the public even though such public hearings may not

be required by statutes.

(b) Notice of the time and place of the meeting will be published in the Federal Register approximately six weeks in advance of any meeting. In addition either the full text of the proposed regulations or the substance of the proposed rules will be published in the same notice. In the latter case copies of the proposed regulations will be mailed to interested parties who will be advised in the published notice that such copies may be obtained from the Commandant. Invitations to appear at the hearing will be extended and opportunity for submission of comments on the proposals will be

(c) After deliberation on the comments and arguments the Council recommends to the Commandant regulations for adoption or rejection. Publication of the changes adopted will be made in the Federal Register with the effective date to be not less than 30 days after such publication except in those cases where for good cause the effective date should be

earlier

(d) Adoption of regulations other than those above and which have general application will be made in accordance with the above procedure with the exception that the Chief of the Office charged with the enforcement of such regulations will preside at the hearing instead of the Merchant Marine Council.

(e) Regulations which have only local application will be made in accordance with the above procedure except that the hearing will be held in the locality to which the regulations apply.

SURPART 1.80-OFFICIAL RECORDS AND DOCUMENTS

§ 1.80-1 Access to records. Official records will be made available to persons who have legitimate and valid reasons for seeking access to records, which are not classified as confidential by reason of military necessity or for other good cause.

\$ 1.80-10 Records at Headquarters. There are retained on file at Headquarters the following types of official records, access to which may be had by a person establishing an interest in the particular record on request to the Commandant, who will refer the matter to the chief of the division responsible for the files: Records of Boards of investigation of claims or marine casualties and accidents: records of boards of review of discharges, dismissals, or retiring boards; shipping articles; central records of merchant seamen; deeds or leases of property held by Coast Guard; contracts; changes in regulations; opinions and orders of the Commandant.

§ 1.80-60 Records at field offices. There are retained on file at each field office the records of matters in which final actions have been taken by them under functions delegated as set forth in §§ 1.50-1 to 1.50-30, inclusive, of this part. Access to any particular record may be had by a person establishing an interest in the particular record on request to the appropriate field officer responsible for the records, and in any case where the field officer doubts the right of the person to see the record, such field officer will refer the matter to the Commandant by letter or dispatch for decision. Because of the nature of some records, examination in those cases will be permitted only in the presence of a responsible Coast Guard officer or employee.

§ 1.80-90 Copies of records. Within the discretion of the responsible officer, and without unduly interfering with the activities of the field office, certain records may be copied or duplicated at the labor and expense of the person requesting a copy of the records. If extra copies of records were made by the Coast Guard and are readily available, the officer responsible for the records may furnish such copies to the applicant establishing an interest in the particular record and a specific need for it.

PART 20-PROCEDURES APPLICABLE TO THE PUBLIC

SUBPART 20.01-GENERAL PROCEDURE

Sec.

20.01-1 Theory of chain of command. Sec.

Commandant's decisions. 20.01-10

District Commanders' de-20.01-20 cisions.

20.01-30 Field units' decisions.

SURPART 20.10-NORTH ATLANTIC PASSENGER ROUTES

20.10-1 Notice of ship routes.

20.10-10 Penalties.

SUBPART 20.15-ENTRANCE REQUIREMENTS FOR COAST GUARD ACADEMY

Application. 20.15-1

Preliminary physical exam-20.15-5 ination.

Educational questionnaire. 20.15-10 20.15-15 Transcripts of education.

20.15-20 Review and rating of examination papers.

20.15-25 Final physical examination.

SUBPART 20.20-COAST GUARD AUXILIARY

Application for member-20.20-1 ship.

Admission to membership. 20.20-10

#### SUBPART 20,30-CLAIMS

20.30 - 1General.

Bailed personal property 20.30-5 and use and occupancy of real property.

20.30-10 Contract claims.

Form of claim and place of 20.30-15 filing.

Boards of investigation. 20.30-20

Approval of claims. 20.30-25

Appeals. 20.30-30

Claims in excess of \$500. 20.30-35

## SUBPART 20.40-COURTS MARTIAL

Offenses against military 20.40-1 discipline.

#### SUBPART 20.50-CONTRACTS

Procurement of supplies 20.50 - 1and services.

SUBPART 20.55-COAST GUARD RESERVE

Application for commission 20.55-1 or warrant.

Fingerprint record. 20.55-5

Correspondence courses. 20.55-10 Statement regarding pen-20.55-15 sion from the government.

20.55-20 Personal history statement.

## SUBPART 20.60-ENLISTMENTS

20.60-1 Application.

Enlistment contract. 20.60-5

Special enlistment contract, 20.60-10 Consent of parent 20.60-15

guardian. Report of police record. 20.60-20

Character references. 20.60-25

20.60-30 Report of fitness.

#### SUBPART 20.65-RETIRING REVIEW BOARDS

20.65-1 Application for review. Hearings and review. 20,65-5 20.65-10 Notification.

#### SUBPART 20.70-BOARD OF REVIEW, DISCHARGES AND DISMISSALS

Sec.

Petition for review. 20.70-1 Application for certificate 20.70-30 in lieu of discharge.

Certificate in lieu of dis-20.70-35 charge (yellow).

20.70-40 Certificate in lieu of discharge (white).

## SUBPART 20.75-DESERTION

Declaration and reward for 20.75 - 1deserter from the U.S. Coast Guard.

Notification of return of a 20.75-10 deserter.

#### SUBPART 20.80-AIDS TO NAVIGATION

Notice to mariners. 20.80 - 1

Distribution and sale of 20.80-5 publications.

20.80-10 Private aids to navigation. 20.80-25 Marking of wrecks.

## SUBPART 20.85-LIGHTING OF BRIDGES

Notice concerning lighting 20.85-1 of bridges. Approval of fog signals. 20.85-5

20.85-10 20.85-20 Approval of bridge lights.

Visibility of lights. 20.85-30 Lights on sheer booms.

Bridges infrequently used 20.85-40 and unusual cases.

Additional lights on high 20.85-50 bridges without draws.

20.85-60 Draw span of deck and half-through bridges. 20.85-70 Appeals.

CROSS REFERENCES: For description of Coast Guard organization see Part 1, General Organization and Jurisdiction, of this chapter, supra. For description of procedures dealing with merchant marine activities in particular see parts 1 to 4, inclusive, of Title 46, infra.

#### SUBPART 20.01-GENERAL PROCEDURES

\$ 20.01-1 Theory of chain of command. The Commandant, U.S. Coast Guard, is charged with the duty of directing the activities of the Coast Guard; however, certain administrative staffs have been provided to assist him in the performance of his responsibility. The chain of command ordinarily runs from the Commandant to the District Commander, and in turn from the District Commander to the commanding officer or officer in charge of a particular operating unit.

§ 20.01-10 Commandant's decision. The Commandant is directed, under the law, to administer the functions of the Coast Guard. His authority is derived from statutes, regulations promulgated pursuant thereto, executive orders, and proclamations, which cover the finality of decisions made by him.

§ 20.01-20 District Commander's decisions. The District Commanders are regarded as staff officers of the Commandant and as such are authorized to take definitive action on matters provided they do so by virtue of the proper delegation of authority.

§ 20.01-30 Field units' decisions. The field units perform certain duties and make decisions under the direction and supervision of the District Commander. Generally their authority comes either from the Commandant or the District Commander, however, in addition the Captain of the Port derives certain authority over the anchorage and movement of vessels from 50 U.S. C. 191 and 191c and the regulations promulgated pursuant thereto.

#### SUBPART 20.10-NORTH ATLANTIC PAS-SENGER ROUTES

Notice of ship routes. \$ 20.10-1 The procedures for filing either notices of routes to be followed by passenger vessels in crossing the North Atlantic Ocean or reports of deviation from such routes are contained in §§ 3.1 and 3.2 of this chapter.

§ 20.10-10 Penalties. Penalties are provided for violations and the procedure for the imposition of such penalties are set forth in § 3.6 of this

chapter.

## 20.15-ENTRANCE REQUIRE-MENTS FOR COAST GUARD ACADEMY

§ 20.15-1 Application. An applicant who is able to meet the requirements set forth in § 4.2 of this chapter and Coast Guard Form 144-Regulations governing appointment to cadetship, and special notice of examination, which forms may be obtained from the Commandant, U. S. Coast Guard, Coast Guard Recruiting offices, or the United States Coast Guard Academy, and who desires to enter the Academy should execute one copy of Coast Guard form 9530. Application to take the examination for appointment as a cadet, which form may be obtained from the Commandant, Coast Guard Recruiting Offices, or the Coast Guard Academy. This form will be approved or disapproved by the Commandant, U. S. Coast Guard, whose decision is final. The applicant will be notified of the decision of the Commandant by letter.

§ 20.15-5 Preliminary physical examination. Before filing an application or preparing for an examination, a candidate must be examined thoroughly by a competent physician, the results of which are tabulated on Coast Guard form 9530A, Preliminary physical examination record, which form may be obtained from the Commandant, Coast Guard Recruiting Offices, or the Coast Guard Academy, to determine whether or not he can meet the physical requirements set forth in Appendix A of Coast Guard form 144, which form will be approved or disapproved by the Commandant by letter.

\$ 20.15-10 Educational questionnaire. This questionnaire, Coast Guard form 9530B, may be obtained from the Commandant, Coast Guard Recruiting Offices, or the Coast Guard Academy, is not an application nor does it take the place of any information required by the Coast Guard in connection with applications. It is for the information of the Academy and is to be mailed directly to the United States Coast Guard Academy, New London, Connecticut.

§ 20.15-15 Transcripts of education. Each candidate must submit one or more copies of Coast Guard forms 9539, Certificate for accredited college, university, or technological school, and 9539A, Certificate for preparatory school or public high school. which forms may be obtained from the Commandant, Coast Guard Recruiting Offices, or the Coast Guard Academy, which forms are approved or disapproved by the Commandant. on the basis of the requirements listed in the regulations in part 4 of this chapter, and Coast Guard form 144, which form may be obtained from the Commandant, U. S. Coast Guard, Coast Guard Recruiting Offices, or the U. S. Coast Guard Academy. The applicant will be notified of the decision of the Commandant by a letter, whose decision is final.

§ 20.15-20 Review and rating of examination papers. The papers of candidates will be examined and rated by commissioned officers of the Coast Guard. After the papers have been rated, a board of commissioned officers of the Coast Guard, appointed by the Commandant, will consider applicants who have attained a passing grade according to the procedure set forth

in § 4.7 of this chapter.

\$ 20.15-25 Final physical examination; appointments. Candidates who are considered eligible will be required to report to the Coast Guard Academy. New London, Connecticut, where they will be given a final physical examination by a board of medical officers of the Public Health Service. Candidates who successfully pass this physical examination will be issued appointments as cadets, except, the number appointed is discretionary with the Secretary of the Treasury and will depend upon the needs of the service at the time.

#### SUBPART 20.20-COAST GUARD AUXILIARY

§ 20.20-1 Application for membership. A candidate for membership in the Auxiliary shall make application on Coast Guard form 2730, in accordance with the requirements set forth in § 5.3 of this chapter.

§ 20.20-10 Admission to membership. An applicant who is accepted for membership will be issued a membership certificate, Coast Guard form 2737-A and an Identification Card, Coast Guard form 2650, under the conditions set forth in § 5.3 of this chapter.

#### SUBPART 20.30-CLAIMS

§ 20.30-1 General. The General Claims Regulations in Part 15 of this chapter are prescribed to govern the administration of claims for damage to or loss or destruction of property, or for personal injury or death, caused by Coast Guard personnel or civilian employees of the Coast Guard, while acting within the scope of their employment, or otherwise incident to the activities of the Coast Guard, when the Coast Guard is not operating as a part of the Navy.

§ 20.30-5 Bailed personal property and use and occupancy of real property. Claims for damage to or loss or destruction of such property are payable under sections 15.7 and 15.8 of this chapter; however, if deemed in the best interest of the Government, they may be processed as contract claims through the General Account-

ing Offce.

\$ 20.30-10 Contract claims. Claims for damage to such property, except those under \$\$ 15.7 and 15.8 of this chapter, are normally not payable under the provisions of Part 15 of this chapter; however, any claim which is apparently within the provisions of the Act of March 20, 1946, but appears to be founded in contract, express or implied, will be forwarded with related files and recommendations by or through the Commander of the cognizant Coast Guard district or activity to the Commandant for appropriate administrative action.

§ 20.30-15 Form of claim and place of filing. Claims should be submitted in triplicate in accordance with the requirements set forth in § 15.22 of this chapter, or by using Coast Guard form 2880—General Claims—whenever practicable. These forms may be obtained from the Commandant, District Commanders, and independent units, and should be filed with the nearest commanding officer of the activity involved or with the Comman-

dant, Washington 25, D. C.

§ 20.30-20 Boards of investigation.

(a) The regulations in § 15.25 of this chapter, provide that if the facts of the case require that a board of investigation be convened it will be convened as prescribed in Article 900—Coast Guard Courts and Boards, 1935. Access may be had to this publication at any Coast Guard office or unit.

(b) The regulations in § 15.25 of

this chapter, provide that in the case of a marine casualty involving a Coast Guard vessel and a private vessel or instrumentality, the procedure set forth in the Commandant's letter of March 30, 1943, and section 7-3-5 A, of the Merchant Marine Inspection Instructions shall be followed. Access may be had to these instructions at Coast Guard Headquarters, or the office of any District Commander.

§20.30-25 Approval of claims. Subject to appeal to the Secretary of the Treasury, claims under the provisions of Part 15 of this chapter may be approved or disapproved by the Commandant, Assistant Commandant, or the Chief Counsel, U. S. Coast Guard. These claims when approved as aforesaid will be forwarded to the appropriate certifying officer for certification as provided in Chapter XVI, Pay and Supply Instructions, U. S. Coast Guard. Access may be had to this publication at any Coast Guard office or unit.

§ 20.30-30 Appeals. The regulations in § 15.29 of this chapter provide that any claimant may appeal to the Secretary of the Treasury for a review of the adjustment or determination of his claim. Such appeal shall be made in writing and shall be addressed to the Secretary of the Treasury, Wash-

ington 25, D. C.

§ 20.30-35 Claims in excess of \$500. Claims in excess of \$500 (1,000 in time of war) if otherwise within the scope of the regulations in Part 15 of this chapter may be reported pursuant to the procedure as set forth in § 15.20 of this chapter.

#### SUBPART 20.40-COURTS MARTIAL

§ 20.40-1 Offenses against military discipline. These offenses are punishable by Coast Guard Courts under the jurisdiction set forth in 14 U. S. C., Chapter 5. The only aspect of such courts martial not relating solely to the internal management of the Coast Guard rests upon the right of the accused or the defendant to employ civilian counsel to represent him in the trial. This right may be exercised at the time of arrest, the service of charges, or at any subsequent stage of the proceedings. The regulations governing court martial trials and procedures are contained in a publication known as "Coast Guard Courts and Boards, 1935." Civilian counsel may have access to this publication at any Coast Guard office or unit.

#### SUBPART 20.50-CONTRACTS

§ 20.50-1 Procurement of supplies and services. In procuring supplies and services the Coast Guard uses Standard Government Contract forms and procedures, which are supplemented by forms containing contract conditions peculiar to the Coast Guard. Invitation for bids are solicited from prospective bidders as well as posted in public places. Contract forms and supplemental material are available at the time of the solicitation of the bid, or these forms may be obtained upon request from Coast Guard Headquarters and from field offices.

#### SUBPART 20.55-COAST GUARD RESERVE

§ 20.55-1 Application for commission or warrent. A person who desires to be appointed in the Coast Guard Reserve must execute Coast Guard form 2725, which form may be obtained from the Commandant, U. S. Coast Guard, or the District Commander of any Coast Guard District. This form must be executed in duplicate and submitted to the Procurement Division at Coast Guard Headquarters, Washngton, D. C., or to the District Commander, of the district in which the applicant resides. The approval of the Commandant will be based upon existing regulations, which may be inspected at Coast Guard Headquarters, Washington, D. C., or at any Coast Guard field office, and on the needs of the Coast Guard. The applicant will be notified by letter of the decision of the Commandant, which decision is final.

§ 20.55-5 Finger-print record. A person submitting an application for a commission in the Coast Guard Reserve must submit Coast Guard form 2515. Fingerprint record, obtainable from the Commandant, U. S. Coast Guard, or any of the district offices, which must be presented in person at Coast Guard Headquarters, any district office, or to local police who will make the impressions. This form is then submitted with the application

referred to in § 20.55-1.

§ 20.55-10 Correspondence courses. A person submitting an application for a commission must execute a form entitled "agreement to enroll in correspondence courses," obtainable from the Commandant, U. S. Coast Guard, or any district office. This formal agreement in duplicate to enroll in such correspondence courses as may be designated from time to time is furnished as a supporting paper to the application.

§ 20.55-15 Statement regarding pension from the government. A person submitting an application for a commission in the Coast Guard must submit a sworn statement in duplicate that he is not drawing nor has he a claim pending, on account of his own service, for a pension, disability allowance, disability compensation, or retired pay from the government of the United States, which statement is furnished as a supporting paper to the application for a commission.

§ 20.55-20 Personal history statement. A person submitting an application for a commission in the Coast Guard Reserve must submit Coast Guard form 2527, Personal history statement, which form may be obtained from the Commandant, U. S. Coast Guard, which is submitted as a supporting paper to the application.

#### SUBPART 20.60-ENLISTMENTS

20.60-1 Application. A person who desires to enlist in the Coast Guard shall execute one copy of Coast Guard form 2520, obtainable from any Coast Guard Recruiting office, and submitted to the recruiting officer who will approve or reject such application on the basis of Regulations for the U. S. Coast Guard 1940, as amended, which may be inspected at any district office. Any person aggrieved by a decision of the recruiting officer may appeal to the Commandant, U. S. Coast Guard, Washington, D. C. The individual will be notified of the decision of the Commandant by a letter, whose decision is final.

§ 20.60-5 Enlistment contract. Two copies of Coast Guard form 2500 will be prepared by the enlisting officer for enlistment or re-enlistment in the regular establishment of the Coast Guard or Coast Guard Reserve.

§ 20.60-10 Special enlistment contract. Two copies of Coast Guard form 2500B are prepared by the enlisting officer for enlistment in the Special Temporary Establishment of the Coast Guard. The original of this form will be sent to the Commandant, United States Coast Guard, Washington, D. C., and the copy will accompany the jacket of the particular man.

\$ 20.60-15 Consent of parent or guardian. In case, a minor, under the age of 21 years, desires to enlist in the Coast Guard, the parent or guardian must consent to such enlistment by executing two copies of Coast Guard form 2551, which will be mailed or sent to the parent or guardian by the Coast Guard Recruiting officer, and is a supporting paper to the application.

§ 20.60-20 Report of Police record. When a candidate for enlistment submits his application for enlistment in the Coast Guard, the Recruiting Officer mails a copy of Coast Guard form 2679 to the Chief of police, of the locality where the applicant resides requesting that he furnish certain information concerning the applicant, and is a supporting paper to the application.

\$ 20.60-25 Character references. When a candidate for enlistment submits his application for enlistment in the Coast Guard the Recruiting Officer mails a copy of Coast Guard form 2682 to the persons referred to by the applicant for a character reference,

requesting that he furnish certain information concerning the applicant, which is supporting papers to the application.

\$ 20.60-30 Report of fitness. When a candidate for enlistment submits his application for enlistment in the Coast Guard, the recruiting officer mails a copy of Coast Guard form 2678 to a former employer or school official, of the applicant, who is requested to

ing the applicant, which is a supporting paper to the application. SUBPART 20.65—RETIRING BEVIEW BOARD

furnish certain information concern-

§ 20.65-1 Application for review. Any Coast Guard officer retired or released to inactive service, without pay, for physical disability, pursuant to the decision of a retiring board may request review of the findings and decision of such board. An application requesting a review must be in writing and addressed to the Retiring Review Board, Coast Guard Headquarters, Washington 25, D. C. Forms for application for review may be obtained from said Board.

§ 20.65-5 Hearings and review. The Retiring Review Board will hold hearings, if necessary, and review the evidence in accordance with the procedures set forth in Part 11 of this chapter. As far as practicable the hearings of the Board will be conducted in accordance with the pertinent instructions contained in a publication known as "Coast Guard Courts and Boards, 1935." Access may be had to this publication at any Coast Guard office or unit.

§ 20.65-10 Notification. Final action in the case will be by letter to the officer requesting the review.

#### SUBPART 20.70—BOARD OF REVIEW, DISCHARGES AND DISMISSALS

\$ 20,70-1 Petition for review. A person receiving an honorable discharge certificate, Coast Guard form 2510; certificate of discharge under honorable conditions, Coast Guard form 2510A; undesirable discharge, Coast Guard form 2510B; bad conduct discharge, Coast Guard form 2510C: or dishonorable discharge. Coast Guard form 2510D, and which he deems inappropriate may petition for a review of such discharge or dismissal by submitting one copy of Coast Guard form 10034, discharge review petition, authorized by 38 U. S. C. 693 (h) and regulations in 34 CFR Part 21, promulgated pursuant thereto, except that a dismissal by a sentence of a General Court Martial cannot be reviewed. This form will be furnished on individual request, addressed to the Board of Review. Discharges and Dismissals, Coast Guard Headquarters, Washington 25, D. C.

The individual will be notified of the action taken by the board, which is final.

§ 20.70-30 Application for certificate in lieu of discharge. A person whose Discharge Certificate has been lost or destroyed without privity or procurement on his part, may make application for a certificate in lieu of discharge on Coast Guard Form 9552, which form may be obtained from the Commandant, U. S. Coast Guard. This application should be sent to the Commandant, where the application will receive consideration and either be accepted or rejected and the applicant so notified.

§ 20.70-35 Certificate in lieu of discharge (yellow). In case the applicant had received a discharge under other than honorable conditions, and should affirmative action be taken on the application for certificate in lieu of discharge, the Commandant will issue the applicant a certificate in lieu of discharge (yellow), Coast Guard

form 9553A.

§ 20.70-40 Certificate in lieu of discharge (white). In case the applicant had received a discharge under honorable conditions, and in case affirmative action is taken on the application for certificate in lieu of discharge the Commandant will issue a certificate in lieu of discharge (white), Coast Guard form 9553.

#### SUBPART 20.75-DESERTION

§ 20.75-1 Declaration and reward for deserter from U.S. Coast Guard. Coast Guard form 2840, Declaration and Reward for Deserter from the U. S. Coast Guard, will be prepared and issued by Coast Guard Headquarters and Commanding officers of vessels and stations outside the continental United States after a man has been declared a deserter. A copy of this form will be sent to the Chief of Police of the city given as the home address of the deserter and to the Chief of Police or police officials in the cities adjacent to the port in which absence occurred. A copy of this form should be presented when delivering the man described on the form.

§ 20.75-10 Notification of return of a deserter. Coast Guard form 2842, Notification of Return of a Deserter, will be prepared and issued by Coast Guard Headquarters upon the receipt of information that a deserter, for whom a reward for apprehension has been offered on the form referred to in § 20.75-1, has returned or has been apprehended. This form will be sent to the Chief of Police of the city given as the home address of the deserter, to the Chief of Police or police officials in the cities adjacent to the port in which absence occurred and such others as may be necessary.

SUBPART 20.80-AIDS TO NAVIGATION

₹ 20.80-1 Notice to mariners. These notices, Coast Guard form 2535. are mailed to the public, also posted in public places for the purpose of dissemination of information of changes in aids to navigation. The regulations in § 402.2 of this title set forth the information as to how or where copies of such notices may be obtained. Coast Guard form 2545 will be sent to addressees on Local Notice to Mariners mailing lists, yearly or whenever the list is in need of revision, by Coast Guard District Commanders for the purpose of revising the mailing lists.

§ 20.80-5 Distribution and sale of publications. The regulations in § 402.3 indicate where copies of light and buoy lists may be obtained.

§ 20.80-10 Private aids to navigation. Any person desiring to establish a private aid to navigation or discontinue such aid shall submit Coast Guard form 2554 in accordance with the procedures set forth in § 402.4 of this title.

§ 20.80-25 Marking of wrecks. The regulation in § 402.5 of this title set forth the requirements for the marking of wrecks and notice of abandon-

ment of such wreck.

#### SUBPART 20.85-LIGHTING OF BRIDGES

\$ 20.85-1 Notice concerning lighting of bridges. This notice, Coast Guard form 2544, is a form letter sent by the District Commander to persons, firms, companies or corporations owning, occupying, or operating bridges over any navigable water, to advise them concerning their responsibility relative to maintaining lights on bridges for the security of navigation.

§ 20.85-5 Approval of fog signals. The regulations in § 403.1 require that when the Engineer Department of the War Department has issued regulations requiring such signals, the District Commander of the district in which the structure is located, shall pass upon the size, weight, tone, and characteristic of the bell, or the efficiency and characteristic of any other signal. The District Commander will give notification of his decision.

§ 20.85-10 Approval of bridge lights. Approval of lights and other signals required by 33 U. S. C. 494 must be obtained from the Commander of the Coast Guard District in which the structure is located. Applications for approval shall be by letter addressed to the District Commander of the appropriate district in accordance with the requirements set forth in § 403.1 of this title. The applicant will be notified of the decision of the District Commander.

§ 20.85-20 Visibility of lights. Lights required by the regulations in § 403.1 shall be located with colors and arcs of illumination as specified, and of such power as in the opinion of the Commandant is required for the safety of navigation.

§ 20.85-30 Lights on sheer booms. The color and characteristics of the lights required by § 403.1 shall be determined by the District Commander, with the approval of the Commandant.

§ 20.85-40 Bridges in/requently used, and unusual cases. (a) Bridges infrequently used, may on the recommendation of the proper District Commander, with the approval of the Commandant, be exempted from certain provisions of Part 403 of this title, provided such lights as may in the opinion of the appropriate District Commander be maintained for the security of navigation.

(b) The lighting of structures not covered by the regulations in Part 403 of this title shall be referred to the Commandant for his decision. In special cases the Commandant may, in his discretion, if satisfied that the safety of navigation is adequately protected, waive or modify the requirements of the regulations in Part 403

of this title.

§ 20.85-50 Additional lights on high bridges without draws. The regulations in § 403.2 of this title provide that additional lights may be required upon the recommendation of the proper District Commander, with the approval of the Commandant.

§ 20.85-60 Draw span of deck and half-through bridge. The regulations in § 403.3 of this title provide that where there is but one permanent channel passing beneath the bridge, the lighting of the unused channel may be omitted with the permission of the proper District Commander.

§ 20.85-70 Appeals. An applicant may appeal the decision of a District Commander to the Commandant, United States Coast Guard, within 30 days from the date of disapproval by letter or such other means as he desires. The decision of the Commandant is final.

## TITLE 46-SHIPPING

# Chapter I—Coast Guard: Inspection and Navigation

Subchapter A-Procedures Applicable to the Public

PART I-GENERAL COURSE AND METHODS

CROSS REFERENCE: For Coast organization and jurisdiction see Part 1 of Title 33, supra. For procedures affecting merchant marine activities in particular see Parts 2, 3, and 4 of this chapter, infra, and for other general procedures see Part 20 of Title 33, supra.

§ 1.01 General flow of functions.

(a) The general course and method by which the functions concerning

merchant marine activities are channeled begins with the local Officer in Charge, Marine Inspection, through his subordinates, the Senior Marine Inspector, Materiel, Senior Marine Inspector, Personnel, Shipping Commissioner, and Hearing Officer. The functions are listed in 33 C. F. R. 1.10-20. As indicated in §§ 1.50-20, supra, he is deemed to have final authority subject to the rights of appeal set forth in §§ 2.01-70, infra.

(b) The course from the Officer in Charge, Marine Inspection, or his subordinate, is to the Marine Inspection Officer on the staff of the District Commander, then to the District Commander. From the latter officer the chain is to the Chief of one of the three divisions within the Office of Merchant Marine Safety at Headquarters. In most administrative cases the channel ends at that point. However, on matters of policy and of appeal from decisions of Officers in Charge, Marine Inspection, or the District Commander, the matters are referred to the Commandant, through the Chief, Office of Merchant Marine Safety.

#### PART 2-VESSEL INSPECTIONS

#### SUBPART 2.01—INSPECTING AND CERTIFI-CATING OF VESSELS

Sec.

2.01-1 Applications for inspections. 2.01-5 Certificates of inspection.

2.01-5 Certificates of inspection. 2.01-25 International Safety Certifi-

cates.
2.01-35 Revocation of Certificates of Inspection.

2.01-50 Special permits.

2.01-60 Overtime compensation.

2.01-70 Appeals.

#### SUBPART 2.20-REPORTS AND FORMS

2.20-1 Forms.

2.20-40 Reports.

2.20-60 Reports of casualties and accidents.

#### SUBPART 2.30-NUMBERING OF UN-DOCUMENTED VESSELS

2.30-1 Numbering.

2.30-10 Application.

2.30-20 Certificate issued.

SUBPART 2.50—NAVIGATION AND VESSEL INSPECTION LAWS

2.50-1 Waivers.

2.50-20 Violations.

SUBPART 2.75—APPROVALS OF SAFETY EQUIPMENT, MATERIALS AND INSTALLA-TIONS AND QUALIFICATIONS FOR CON-STRUCTION PERSONNEL

2.75-1 Approvals.

2.75-10 Requirements and tests.

2.75-50 Withdrawals of approvals.

2.75-60 Certification of ship's stores and supplies.

2.75-70 Welders.

#### SUBPART 2.85-LOAD LINES

Sec.

2.85-1 Assignment of Load Lines.

SUBPART 2.90—PLANS, DRAWINGS OR BLUEPRINTS

2.90-1 General requirements.

Cross Reference: For Coast Guard organization and jurisdiction see Part 1 of Title 33, supra.

SUBPART 2.01—INSPECTING AND CERTIFI-CATING OF VESSELS

§ 2.01-1 Applications for inspections—(a) Application forms. Applications for the annual inspections of vessels required to be inspected by 46 U. S. C. 362, 363, 367, 391, 391a, 395, 404, 405, 1332, shall be made by the master, owner or agent on the following Coast Guard forms which are obtainable from the Officer in Charge, Marine Inspection, at any local Marine Inspection Office, U. S. Coast Guard:

833—Application for Inspection of Vessel.

986—Application for Inspection of Foreign Passenger Vessel.

These applications require information on name and type of vessel, nature of employment and route in which to be operated, and place where and date when she may be inspected.

(b) Certificates issued. The completed forms shall be submitted to the Marine Inspection Office located in, or nearest, the port at which the inspection is to be made. The applicant will be advised in writing of the time when the inspection will be made. Applications for inspection of new vessels of over 100 gross tons shall be preceded by the submission of drawings or prints described in §§ 31.3–3, 63.8, 79.8 or 116 8 or 97.8 of this chapter.

§ 2.01-5 Certificates of inspection.

(a) Certificates issued upon completion of the inspection of a vessel and on condition that the vessel and her equipment are approved by the inspectors a certificate on one of the following Coast Guard forms will be issued by the Officer in Charge, Marine Inspection, as required by 46 U. S. C.

841—Certificate of Inspection for Steam or Motor Vessels.

856—Certificate of Inspection for Seagoing Barges of 100 Gross Tons or Over.

852—Certificate of Inspection for Sail Vessels and Barges Carrying Passengers for Hire.

842—Certificate of Inspection for Tank Barges.

987—Certificate of Inspection for Foreign Passenger Vessels.

854—Temporary Certificate of Inspection.

989—Certificate of Examination of Foreign Passenger Vessel of Country Having Inspection Laws Approximating Those of the United States.

A—Approval of Boilers and Machinery on Steam Propelled Motorboats

B—Inspection of Boilers on Steam Propelled Motorboats.

(b) Description of certificate. These certificates describe the vessel; the route over which she may travel; the minimum manning requirements: the safety equipment and appliances required to be carried on board; the total number of persons which may be carried; the condition of the vessel and her machinery; the names of the master and the owner. The duration of the certificates is for a period of one year after which they must be renewed by making application for inspection as provided for in § 2.01-1.

(c) Inspection requirements. If during the inspection, the vessel or her equipment is found not to conform to the requirements of law, notice is given to the master of the vessel on Coast Guard form 835. List of Inspection Requirements, of the requirements which must be met.

(d) Vessel repairs. If repairs to a vessel are necessary, such vessel may be permitted to proceed to another port for repairs, if in the opinion of the inspector it can be done with safety. The permit is granted by the Officer in Charge, Marine Inspection, under authority 46 U.S.C. 438, upon request in writing by the Master or owner of the vessel and is issued on Coast Guard Form 948. Permit to Proceed to Another Port for Repairs. No repairs or alterations effecting safety of a vessel or her machinery shall be made unless requirements of 46 CFR, 31.3-8, 63.5, 79.5, 97.5 or 116.5 of this chapter are met.

(e) Amending certificates. Where by reason of a change in the character of a vessel or in her route, equipment, etc., the vessel will not comply with the requirements of the certificate of inspection previously issued a certificate amending such certificate may be issued at the discretion of the Officer in Charge, Marine Inspection, to whom request is made, on Coast Guard Form 853, Certificate Amending Certificate of Inspection by Changing Character of Vessel, Route, Equipment, etc.

§ 2.01-25 International safety certificates and safety radiotelegraph certificates—(a) General. International safety certificates are required to be carried on certain U. S. passenger vessels engaged in International voyages. At the request of the Government of a country in which are registered vessels engaged in International voyages such foreign vessels may be issued safety certificates by the Commandant, U. S. Coast Guard. Such certificates are issued only after inspections have been made of the

vessels and they have been found to comply with the requirements of the International Convention for the

Safety of Life at Sea, 1929.

(b) Applications. (1) Applications for the inspections of passenger vessels are made on the appropriate form listed in § 2.01-1, or by letter, to the Officer in Charge, Marine Inspection, in, or nearest the port at which the inspection is to be made and shall be signed by the master or agent of the vessel.

- (2) Applications for the inspection of vessels other than passenger vessels concerning the issuance of a Safety Radio Telegraph Certificate are made by letter to the local office of the Federal Communications Commission, which agency is responsible for the inspection. The local inspector of the agency reports the results of the inspection to the Officer in Charge, Marine Inspection, who issues the certificate. In the case of foreign vessels the publication shall be made to the Commandant by the diplomatic representative of the country concerned.
- (c) Certificates issued. (1) If a passenger vessel meets the requirements of Chapters II, III and IV of the convention, it shall be issued on Coast Guard Form 968, Safety Certificate for an (a short) International Voyage. A vessel of 1,600 gross tons or over and which is other than a passenger ship is issued a certificate on Coast Guard Form 966, Safety Radiotelegraphy Certificate, if it has been found to comply with the requirements of Chapter IV of the above convention. These certificates describe the vessel or state the vessel is in compliance with the requirements of the convention.
- (2) Where completion of the certification of any vessel cannot be effected prior to the sailing of the ship on a foreign voyage, a letter in lieu of a certificate is issued by the Officer in Charge, Marine Inspection, on Coast Guard Form 969, explaining the failure of the ship to have on board the certificate required.
- (d) Exempted vessel. A vessel may be exempted by the Commandant, U. S. Coast Guard, from complying with certain requirements of the Convention upon request made in writing to him. In such case the exemptions are stated in Coast Guard form 967, Exemption Certificate, which is issued by the Commandant through the appropriate Officer in Charge, Marine Inspection.
- § 2.01-35 Revocation of certificates of inspection. Under authority of 46 U.S. C. 435 the certificates of inspection referred to in § 2.01-5 may be revoked if the vessel is found at reinspections not to comply with the terms of the vessel's certificate of inspection.

§ 2.01-50 Special permits-(a) Passengers or persons in addition to crew. Special permits may be issued to certain vessels subject to inspection to carry persons in addition to those allowed by the certificates of inspection. Under authority of 46 U. S. C. 453 a passenger vessel may be permitted to engage in excursions and carry additional numbers of passengers. Application for the permit is made by the master, owner, or agent of the vessel to the Officer in Charge. Marine Inspection, on Coast Guard form 950, Application for Excursion Permit. If, after inspection, permission is granted, it is given on Coast Guard form 949, Permission to Carry Excursion Party. The permit describes the vessel, the route over which and the period during which the excursions may be made, and the safety equipment required for the additional persons indicated.

(b) Persons other than crew on towing, oyster, or fishing steamers. Steam towing, oyster dredging, and fishing vessels may be permitted to carry persons in addition to their crews under authority of 46 U.S.C. 458 by the District Commander. Application for such a permit is made by the master or agent of the vessel to the District Commander on Coast Guard form 955, Application for Towing, Oyster and Fishing Steamers to Carry Persons Other Than the Crew. which form is obtainable from the District Commander. If the application is approved the permit is issued by the District Commander on Coast Guard form 957, Permit to Towing, Oyster and Fishing Steamers to Carry Persons Other Than the Crew. The master, owner, or agent of any of the above vessels carrying persons in addition to the crew is required to report to the District Commander that he has on board the vessel life preservers in addition to those required for the crew to accommodate the additional persons carried. This report is made on Coast Guard form 956. Affidavit of Master or Owner of Towing. Oyster or Fishing Steamer That Life Preservers Are on Board, which may be obtained from any District Commander. The permit describes the vessel, the number of persons which may be carried in addition to her crew, and the number of life preservers provided.

(c) Lifeboats on river passenger vessels. A District Commander may exempt a river steam vessel carrying passengers from carrying metallic lifeboats required by 46 U. S. C. 475 when the character of navigation is such that in his opinion the metallic lifeboats can be dispensed with or substitutions made. The exemption is granted on Coast Guard form 958. Permit Exempting River Vessels from Carrying Metallic Lifeboats.

§ 2.01-60 Overtime compensation-(a) General. Extra compensation for overtime services performed by inspectors of vessels and their assistants, shipping commissioners and their deputies and assistants who may be required to remain on duty between the hours of 5:00 p. m. and 8:00 a. m. or on Sundays or holidays to perform services in connection with the inspection of vessels or their equipment. supplying or signing on or discharging crews of vessels is authorized by 46 U.S. C. 382b and regulations in Part 143 of this chapter, together with the method of computing such extra compensation.

(b) Application and certification of time. Application for the performance of such overtime services and certification of services performed is made by the master, owner, or agent of a vessel to the Officer in Charge, Marine Inspection, on Coast Guard form 830, Application for and Certifi-

cate of Overtime Service.

(c) Collection. The bill for the collection of the overtime compensation is submitted by the Officer in Charge, Marine Inspection, to the master, owner, or agent on whose vessel overtime services are performed on Coast Guard form 832, Bill for Collection Overtime Services. Payment is made to the Collector of Customs of the port designated.

§ 2.01-70 Appeals—(a) General. Any person aggrieved by any decision or action of the inspectors of vessels or Officer in Charge, Marine Inspection, may appeal therefrom to the District Commander of the district in which the action or decision was made. A further appeal may be made to the Commandant, U. S. Coast Guard, from the decision of the District Commander. These rights of appeal are granted by 46 U. S. C. 431.

(b) Time limits. (1) Appeals from decisions of the inspectors or the Officer in Charge, Marine Inspection, to the District Commander, shall be made in writing within thirty days after the decisions or actions appealed from shall have been rendered or taken. Such appeals shall set forth the requirements appealed from and the reasons why the decision or action should be set aside or revised.

(2) Appeals from the decisions of the District Commander to the Commandant shall be made in writing within thirty days after the decisions appealed from shall have been rendered.

SUBPART 2.20-REPORTS AND FORMS

§ 2.20-1 Forms. Statutes and regulations require that certain forms be posted on vessels referred to in the statutes and regulations. The titles of the forms indicate the contents of the forms. They may be obtained from any Marine Inspection Office. The Coast Guard forms and the statutes or regulations which require that they be posted are as follows:

(a) 803. Pilot Rules for Certain Inland Waters of the Atlantic and Pacific Coasts and of the Coast of the Gulf of Mexico, required by 33 U. S. C.

157, and 33 CFR 312.13 (b).

(b) 804a. Rules for Lights for Certain Classes of Vessels Navigating the Harbors, Rivers, and Other Inland Waters except the Great Lakes and their Connecting Tributary Waters as far East as Montreal and the Red River of the North and Rivers emptying into the Gulf of Mexico, required by 33 U. S. C. 157.

(c) 805. Pilot Rules for the Rivers and their Tributaries whose waters flow into the Gulf of Mexico, and the Red River of the North, required by 46 U. S. C. 381, and 33 CFR 332.13 (b).

(d) 807. Pilot Rules for the Great Lakes and their Connecting and Tributary Waters. 33 U.S. C. 243, 33 CFR

322.15 (b).

(e) 811. Instructions for the use of the Gun and Rocket Apparatus for Saving Life from Shipwreck as Practiced by the United States Coast Guard, required by § \$33.9-5, 59.60, 59.61, 60.53, 60.54, 79.17 of this chapter.

(f) 802. Persons Allowed in Pilothouse and on Navigation Bridge, required by §§ 62.17, 78.17, 96.17, or

115.17 of this chapter.

(g) 809A. Station Bills, Drills and Reports of Masters, required by

§ 62.18 of this chapter.

(h) 809B. Station Bills, Drills and Reports of Masters, required by §§ 78.18, 96.18, 115.18, or 35.1-7 of this chapter.

 810. Duties of Mates of Inland Steamers Carrying Passengers, required by §§ 78.34, 96.33, or 115.32 of

this chapter.

§ 2.20-40 Reports. (a) The officer in charge of a vessel carrying passengers is required to report monthly for the months during which the vessel was navigated of the drills held, the condition of the vessel and her equipment, and the total number of passengers carried during the month. Complete instructions for making the report are contained in forms 809A and 809B referred to in \$ 2.20-1. Report is made to the proper District Commander on Coast Guard form 941, Monthly Report of Officer in Charge of Vessel Carrying Passengers. Notice of failure to submit such monthly report is given to the officer in charge of a vessel by the District Commander on Coast Guard form 942, Notice to Officer in Charge of Vessel

Carrying Passengers of Neglect to Forward Monthly Report.

(b) The chief engineer of any steam vessel is required to report the renewing of every fusible plug in any boiler under his charge in accordance with §§ 54.18-5, 62.61, 78.53, 96.53, or 115.46 of this chapter.

§ 2.20-60 Reports of casualties and accidents-(a) General. Reports of casualties occurring on or to vessels is required by 33 U.S.C. 361 and the regulations supplementary thereto in §§ 62.16, 35.2-9, 78.16, 96.16, 115.16, or 136.103 of this chapter. The statute requires a report by letter from the master, owner, or agent of a vessel of the United States to the Officer in Charge, Marine Inspection, within five days after the accident, or as soon thereafter as possible. The regulations provide that a report on prescribed forms are acceptable if submitted promptly. The report is required whenever any vessel of the United States is involved in an accident involving loss of life, material loss of property, serious injury to any person, damage affecting the seaworthiness of the vessel.

(b) Accidents. Coast Guard form 924E, Report of Personal Accident Not Involving Death, is used in reporting accidents to passengers, members of crew and other persons, except longshoremen and harbor workers who may be injured on board a vessel and incapacitated for a period in excess of 72 hours. The form contains spaces for information of the vessel, persons injured, nature and cause of injury.

and witnesses,

(c) Casualties. Coast Guard form 2692, Report of Marine Casualty (or Accident), is used in reporting accidents involving deaths, damage affecting seaworthiness of the vessel, or material property in excess of \$1,500. Description of vessel, names of owner and master, location, nature and cause of casualty are inserted in the proper spaces.

(d) Forms. The Coast Guard forms 924E and 2692 may be obtained from any local Marine Inspection Office.

Cross Reference: For investigations and hearing on marine casualties see Part 4, of this chapter.

#### SUBPART 2.30-NUMBERING OF UN-DOCUMENTED VESSELS

§ 2.30-1 Numbering. Every undocumented vessel described in 46 U.S. C. 288 must obtain a certificate of award of number which number must be painted or attached to each bow of the vessel. The procedures to be followed in applying for such certificate; on transfer, loss, or destruction of the vessel; and on change of residence of owner from one customs district to

another are set forth in part 29 of this chapter.

§ 2.30-10 Application. Application for a certificate is made on Coast Guard form 1512. Application for Number for Undocumented Motov Vessel, by the owner to the District Commander of the district in which the vessel is owned. The form is obtained at the office of the appropriate District Commander. The application lists the name and address of owner and description of the vessel and the engine and must be submitted together with evidence of ownership of the vessel.

§ 2.30-20 Certificate issued. Upon complying with the necessary requirements as to prima facie evidence of ownership, Coast Guard form 1513. Certificate of Award of Number to an Undocumented Vessel, is issued by the

District Commander.

# SUBPART 2.50—NAVIGATION AND VESSEL INSPECTION LAWS

§ 2.50-1 Waivers—(a) Authority. Compliance with the navigation and vessel inspection laws may be waived by the Commandant under authority of 50 U. S. C. 655, as amended, and waiver of the Secretary of the Navy dated June 5, 1945, as affirmed, if the waiver is deemed necessary in the conduct of the war. Since cessation of hostilities the term "conduct of the war" is interpreted to include the process of readjustment and conversion of the economy of the nation from a war to a normal peacetime basis.

(b) Specific waivers. Applications for waivers of the above laws are made on Coast Guard form 2633, Application for Waiver Order, and the reverse side of the form is used for granting of the waiver. The application shall state the name of vessel, her employment, the requirements of law or regulations, waiver of which is requested, the reasons why waiver is necessary, and shall be signed by the master, owner, or agent of the vessel, or by the representative of any interested government agency. The waiver order describes the vessel, the requirements of law waived, the conditions to which waiver is subject, and the period of time for which the waiver is effective.

(c) General waivers. Applications for waivers having general applicability should be addressed to the Commandant. Applications for waivers affecting a particular ship should be made to the nearest Marine Inspection Office at which office the forms may be obtained.

§ 2.50-20 Violations—(a) Reports and assessments of penalties. Reports of violations of navigation and vessel inspection laws and regulations, and Load Line Regulations administered

and enforced by the Coast Guard are reported by Coast Guard personnel detecting them to the District Commander of the district in which the violations occurred. Coast Guard form 2767, Notice of Report of Violation, is used to inform the alleged offender of the nature of the violations and of his right to apply for relief from the assessment of penalties or to appear in person. Application is made to the District Commander on form 2767A, Application for Relief from Penalties for Violation of Navigation Laws and Regulations. If the application for relief is granted the case is closed; if denied, the full or mitigated penalty is assessed and notice given on Coast Guard form 2767B. Assessment of Penalties for Violation of Navigation Laws and Regulations. and Conditional Mitigation of Penalties. The notice may provide for a reduction in the penalty on condition that the lesser penalty be paid within 30 days of the date of the notice. Instructions for making an appeal to the Commandant from the mitigated penalty, if the amount of such penalty exceeds \$50, are contained in the notice. If payment of the mitigated penalty is not made within 30 days of the date of this notice, or if appeal is not made, action to collect the full penalty is taken. If form 2767A is not submitted, assessment of penalties is made on form 2767C, Assessment of Penalties for Violation of Navigation Laws and Regulations, and the offender is advised that court action by the United States Attorney will be recommended if payment is not made within 30 days.

(b) Payment of penalty. (1) Payment of any penalty is acknowledged on Coast Guard form 2767E, Disbursing Officer's Receipt (Navigation)

Fine).

(2) If the penalty paid is determined by the Commandant to have been imposed illegally or excessively, application for a refund may be made on Coast Guard form 1086, Claim for Navigation Fine Exacted in Excess or in Error, which should be mailed to the appropriate District Commander for transmission to the Commandant. Such application must be made within one year of payment of the penalty.

(c) Motorboat act violations. The same procedure is followed in the assessment of penalties for violations of the Motorboat Act and regulations.

46 U. S. C. 288, 526-526t.

SUBPART 2.75—APPROVALS OF SAFETY EQUIPMENT, MATERIALS, AND INSTALLA-TIONS, AND QUALIFICATIONS FOR CON-STRUCTION PERSONNEL.

§ 2.75-1 Approvals—(a) General. The Commandant is required by law or regulations in this chapter to approve certain installations and items of safety equipment before they may be installed or used on merchant vessels subject to inspection or on certain other vessels and motorboats.

(b) List of items. The following list comprises the items approved by the Commandant:

 Balloons and gas cylinders for lifeboat antennas.

(2) Boilers.

(3) Buoyant apparatus.

- (4) Buoyant cushions for motorboats.
- Cleaning processes for life preservers.
- (6) Containers for rations and water.

(7) Davits.

(8) Daytime distress signals.

- (9) Disengaging apparatus for lifeboats.
- (10) Engineering equipment, miscellaneous.

(11) Emergency lighting systems.

- (12) Feedwater regulators, evaporators, or separators.
- (13) Fire extinguishing and detecting systems.
- (14) Fire-resistive substances for treatment of life preserver covers.

(15) Fire retardant materials,

(16) Firing attachments for linethrowing guns.

(17) Flame arrestors.

(18) Flame safety lamps,

- (19) Flashlights and flashlight batteries.
- (20) Fuel oil systems.

(21) Gas ranges.

- (22) Gas masks and breathing apparatus.
- (23) Hand distress signals and containers therefor.
- (24) Hand propelling gear for lifeboats.
- (25) Lifeboats.
- (26) Life floats.
- (27) Lifeboat compasses.
- (28) Life preservers.
- (29) Life rafts.
- (30) Line-throwing guns and appliances.
- (31) Loudspeaker systems.
- (32) Motion picture projectors.
- (33) Embarkation ladders,
- (34) Portable radio installations.
- (35) Ring life buoys.
- (36) Safety valves.
- (37) Signaling mirrors.
- (38) Signal pistols and parachute flares.
- (39) Sprinkler systems.
- (40) Telephone systems,
- (41) Water indicators.
- (42) Water lights.
- (43) Water spray nozzles.
- (44) Welding rods and electrodes.
- (45) Winches for lifeboats.

§ 2.75-10 Requirements and tests.

(a) The requirements and tests which the items are required to meet are contained in specifications, copies of which may be obtained from the Com-

mandant. If the requirements are met a certificate of approval for a term of five years is issued on Coast Guard form 10030—Certificate of Approval. Notice of such approval is published in the Federal Register. The five-year system is not in effect as to all items at this time. Such items as have not been brought within this plan are approved by letter by the Commandant and the period for which granted is indefinite.

(b) These items which do not meet the requirements are returned to the applicants who are informed in what respects they failed to meet the re-

quirements.

(c) Applications for approval shall be made to the Commandant and there shall be submitted with the application the item for which approval is desired or the plans and specifications for installations, such as boilers, evaporators, etc.

(d) After approval is granted, manufacturers of certain items are required to submit an affidavit that the manufactured item will comply with the applicable rules and specifications. The affidavit is made on one of the following appropriate Coast Guard forms:

935—Affidavit of Manufacturer of Marine Boilers.

935A—Affidavit of Manufacturer of Materials or Appliances on Vessels Subject to the Rules and Regulations of the U. S. Coast Guard (required only for manufacturers of engineering material or appliances).

Form (no number)—Affidavit of Manufacturer of Standard Type Life Saving Equipment (buoyant cushions and cork and balsa life preservers only).

The latter two forms are submitted to the Commandant and the other to the Officer in Charge, Marine Inspection, of the district in which the boller is being constructed.

§ 2.75-50 Withdrawals of approval. Approvals may be withdrawn if items are found not to be in compliance with the conditions of approval or if necessary by reason of changes in regulations. Notice will be given to the manufacturer who is given an opportunity to present his case at a meeting of the Merchant Marine Council. (See 33 CFR 1.75-1, 1.75-10, supra.)

§ 2.75-60 Certification of ship's stores and supplies. Ship's stores and supplies of a dangerous nature as defined in 46 CFR § § 147.02-1 and 147.02-2 shall not be used on board vessels, domestic or foreign, on the navigable waters of the United States, including its territories and possessions, unless they have been certified for such use by the Government. The procedure for obtaining certification

and the stores of a dangerous nature which do not require such certification are contained in or referred to in § § 147.03-1 to 147.03-11, inclusive,

of this chapter.

§ 2.75-70 Welders. Welders are required to pass tests before being permitted to make welds subject to inspection by the Coast Guard. Description of the tests is contained in § 56.20-3 of this chapter. Upon satisfactory performance of the tests, form 965, Record Card Welder's Qualification Tests, is issued by the Officer in Charge, Marine Inspection, to the applicant who shall carry such card while engaged in welding subject to inspection by the Coast Guard.

#### SUBPART 2.85-LOAD LINES

Vessels listed in 46 U. S. C. 85 and 46 U. S. C. 88 are required by those acts to have load lines assigned. The procedures for the assignment of load lines, the issuance of Load Line Certificates, the annual inspections required, the causes for cancellation of certificates, and the forms of those certificates are contained in the regulations appearing in Part 43 of this chapter, copies of which may be obtained from the Commandant.

#### SUBPART 2.90—PLANS, DRAWINGS OR BLUEPRINTS

§ 2.80-1 General requirements. Drawings, blueprints or plans showing the details of construction of the following installations on vessels subject to inspection are required to be submitted for approval in accordance with applicable regulations referred to, information as to which may be obtained at any local Marine Inspection Office.

(a) Boilers and pressure vessels, § 52.1-2 of this chapter.

(b) Foundations or saddles for boilers, \$53.17-1 of this chapter.

(c) Boilers of foreign built vessels to be admitted to American registry, § 57.21-15 of this chapter.

(d) Piping systems, §§ 55.19-2 or

56.20-19 of this chapter.

(e) Superheaters, headers, water walls and economizers not previously approved. § 52.13-2 of this chapter.

(f) Safety valves not previously approved, § 52.14-2 of this chapter.

(g) Evaporators, heater, traps, valves and fittings, separators and pressure vessels, § 52.16-1 of this chapter.

(h) Certain plans are required to be submitted prior to assignments of load lines in accordance with §§ 43.90, 43.101, 45.74 or 46.024 of this chapter, inspection of which regulations may be had at any local Marine Inspection Office.

(i) The procedure for the submission for approval of plans for the construction or material alteration of passenger vessels of the United States of 100 gross tons and over which are propelled by machinery is contained in Part 144 of this chapter, which regulations may be obtained from the Commandant or from any local Marine Inspection Office. Plans for the construction of both cargo and passenger vessels of over 100 gross tons and all tank vessels are required to be submitted in accordance with §§ 31.3-3, 63.8, 79.8, 97.8 or 116.8 of this chapter.

PART 3—MERCHANT MARINE PERSONNEL SUBPART 3.01—LICENSES AND DOCUMENTS Sec.

3.01-1 Applications for licenses or documents.

3.01-75 Appeals.

SUBPART 3.13—SHIPMENT AND DISCHARGE OF SEAMEN

3.13-1 Signing on and discharging seamen.

3.13-10 Shipping articles.

3.13-15 Forecastle card.

3.13-20 Crew list.

3.13-25 Crew deficiencies.

3.13-30 Allotments. 3.13-35 Log books.

3.13-40 Discharges.

3.13-45 Seamen not shipped or discharged before shipping commissioners.

3.13-50 Service record.

SUBPART 3.15—ARBITRATION BY SHIPPING COMMISSIONERS

3.15-1 Arbitration.

3.15-5 Mutual releases.

SUBPART 3.19—EFFECTS OF DECEASED OR DESERTING SEAMEN

3.19-1 Accounts of wages and effects.

3.19-5 Kinsman's petition.

Cross Reference: For Coast Guard organization and jurisdiction see Part 1 of Title 33, supra.

## SUBPART 3.01-LICENSES AND DOCUMENTS

§ 3.01-1 Applications for licenses or documents. Applications for licenses, extension of routes, or documents required for officers or seamen by 46 U. S. C. 214, 224, 226, 228, 229, 230, 237, 243, 367, 391a, 404, 405, 526-526t, 1333, 672, 643, 481, or 50 U. S. C. 1275 and the regulations in Parts 25, 36, 62, 78, 96, 115, or 138 of this chapter, or by War Shipping Administration General Order No. 41, in §§ 304.61 to 304.72 of this title, as a prerequisite for employment shall be made on one of the following Coast Guard forms which are obtainable from the Officer in Charge, Marine Inspection, at any local marine inspection office: 866, License application; 719, Seaman's certificate application; War Shipping Administration's form "Application for seaman's

employment card under War Shipping Administration General Order 41." The procedures for obtaining the licenses or documents, renewals, if necessary, or duplicates, if lost; the qualifications; and examinations necessary are all set forth in Parts 25. 36, 62, 78, 96, 115, or 138 of this chapter, together with Coast Guard numbers and titles of forms used, obtainable from any marine inspection office. Under War Shipping Administration General Order No. 41, a "Seaman's Employment Card" will be issued under the same procedures as are followed for other licenses or documents.

§ 3.01-75 Appeals. Within 30 days any person aggrieved by any decision made by the Officer in Charge, Marine Inspection, or his subordinate officer, may appeal therefrom to the Commandant, U. S. Coast Guard, by letter or in person. The appeal shall set forth the requirements appealed from and the reasons why the decision or action should be set aside or revised. The decision of the Commandant is final.

#### SUBPART 3.13—SHIPMENT AND DISCHARGE OF SEAMEN

§ 3.13-1 Signing-on and discharging seamen. The master of any merchant vessel of 75 tons or upward. engaged in the intercoastal trade or of any vessel bound from a port in the United States to any foreign port. other than vessels engaged in trade between the United States and the British North American possessions or the West Indies, or the Republic of Mexico, is required to enter into an agreement with each member of the crew who shall be discharged under the agreement and receive wages in the presence of a shipping commissioner in accordance with 46 U.S.C. 564. Where the complete crew has been signed on in the presence of a shipping commissioner and the later shipment of other seamen becomes necessary because of desertion or casualty, the master may sign on such replacements without the presence of a shipping commissioner but he is required to report the transaction immediately upon arrival at first port of call to the United States consul at or nearest such port, or in the Panama Canal Zone to the shipping commissioners or deputy shipping commissioners there. Shipping commissioners may, at the request of the master or owner of a vessel, ship and discharge all or part of the crew of a vessel engaged in the coastwise trade, or trade between the United States and the Dominion of Canada. or Newfoundland, or the West Indies, or Mexico, in accordance with 46 U. S. C. 646.

§ 3.13-10 Shipping articles. For the signing-on and discharging of seamen in accordance with 46 U.S.C. 564, 565, 566, and 713, the shipping commissioners furnish Coast Guard Forms 705, 705-A, and 705-B, Shipping articles, same except for size, to record the agreement entered into between the master and crew of a vessel. Copies of these forms are obtainable upon request from shipping commissioners or Officers in Charge, Marine Inspection, at marine inspection offices, U. S. Coast Guard. It is the duty of shipping commissioners to see that each officer signing on is in possession of a continuous discharge book, certificate of identification, or U. S. Merchant Mariner's document. and a license; and that each signing on in an unlicensed capacity is in possession of a continuous discharge book or a certificate of identification and a certificate of service or certificate of efficiency or a U. S. merchant mariner's document representing such certificates. The shipping articles are prepared in quadruplicate, original and duplicate retained by the master pending completion of voyage, the triplicate retained by shipping commissioner, and quadruplicate forwarded to Commandant, U. S. Coast Guard. After the members of the crew are signed on the shipping commissioner prepares Coast Guard Form 708, Shipping of Seamen, certifying that the crew members knew and willingly signed the shipping articles, which is attached to the shipping articles. When the voyage or period of time covered by the shipping articles is completed, the members of the crew are discharged and the wages paid in the presence of the shipping commissioner, if required by law, and proper entries made in the shipping articles.

§3.13-15 Forecastle card. At the commencement of every voyage or engagement the master is required to post certain excerpts from the shipping articles in such part of the vessel as to be accessible to the crew in accordance with 46 U.S.C. 577. The Forecastle Card, Coast Guard Form 704, is obtainable from shipping commissioners or Officers in Charge, Marine Inspection, at marine inspection offices, U. S. Coast Guard.

§ 3.13-20. Crew list. The master of a merchant vessel in certain cases is required to file with the Collectors of Customs a list of crew members. Coast Guard Form 710A is furnished for this purpose and may be obtained from shipping commissioners or Officers in Charge, Marine Inspection.

§ 3.13-25 Crew deficiencies. When the master cannot obtain the crew required, he may substitute therefor the best qualified men obtainable under the conditional waiver of manning requirements in Appendix A. The report required by the Coast Guard has to be made on Coast Guard Form 729, Crew Deficiency Report, which may be obtained upon request from any Officer in Charge, Marine Inspection. Three copies must be filed, two with the shipping commissioner who signed on the crew, or if crew was not signed on before shipping commissioner to the nearest Officer in Charge, Marine Inspection, and one copy must be submitted to the Collector of Customs at time application for clearance of vessel is made. Where officers are not available, a request for a waiver to employ an alien watch officer may be made on Coast Guard Form 2633, obtainable from the Officer in Charge, Marine Inspection. The Officer in Charge, Marine Inspection, may grant a waiver only for a single voyage which may be amended by extensions. To report crew shortages, the master may use Form 729, Crew Deficiency Report, if the form is appropriately corrected to indicate it is a crew shortage report under 46 U.S.C. 222.

§ 3.13-30 Allotments. A merchant mariner desiring to make an allotment of his wages, in accordance with the regulations in Part 132 of this chapter, fills out Coast Guard Form 722, Seaman's Allotment Note, furnished by the shipping commissioner at the time he signs the shipping articles, or copies may be obtained upon request from shipping commissioners in the United States ports, or from United States consular officers in foreign ports. If the allotment complies with the law, it is approved. No appeals are permitted.

§ 3.13-35 Log books. Every vessel of 75 tons or upward, engaged in the intercoastal trade, or any vessel bound from a port in the United States to any foreign port, other than in the British North American possessions, shall have an official log book and every master of such vessel shall make or have entries made therein regarding matters required by 46 U. S. C. 201, 202, 203, 701, 702, and 85. One or more copies of the official log book, Coast Guard form 706-B or 706-C, depending upon the number of persons employed as crew, is furnished the master of a vessel at the time the crew is signed on before a shipping commissioner; or copies of the official log book are obtainable upon request from the Officer in Charge, Marine Inspection. After the official log books have served their purpose they are filed with the shipping commissioner or Officer in Charge, Marine Inspection.

Discharges. When a § 3.13-40 master of a vessel in accordance with § 138.9 of this chapter discharges a merchant seaman and makes entries in the seaman's continuous discharge book, he will fill out Coast Guard form

718E, Record of Entry in Continuous Discharge Book, which is forwarded to the Commandant, U. S. Coast Guard. The form 718E is obtainable from shipping commissioners, collectors of customs and deputy collectors of customs acting as shipping commissioners or Officers in Charge, Marine Inspection. When a seaman holds a certificate of identification, a certificate of discharge, Coast Guard form 718A, is issued and approved by a shipping commissioner or master as evidence of service performed. This form may be obtained upon request from shipping commissioners, collectors of customs or deputy collectors of customs acting as shipping commissioners or Officers in Charge, Marine Inspection.

§ 3.13-45 Seamen not shipped or discharged before shipping commissioners. Masters of certain vessels are required to report on ship personnel not shipped or discharged before a shipping commissioner. The Coast Guard form 735 (T) has been prepared and must be used by the masters in accordance with part 138 of this chapter. The form may be obtained upon request from shipping commissioners, collectors or deputy collectors of customs acting as shipping commissioners, or Officers in Charge, Marine Inspection. When voyage is completed. it must be delivered to nearest marine inspection office for transmission to Headquarters.

§ 3.13-50 Service record. A merchant mariner upon discharge in accordance with the requirements of section 138.9 of this chapter has recorded in his continuous discharge book entries regarding his service. When the merchant mariner requests in person or writing a record of sea service shown in a surrendered continuous discharge book, the Officer in Charge, Marine Inspection, or other issuing officer will prepare in duplicate Coast Guard form 723, Certificate of seamen's service, and will deliver the original to the seaman and send the duplicate to Commandant, U. S. Coast

Guard.

## SUBPART 3.15-ARBITRATION BY SHIPPING COMMISSIONERS

§ 3.15-1 Arbitration. The Coast Guard form 717, Agreement as to arbitration, is used by seamen, master, consignees, agents or owners of vessels in submitting matters to shipping commissioners. This form is obtainable from shipping commissioners or collectors of customs or deputy collectors of customs acting as shipping commissioners. One copy of the form is made and this copy is retained by the shipping commissioner who acts on the matters submitted and his decision is final. No appeals are allowed.

§ 3.15-5 Mutual releases. The Coast Guard form 713A, Mutual Release, is

used by masters and seamen to effect settlement of claims for wages in cases of seamen signed off prior to completion of a voyage. This form may be obtained from shipping commissioners or collectors of customs or deputy collectors of customs acting as shipping commissioners. One copy is prepared and retained by the shipping commissioner who acts on the matters involved and his decision is final. A certificate of mutual release, Coast Guard form 739, is prepared by the shipping commissioner or person acting as shipping commissioner, signed by the seaman when given to him by the shipping commissioner, and is used by the seaman not present at sign-off of vessel's crew as evidence that he has signed a mutual release. This form is prepared in duplicate from information in shipping articles and official log

# SUBPART 3,19—EFFECTS OF DECEASED OR DESERTING SEAMEN

§ 3.19-1 Accounts of wages and efjects. The masters of certain U.S. vessels in the cases of deceased or deserting seamen have to prepare Coast Guard form 1517, Account of Wages and Effects of Deceased or Deserting Seamen for use in disposition of the wages and effects of such seamen. The forms may be obtained upon request from shipping commissioners. collectors or deputy collectors of customs acting as shipping commissioners, or Officers in Charge, Marine Inspection. Four copies are prepared and submitted to the shipping commissioner for transmission to the District Court. The shipping commissioner upon examination of information on the form, may approve or disapprove the account after reviewing the vessel's official log book. No appeal is permitted. The seaman's next of kin is informed of the action taken.

§ 3.19-5 Kinsman's petition. The next of kin of a deceased seaman has to petition the District Court of the United States for the wages and effects of the deceased seaman on Coast Guard form 726, Kinsman's petition for wages and effects of deceased seaman. This form may be obtained upon request from shipping commissioners, collectors or deputy collectors of customs acting as shipping commissioners, or Officers in Charge, Marine Inspection. One copy of the form is presented by the next of kin to the U.S. District Court who acts upon the petition and either approves or disapproves the petition.

PART 4-INVESTIGATIONS AND HEARINGS

SUBPART 4.01—CASUALTIES AND ACCIDENTS

Sec. 4.01-1 Investigations. 4.01-15 Board investigations. Sec.

4.01-30 Board investigation reports. 4.01-45 Procedures followed in in-

vestigations.
4.01-60 Preferring charges.

#### SUBPART 4.05—DISCIPLINARY PROCEEDINGS

4.05-1 General.

4.05-5 Investigations.

4.05-20 Hearings. 4.05-35 Appeals.

Cross Reference: For Coast Guard organization and jurisdiction see Part 1 of Title 33, supra.

#### SUBPART 4.01-CASUALTIES AND ACCIDENTS

§ 4.01-1 Investigation. The Coast Guard District Commander after receiving either a notice or report of a marine casualty or accident submitted on Coast Guard form 2692 or 924E, submitted in accordance with the requirements of § 136.103 of this chapter and described in § 2.20-60 of this chapter will cause such preliminary investigations of marine casualties and accidents as may be necessary in accordance with § 136.104 of this chapter. The investigations of marine casualties and accidents and the determinations made as a result of such investigations are for the purpose of taking appropriate measures for safety of life and property at sea, and are not intended to fix civil or criminal responsibility. The investigations determine:

(a) The cause of the accident.

(b) Whether any failure of material (either physical or design) was involved so that proper recommendations for the prevention of the recurrence of similar casualties may be made.

(c) Whether any act of misconduct, inattention to duty, negligence, or wilful violation of law on the part of any licensed or certificated man was involved so that appropriate proceedings against such person under 46 U. S. C. 239 may be recommended and taken.

(d) Whether any Coast Guard personnel or any representative of any other government agency was guilty of any neglect or inattention to duty contributing to the casualty.

Board investigations. § 4.01-15 Where the casualty or accident is considered as a major casualty and the Commandant, U. S. Coast Guard, believes that further investigation thereof would tend to promote safety at sea and would not be inimical to the public interest, the Commandant will designate an appropriate board to conduct such investigation as necessary in accordance with the requirements of \$\$ 136.101 to 136.110 of this chapter. Unless otherwise designated by the Commandant, the board of investigation consists of the Coast Guard District Commander, the Officer in Charge, Marine Inspection, within whose jurisdiction the casualty or accident occurred or within whose jurisdiction the casualty or accident is reported, and another Coast Guard officer designated by the Commandant, except in San Juan and Honolulu Districts where the board will consist of the Coast Guard District Commander, the Officer in Charge, Marine Inspection, and the district law officer.

§ 4.01-30 Board investigation reports. The Board of Investigation will make a complete report containing findings and recommendations to the Commandant in accordance with § 136.105 of this chapter. Disclosure of records will be in accordance with § 136.109 of this chapter, or §§ 1.80-1 to 1.80-90, inclusive, supra.

§ 4.01-45 Procedures followed in investigations. All witnesses called to testify in any preliminary investigations or board investigations are entitled to be represented by counsel if they so desire. In preliminary investigations private counsel are not permitted to examine or cross-examine witnesses unless such counsel represents the witness being interviewed. and may do no more than advise the witness. In public hearings conducted by a board, counsel for interested parties may attend and take part in the examination and crossexamination.

\$ 4.01-60 Preferring charges. If upon investigation of a casualty or accident, it is determined that charges shall be or have been preferred against any licensed officer or certificated seaman, the report will set forth such information, stating the nature of the charge briefly, the name of the person charged, the misconduct file number, and the status of the proceedings of the charge. The report of the hearing on the charge will be separate and will not supplant the report of the investigation. The charges which may be brought will be made by the examining officer in accordance with the regulations in §§ 136,101 to 136,110, inclusive, of this chapter.

#### SUBPART 4.05—DISCIPLINARY PROCEEDINGS

§ 4.05-1 General. (a) The basic statute for investigations and trials of licensed officers and certificated seamen is 46 U. S. C. 239, which provides authority to promulgate such necessary regulations as set forth in Part 136 of this chapter and by War Shipping Administration General Order 41, in §§ 304.61 to 304.72 of this title. The proceedings against licenses and certificates and Seaman's Employment Cards are undertaken by Merchant Marine Hearing Units in

the United States and by Coast Guard Merchant Marine Details in certain foreign ports with the following purposes:

(1) The maintenance of discipline on merchant vessels,

(2) The safety of life and property at sea.

(b) The examining officer conducts the investigation and presents the case to the hearing officer who makes the finding and orders after all the evidence is in.

§ 4.05-5 Investigations. Immediately upon receipt of a complaint made to a local office or when a violation of any law or regulation is noted, an examining officer is dispatched to the vessel for the purpose of making a preliminary investigation in accordance with the regulations in Part 136 of this chapter. In making his investigation the examining officer interviews all interested parties and witnesses. On the basis of his findings he determines whether charges should or should not be preferred. If the examining officer finds that there is a prima facie case within the jurisdiction of 46 U.S.C. 239, he immediately writes out the charges and specifications on Coast Guard form 2639, Charge and Specification Sheet, and serves them, At this time he informs the person charged of all his rights under the law. such as right to counsel, nature of the proceedings, possible penalties, the bringing of witnesses in his behalf by subpoena. Should the person desire counsel and has no means of securing one, the Coast Guard supplies an officer to act in his defense. It is the duty of the examining officer on Coast Guard form 2639-B to subpoena any or all of the witnesses that the person charged desires to appear in his behalf.

§ 4.05-20 Hearings. (a) After service of a notice of hearing or a subpoena, the examining officer will indorse a return on the carbon copy showing the kind, time, and place of service and file the same with the Merchant Marine Hearing Unit, and a hearing will be set for the earliest possible time consistent with fairness. The hearing is usually held in the offices of the Merchant Marine Hearing Unit or wherever most convenient for everyone concerned. Every effort is made to conduct a hearing with dignity and in the fairest possible fashion. After the opening of the hearing, the examining officer outlines the whole case and then presents the case to the hearing officer. The following steps are usually followed in a hearing:

 Hearing Officer's opening statement.

(2) Production of documents and Selective Service data. (3) Advising person charged of right to counsel.

(4) Appearances.

(5) Removal of all witnesses from the hearing room.

(6) Arraignment and plea.

(7) Opening statement of examining officer.

(8) Opening statement of person charged or statement in mitigation if a "guilty" plea.

(9) Testimony of witnesses (omitted in "guilty" cases).

(10) Findings.

(11) Prior record.

(12) Order.

(13) Service of original findings and order on person charged and return of certificate or license if appropriate; advising person charged that findings and order are not in any way binding on matters under jurisdiction of the shipping commissioner.

(14) Advising person charged of

right of appeal.

(15) Declaration that the hearing is

(b) After all the evidence has been presented and arguments made by the examining officer and the counsel for the person charged, the hearing officer makes his decision and issues a findings and order in each case on Coast Guard form 2639—C. If the finding is "not proved" the case is closed. If the charges are found proved the hearing officer may order his license or certificate suspended for a period of time or revoked. In the discretion of the hearing officers the order may be suspended and the person charged placed upon probation.

The testimony at the hearing is taken down by a reporter. If an appeal from the decision of the hearing officer is made, a copy of the transcript is made available to the applicant.

§ 4.05-35 Appeals. Within 30 days an appeal may be made from the decision of the hearing officer to the Coast Guard District Commander of the district wherein the hearing was held. Should the District Commander uphold the decision of the hearing officer, a further appeal from his decision may be made to the Commandant, whose action is final. The appeal shall set forth the requirements appealed from and the reasons why the decision or action should be set aside or revised, in accordance with the procedures in §§ 136.107 or 136.112 of this chapter. (II F. R. 177A-74 to 177A-87, 11 Sept. 1946)

SEAL JOSEPH J. O'CONNELL, Jr., Acting Secretary.

# ITEMS SUITABLE FOR MERCHANT MARINE USF

## PRESSURE VACUUM RELIEF VALVE

The Vapor Recovery Systems Co., Compton, Calif., Figure 34B pressure vacuum relief valves, for use with inflammable or combustible liquids of grade A and lower grades on tank vessels subject to the jurisdiction of the Coast Guard, Drawing No. DX94.

### **ELECTRICAL APPLIANCES**

The following list supplements that published by the United States Coast Guard under date of 15 May 1943, entitled "Miscellaneous Electrical Equipment Satisfactory for Use on Merchant Vessels," as well as subsequently published lists, and is for the use of Coast Guard personnel in their work of inspecting merchant vessels. Other electrical items not contained in this pamphlet and subsequent listings may also be satisfactory for marine use but

should not be so considered until the item is examined and listed by Coast Guard Headquarters. Before listings of electrical appliances are made, it is necessary for the manufacturer to submit to The Commandant MMT. United States Coast Guard, Washington 25, D. C., duplicate copies of a detail assembly drawing, including a material list with finishes of each corrosive part of each item.

	Locati	on appura	tus may	he used	
Manufacturer and description of equipment	Passen- ger and crew quarters and public spaces	Machine ery curgo and work spures	Open decks	Pump rooms of tank vessels	Date of action
Cutier-Hammer, Inc., New York, N. Y.: 614-inch magnet and controls for fire door release system, bulletin (899, maximum load, 100 magnets (48 am- peres), 115 V. D. C.4 160 magnets (24 amperes) 115 volt magnets on 115/230 V 3-wire D. C.; 200 magnets (30 amperes), 230 volts D. C.; drawing No. 6134, Alt. 0 Dayton Manufacturing Co., Dayton, Ohio: Ceiling fixture No. C-10825, nonwatertight, 2 30-watt- lamps maximum, drawing No. X46D508, Rev. D with parts list 46D1909	x				- W/18/46

	Locati	on appara	tus may l	be used	
Manufacturer and description of equipment	Passen- ger and crew quarters and public spaces	Machin- ery cargo and work spaces	Open decks	Pump rooms of tank vessels	Date o
Dayton Manufacturing Co., Dayton, Ohio-Continued					
Ceiling fixture No. C-10829, nonwatertight, 1 40-watt lamp maximum, drawing No. X46D635, Rev. 3 with	- 3				n/re/
Parts list 46B1758 Ceiling fixture No. C-10830, nonwatertight, 2 46-watt	×				9/18/4
lamps, maximum, drawing No. X46D636, Rev. 3 with parts list 46B1758 Lamp, offset, nonwatertight, 175-watt lamp maximum,	- 3	-	-	-	9/18/
drawing No. X46D639, Rev. 3, with parts list 46B1701	x		-	-	9/18/
iwards and Company, Norwalk, Conn.: Annunciator, estalog No. 1778, drawing No. 5190MA, alt.					10/9/
enschel Corporation, Amesbury, Mass.: Rumning light indicator panel, nonautomatic, 5-circuit,	x				14/0/
115 volts D. C., drawing No. 40-035, Alt. 1	x	x	Carrie	-	9/25/
Auxiliary signal light indicator panel, nonautomatic 115 yotts D. C., drawing No. 40-036, Att. 1	x	x		1444110-1	9/25/
Combined running and auxiliary signal light indicator panel, nonautomatic, 115 volts D. C.	x	x			9/25/
urlin Manufacturing Co., Philadelphia, Pa.: Table lamp (for fixed mounting), nonwatertight, 2 60-				1000	9/16/
Table lamp (for fixed mounting), nonwatertight, 2 60- watt lamps maximum, fixture No. 616-A, Alt. 0	x				1/10/
Desk lamp, type L3, nonwatertight, 1 60-watt lamp maximum, drawing No. 43537, Alt. 0 Ceiling fixture, type LC-22, nonwatertight, 1 100-watt	x		decoraç		10/8/
Ceiling fixture, type LC-22, nonwatertight, 1 100-watt lamp maximum, drawing No. 43527, Alt. 0 Mirror light, type LC-14, nonwatertight, 1 40-watt lamp maximum, drawing No. 4353, Alt. 0 Berth light, type LC-12, nonwatertight, 1 25-watt lamp maximum, drawing No. 43518, Alt. 0	x		ermino.		10/8/
lamp maximum, drawing No. 43353, Alt. 0	x		********		10/8/
maximum, drawing No. 43518, Alt. 0 Berth light, type LC-15, nonwatertight, 1 40-watt	X X		/		10/8/
lamp maximum, drawing 43402-R, Alt. O. Ceiling fixture, type LC-19, nonwatertight, 4 60-watt					*6/4/
lamps maximum, drawing 43525, Alt. O. Desk lamp, type LC-16, nonwatertight, 1 60-watt	X-	-			10/8/
lamp maximum, drawing 43526, Alt. O. erling Bronze Co., Inc., Long Island City, N. Y:	X	-		and the same of	10/8/
Switch, nonwatertight 10A, 125V, single pole, drawing				J	9/27/
Pushbutton, interior communication, nonwatertight, drawing No. 77757, Rev. 9/20/46	x				0/27/
an Brunt Electric & Manufacturing Co., Brooklyn, N. Y.: Morse code light, waterproof, 1 60-watt lamp maximum,					11/2/
est No 7083, drawing No. 17083, Alt. O	x	¥ .	x		9/26/
Bracket or bulkhead fixture, key, waterproof, I 100- watt lamp maximum, cat. No. M. C. 634, drawing	x		x		10/1/
No. 10634, Alt. Q. Bracket or bulkhead fixture, waterproof, 1 100-watt lamp maximum, cat. No. M. C. 647, drawing No.	100		1-31		1
10647 AT O	X	N-	x		10/1/
Ceiling or deck fixture, key, waterproof, 1 100-watt lamp maximum, est. No. M. C. 681, drawing No. 10681, Alt. O.	x	x	x		10/1/-
Celling or deck fixture, waterproof, 1 200-watt lamp maximum, cat. No. M. C. 694, drawing No. 10694,					200
	x	x	x		10/1/
Ceiling or deck fixture, waterproof, 1 100-watt lamp maximum, cat. No. M. C. 691, drawing No. 10691, Alt. O	x	x	x		10/1/
Bulkhead fixture, waterproof, 1 200-watt lamp maxi-	x	x	x		10/1/
re-thitead firture renterator 1 100 watt large marie	x	x	x		10/1/
mum, cat. No. M. C. 501, drawing No. 10501, Alt. O. Bulkhead fixture, key, waterproof, 1 100-watt lamp maximum, cat. No. M. C. 1564, drawing No. 11564,	x	x	x		10/1/
Alt. O.  Deek fixture, with angle reflector, waterproof, 1 100- watt lamp maximum, cat. No. M. C. 7094A, drawing	x	x	x		10/1/
	x	x	x		10/1/
Deck fixture, with reflector, waterproof, I 100-watt lamp maximum, cat. No. M. C. 806, drawing No. 10806,					
Alt. O.  Deck fixture, with reflector, waterproof, 1 200-watt- lamp maximum, cat. No. M. C. 807, drawing No.	x	x	. 4		10/1/
	x	x	x		10/1/
Deck fixture, with reflector, watergroof, 1 200-watt- lamp maximum, cat. No. M. C. 808, drawing No.		1	9		200
10868, Alt. O., Deck fixture, with reflector, waterproof, 1 200-watt lamp maximum, cat. No. M. C. 7094, drawing No.	x	x		menes.	10/1/
17094. Alt. O	x	x	1		10/1/6
Ceiling or deck fixture, waterproof, I 100-watt lamp maximum, cat. No. M. C. 389, drawing No. 10389,	1				
Alt. O.  Bracket or buikhead fixture, waterproof, I 100-watt lamp maximum, cat. No. M. C. 390, drawing No.	x	x	1		10/1/4
10390 Alt O	×	X			10/1/
Bulkhead fixture, waterproof, 1 100-watt lamp maximum, cat. No. M. C. 13002, drawing No. 13002, Alt. O.	1	1			10/1/4

#### ACCEPTABLE FUSIBLE PLUGS

The Marine Engineering Regulations require that manufacturers who desire to have their products approved for marine service shall submit samples for testing from each heat to the Commandant. If the sample fusible plugs pass the test satisfactorily, the manufacturer is notified and then the plugs may be used on vessels subject to inspection by the Coast Guard. For the information of all parties concerned, a list of approved heats which have been tested and found acceptable during the period from 15 September 1946 to 15 October 1946 are as follows:

American Machine and Engineering Corp., 1411 Reedsdale St., N. S. Pittsburgh, Pa. Heat No. 11.

Walworth Co. Greensburgh Works, Greensburg, Pa. Heat No. 123.

The Lunkenheimer Co. P. O. Box 360, Annex Station, Cincinnati, Ohio. Heat Nos. 262 and 263.

#### **AFFIDAVITS**

It is required by the Marine Engineering Regulations that manufacturers submit affidavits before they manufacture items of equipment in accordance with these regulations for use on vessels subject to inspection by the Coast Guard. The following affidavits were received and accepted during the period from 15 September 1946 to 15 October 1946:

East Birmingham Bronze Foundry Co., Birmingham, Ala. Castings. Frick Company, Inc., Waynesboro,

Pa. Valves and fittings.

American Machine and Engineering Corp., 1411 Reedsdale St., N. S. Pittsburgh, Pa. Fusible Plugs.

# CERTIFICATION OF ARTICLES OF SHIPS' STORES AND SUPPLIES

Articles of ships' stores and supplies certificated from 20 September to 25 October 1946, inclusive, for use on board vessels in accordance with the provisions of Part 147 of the regulations governing Explosives or Other Dangerous Articles on Board Vessels:

Pero-Nite Soot and Fire Scale Remover, Perolin Co., of New York, Inc., 10 East 40th St., New York, N. Y. Certification No. 205, 27 September, 1946.

Lethalaire, Virginia Smelting Co., West Norfolk, Va., Certification No. 206, 25 October, 1946.

#### When using hoists:

- \*LOAD carefully.
- \*LOWER carefully.
- \*DON'T overload.
- \*DON'T leave load suspended.

# Merchant Marine Personnel Statistics

# MERCHANT MARINE LICENSES ISSUED DURING SEPTEMBER 1946

DECK OFFICERS

					M	ister									Chie	fmat	e							8	econ	d ma	te			
Region	Oc	ean		oast- wise	Gi	rent	B. 5	. 4	Riv	ers	00	enn	Cor	ast- ise	Gi	rent	B. 8	5. &	Riv	ers	00	ean		ast- ise	G	reat	В.	8. A. L.	Ri	vers
-	0	R	o	R	0	R	o	R	0	R	0	R	0	R	0	R	0	R	0	R	0	R	o	R	0	R	ó	R	o	R
Atlantic coast	48 10	78 23	4	1 5 10	2	4	6 3	51 3		5 2 12	66 8	10 3	2	1			3	7	4	1 1 16	76 25 2	10			-				107	
Pacific coast	22	48	3	2			5	6	44.4	ī	36	11		2			4	3	****	2	44	3	-2.0					1		
Total	80	149	7	21	2	4	14	60	1	20	110	25	2	4	0-1-1		7	11	4	20	147	14								
						Thir	d ma	te					T			Pil	ots			1	Λ	Inst	er ma	te	1		т	otal		
Region		)cean			ust- iso		reat	1	I. S.	de	Rí	vers		Grea Lake		B. 8	S. &	R	ivers		Unin	speci	ted vi	essels	5,	Origi- nal		Re- ewal		and otal
	0	1	3	0	R	0	R		)	R	0	R	0		R	0	R	0	B		0	R	0	R			T			
Atlantic coast	4	8	1		1									30 0	10	48 26 2 25	152 24 4 47	19	2		2	1	1	110		299 90 38 199		337 63 70 133		636 153 108 332
Total	11	5	5		2									8	10	101	227	20	2	5	4	6	4			626		603	1	1, 229

## ENGINEER OFFICERS

7	Ch	ief engin	eer, stear	n	First as	sistant	engineer,	steam	Second as	ssistant	engineer	, steam	Third	assistant	engineer	r, steam
Region	Òce	an	Inla	nd	Oce	an	Ini	and	Oce	an	Inh	and	Oc	enn	Inl	and
	0	R	0	R	0	R	0	R	0	R	0	R	0	R	0	R
Atlantic coast Gulf coast Great Lakes and rivers Pacific coast	124 14 25	117 23 6 35	10 1 3 1	30 1 20 3	145 16 4 37	50 8 6 11	i	6 13 3	166 18 8 36	24 8 6 7	1	6	172 24 1 56	31 1	1	
Total	163	181	15	54	202	75	1	22	228	45	1	7	253	35	1	

				Motor	vessels		U	ninspec	ted vessel	Totals					
Region	Chief er	ngineer	First assistant engineer		Second assistant engineer		Third assistant engineer		Chief engineer		Assistant en- gineer		Orig-	Re-	Grand
	0	R	0	R	0	R	o	R	0	R	0	R	inal	newal	total
Atlantic coast	83 10	55 15	20 4	11	30 5	5	257 16	4		1		1	1.007 108	336 60	1,343 168
Great Lakes and rivers	12	31	6	2	9	5	24	1	2	2	5	2	108 29 213	74 105	103 318
Total	110	110	34	22	45	12	297	6	2	3	. 5	3	1,357	575	1, 932

# ORIGINAL SEAMEN'S DOCUMENTS ISSUED DURING SEPTEMBER 1946

Region	Con- tinu- ous dis- charge book	Certifi- cate of iden- tity	A. B., green, 3 years	A. B., green, 0 months emer- gency	A. B., blue, 18 months, 12 months	A. B., blue, 6 months emer- gency 2	A. B., blue, 6 months emer- gency 1	Life- bont, 12-24 months	U.S. Mer. Mar. Doc.	Q. M. E. D., 6 months	Q. M. E. D., emer- gency	Radio oper- ators	Certifi- cate of service	Tanker man	Staff	Total
Atlantic coast	1 10 44 8	0 0 1 0	52 7 20 13	208 77 97 18	131 12 78 57	2 0 0 13	0 0 0	395 60 250 88	2, 119 538 529 1, 486	373 141 191 79	171 121 54 39	10 4 3 0	I. 664 383 575 1, 405	13 17 6 14	141 27 68 7	5, 280 1, 400 2, 190 3, 225
Total	63	1	92	400	278	15	0	782	4, 972	784	355	17	4.027	70	243	12, 10

## WAIVERS OF MANNING REQUIREMENTS FROM 1 SEPTEMBER TO 30 SEPTEMBER 1946

Authority for These Waivers Contained in Navigation and Vessel Inspection Circular No. 31, Dated 13 March 1943 and Navigation and Vessel Inspection Circular No. 37, Dated 6 July 1943

Region	Number of vessels	Deck officers substituted for higher ratings	Engineer officers sub- stituted for higher ratings	Able seamen substituted for deck officers	Ordinary seamen sub- stituted for able seamen	Qualified members of engine department substituted for engineer officers	Wipers or coal passers substituted for qualified members of engine department	Wipers, coal passers or cades substituted for engi- neer officers	Ordinary southen or endets sub- stituted for deck officers	Total
Atlantic coast	319 131 108 247	31 19 15	100 40 18 5	9 9 8 1	610 270 156 556	26 9 15 1	128 61 36 242	12 I I	5 5	942 414 254 805
Total	805	85	163	27	1,592	51	467	14	16	2, 415

# CREW SHORTAGE REPORTS FROM 1 SEPTEMBER TO 30 SEPTEMBER 1946

These Reports Submitted in Accordance With Navigation and Vessel Inspection Circular No. 34, Dated 1 May 1943

			Ratings in which shortages occurred													
Region	Num- ber of vessels	Chief mate	Second mate	Third mate	Radio	Able seamen	Ordinary seamen	Chief engineer	First engineer	Second engineer	Third engineer	Qualified member engine de- partment	Wiper or coal passer	Total		
Atlantic coast	22 17 2	i i	3	1 3	1	11 8	8	*********	2	3	3 4	10 7	9	43 36		
Great Lakes	353	3	3	47		216	127		6	8	85	307	220	1.022		
Total,	394	5	6	51	1	235	139		8	11	92	325	230	1, 100		

Unlimited.
Great Lakes, lakes, bays, and sounds,
Tugs and towboats and freight vessels under 500 tons (miscellaneous).
12 months deek or 24 months other departments.

NOTE.—There were no Panamanian employment eards issued.