SEC. 8. Section 240 of the Criminal Code (U. S. C., 1934 ed., title 18, sec. 390) is amended to read as follows:

"Whoever shall knowingly ship or cause to be shipped from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any foreign country into any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, any package or of or package containing any spirituous, vinous, malted, or other fermented liquor, or any compound containing any spirituous, vinous, malted, or other fermented liquor fit for use for beverage purposes, unless such package be so labeled on the outside cover as to plainly show the name of the consignee, the nature of its contents, and the quantity contained therein, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and such liquor shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the seizure and forfeiture of property imported into the United States contrary to law."


SEC. 10. Nothing contained in this Act shall repeal any other provisions of existing laws except such provisions of such laws as are directly in conflict with this Act and nothing in this Act shall apply to the Canal Zone.

SEC. 11. If any provision of this Act, or the application thereof to any person or circumstances, be held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 12. This Act shall be effective as of the thirtieth day following the date of its enactment.

Approved, June 25, 1936.
or upward, and has had at least three years' service on deck at sea or on the Great Lakes, on a vessel or vessels to which this section applies, including decked fishing vessels, and vessels in United States Government service; and every person shall be rated an able seaman, and qualified to serve as such on the Great Lakes and on the smaller lakes, bays, or sounds who is nineteen years of age or upward and has had at least eighteen months' service on deck at sea or on the Great Lakes or on the smaller lakes, bays, or sounds, on a vessel or vessels to which this section applies, including decked fishing vessels and vessels in United States Government service; and graduates of school ships approved by and conducted under rules prescribed by the Secretary of Commerce may be rated able seamen after twelve months' service at sea after graduation: 

Provided, That no boy shall be shipped on any vessel to which this section applies unless he meets the physical qualifications contained in regulations to be prescribed by the Secretary of Commerce and that no boy shall be placed on the lookout or at the wheel except for the purpose of learning, and that in narrow and crowded waters or in low visibility none below the rating of able seaman shall be permitted at the wheel: 

Provided further, That no deck boy shall be held qualified to fill the place of ordinary seaman until he has had at least six months' service as deck boy: Provided further, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, and physical condition, such persons or graduates are found to be competent: Provided further, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, physical condition, and knowledge of the duties of seamanship, a person found competent may be rated as able seaman after having served on deck twelve months at sea or on the Great Lakes, but seamen examined and rated able seamen under this proviso shall not in any case compose more than one-fourth of the number of able seamen required by this section to be shipped or employed upon any vessel.

"(b) Application may be made to any board of local inspectors for a certificate of service as able seaman, and upon proof being made to said board by affidavit and examination, under rules approved by the Secretary of Commerce, showing the nationality and age of the applicant, the vessel or vessels on which he has had service, that he is skilled in the work usually performed by able seamen, and that he is entitled to such certificate under the provisions of this section, the board of local inspectors shall issue to said applicant a certificate of service as able seaman, which shall be retained by him and be accepted as prima-facie evidence of his rating as an able seaman.

"(c) Each board of local inspectors shall keep a complete record of all certificates of service issued by them and to whom issued and shall keep on file the affidavits and records of examinations upon which said certificates are issued.

"(d) The collector of customs may, upon his own motion, and shall, upon the sworn information of any reputable citizen of the United States setting forth that this section is not being complied with, cause a muster of the crew of any vessel to be made to determine the fact, at which muster said reputable citizen must be present; and no clearance shall be given to any vessel failing to comply with the provisions of this section: Provided, That the collector of customs shall not be required to cause such muster of the crew to be made unless said sworn information has been filed with him for at least six hours before the vessel departs, or is scheduled to depart:
Punishment for false affidavit.

Provided further, That any person that shall knowingly make a false affidavit for such purpose shall be deemed guilty of perjury and upon conviction thereof shall be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or by both such fine and imprisonment, within the discretion of the court. Any violation of any provision of this section by the owner, master, or officer in charge of the vessel shall subject the owner of such vessel to a penalty of not less than $100 and not more than $500:

Provided further, That the Secretary of Commerce shall make such rules and regulations as may be necessary to carry out the provisions of this section, and nothing herein shall be held or construed to prevent the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, from making rules and regulations authorized by law as to vessels excluded from the operation of this section: And provided further, That no certificate of service as able seaman shall be issued by any board of local inspectors until after examination of the applicant therefor, under rules and regulations prescribed by the Secretary of Commerce, as to his efficiency, and upon proof, as a result of such examination, that he has been trained in and is acquainted with the duties entitling him to such rating. No seaman shall be considered an 'able seaman' within the meaning of the laws of the United States relating to the manning of vessels unless he is in possession of such certificate issued by the board of local inspectors. All certificates as 'able seaman' and 'lifeboatman' issued by the several boards of local inspectors or other Federal officers prior to the passage of this Act shall, within six months thereafter, be surrendered to such boards of local inspectors for cancelation, and there shall be issued in lieu thereof to all able seamen and lifeboatmen found qualified by such examination new certificates as required by law: Provided, That if due to inability on the part of the Department of Commerce to carry out the provisions of this subsection with regard to all seamen, the Secretary of Commerce may, in his discretion, extend the time for a period not to exceed three months. Such new certificates shall be stamped with the seal of the board of local inspectors, placed partially over the signature of the applicant for such certificate; and there shall be attached thereto a photograph of the applicant. Any other safeguards which, in the judgment of the Secretary of Commerce, may be necessary and advisable to establish the authenticity of the certificate, are hereby authorized.

Authentication of certificate.

(c) No vessel to which this section applies may be navigated unless all of the complement in her engine department above the rating of coal passer or wiper and below the rating of licensed officer shall be holders of a certificate of service as a qualified member of the engine department. The local inspectors of the Bureau of Marine Inspection and Navigation shall, upon application and examination as to competence and physical condition, as prescribed by the Secretary of Commerce, issue such a certificate of service. An applicant for such rating shall produce to such inspectors definite proof of at least six months' service at sea in a rating at least equal to that of coal passer or wiper in the engine department of vessels required by this Act to have such certificated men.

Rules.

(f) As to the certificates of service or efficiency, the Secretary shall promulgate rules covering the form, contents, and manner of issuance, which shall include a provision that copies of these and all documents pertaining thereto be filed in the local offices and in the central office in Washington.

(g) That the boards of local inspectors of the Bureau of Marine Inspection and Navigation shall, without examination (except food
handlers who must be free from communicable disease), issue to all
members of the crews of merchant vessels of the United States
(except licensed officers), certificates of service for ratings other than
as able seaman or a qualified member of the engine department,
which certificates shall authorize them to serve in the capacities
specified in such certificates: Provided, That such certificates shall
not issue before oath has been taken before one of the said inspectors
that the applicant therefor will faithfully and honestly perform all
the duties required of him by law, and carry out the lawful orders
of his superior officers on shipboard and, in the case of a radio
operator, shall produce to the local inspectors his unexpired license
issued by the Federal Communications Commission to act in that
capacity: And provided further, That when a certificate has been
revoked or suspended under the provisions of subsection (h) of this
section, a new certificate shall not be issued until a board of local
inspectors shall determine that the issue of such new certificate is
compatible with the requirements of good discipline and safety at
sea.

“(h) That all certificates of service or efficiency issued by the
Bureau of Marine Inspection and Navigation shall be subject to
suspension or revocation on the same grounds and in the same man-
ner and with like procedure as is provided in the case of suspension
or revocation of licenses of officers under the provisions of section
4450 of the Revised Statutes.

“(i) It shall be unlawful to employ any person, or for any person
to serve aboard any merchant vessel of the United States, below the
rating of licensed officer, who has not a certificate of service issued
by a board of local inspectors, and anyone violating this section
shall be liable to a penalty of $100 for each offense.

“(j) This section is not to amend or repeal any of the provisions
of chapter 3 of title 47, United States Code—Telegraphs, Tele-
phones, and Radio Telegraphs.

“(k) Nothing herein shall be construed to impose, sanction, or
permit any condition of involuntary servitude nor to prevent any
seaman from leaving the service of any vessel when in a safe harbor
to the same extent and with like effect as under the provisions of
existing law.

“(l) This section shall take effect six months after the enactment
of this Act: Provided, That if it is found impracticable on the part
of the Department of Commerce to furnish the certificates herein
provided, the Secretary of Commerce may, in his discretion, extend
the effective date for a period not exceeding three months.”

Sec. 2. That section 2 of the Act of March 4, 1915, is hereby
amended to read as follows:

“Sec. 2. That in all merchant vessels of the United States of more
than one hundred tons gross, excepting those navigating rivers, har-
rors, lakes (other than Great Lakes), bays, sounds, bayous, and
canals, exclusively, the licensed officers and sailors, coal passers, fire-
men, oilers, and water tenders shall, while at sea, be divided into at
least three watches, which shall be kept on duty successively for the
performance of ordinary work incident to the sailing and manage-
ment of the vessel. The seamen shall not be shipped to work alter-
nately in the fireroom and on deck, nor shall those shipped for deck
duty be required to work in the fireroom, or vice versa; nor shall
any licensed officer or seaman in the deck or engine department be
required to work more than eight hours in one day; but these pro-
visions shall not limit either the authority of the master or other
officer or the obedience of the seamen when in the judgment of the
master or other officer the whole or any part of the crew are needed

Provided.

Oath.

Radio operators.

Renewal of revoked, etc., certificates.

Bureau of Marine Inspection and Navigation certificates, sus-
pension, etc., of.

R. S., sec. 4450, p. 861,

Penalty for violation.

Effective date of sec-
tion.

Time extension.

Vol. 38, p. 1164.

Successive duty
while at sea.

Complete work
prohibited.

Hours of labor.

Emergencies, etc.
for maneuvering, shifting berth, mooring, or unmooring, the vessel
or the performance of work necessary for the safety of the vessel,
her passengers, crew, and cargo, or for the saving of life aboard
other vessels in jeopardy, or when in port or at sea, from requiring
the whole or any part of the crew to participate in the performance
of fire, lifeboat, or other drills. While such vessel is in a safe harbor
no seaman shall be required to do any unnecessary work on Sundays
or the following-named days: New Year's Day, the Fourth of July,
Labor Day, Thanksgiving Day, and Christmas Day, but this shall
not prevent the dispatch of a vessel on regular schedule or when
ready to proceed on her voyage. And at all times while such vessel
is in a safe harbor, eight hours, inclusive of the anchor watch, shall
constitute a day's work. Whenever the master of any vessel shall
fail to comply with this section and the regulation issued thereunder,
the owner shall be liable to a penalty not to exceed $500, and the
seamen shall be entitled to discharge from such vessel and to receive
the wages earned. But this section shall not apply to vessels
engaged in salvage operations: Provided, That in all tugs and barges
subject to this section when engaged on a voyage of less than six
hundred miles, the licensed officers and members of crews other than
color passers, firemen, oilers, and water tenders may, while at sea, be
divided into not less than two watches, but nothing in this proviso
shall be construed as repealing any part of section 4463 of the
Revised Statutes. This section shall take effect six months after
the enactment of this Act.

Sec. 3. Section 4551 of the Revised Statutes (U. S. C., title 46,
sec. 643) is amended to read as follows:

"Sec. 4551. (a) Every seaman upon a merchant vessel of the
United States of the burden of one hundred gross tons or upward,
except vessels employed exclusively in trade on the navigable
rivers of the United States, shall be furnished with a book, to be
known as a 'continuous discharge book', which shall be retained by
him and which shall contain the signature of the seaman to whom
it is so furnished and a statement of his nationality, age, personal
description, photograph, and home address. Such books shall be
in such form and issued by the shipping commissioners and collec-
tors and deputy collectors of customs at ports where no shipping
commissioners have been appointed in such manner as the Director
of Bureau of Marine Inspection and Navigation, subject to the
approval of the Secretary of Commerce, shall determine. Any per-
sons, etc., unlawful,
entries.

Punishment for vi-

Entry on seaman's
discharge.

(b) Upon the discharge of any seaman and the payment of his
wages, the shipping commissioner shall enter in the continuous dis-
charge book of such seaman the name of the vessel, the nature of
the voyage (foreign or coastwise), the class to which the vessel
belongs (steam, motor, sail, or barge), the date and place of the
shipment and of the discharge of such seaman, and the rating then
held by such seaman. Whenever a seaman is discharged in any
collection district where no shipping commissioner has been
appointed, the master of the vessel shall perform the duties of such
commissioner and shall make the proper entries in such continuous
discharge book; and when the seamen are not required by law to be
signed on and discharged before a shipping commissioner, the master shall make such proper entries in the discharge book. Any master who fails to make such entries shall be fined the sum of $50 for each such offense. This subsection shall take effect as to vessels engaged in foreign and intercoastal voyages six months after the enactment of this Act and as to all other vessels within one year after the enactment of this Act.

"(c) There shall be maintained in the Bureau of Marine Inspection and Navigation in Washington a record of every discharge book and certificate issued under the provisions of this Act, together with the name and address of the seaman to whom it is issued, his next of kin, and a certified copy of all discharge entries in such book, which copy shall be forwarded to such Bureau by the shipping commissioner or person duly authorized to act as such before whom such holder is discharged.

"(d) In case of the loss of a book by shipwreck or other casualty the seaman shall be supplied with another discharge book, in which shall be entered all data contained in the last book so far as this may be available from copies of records kept by the Bureau of Marine Inspection and Navigation; in other cases of loss the seaman may obtain a duplicate of such book containing the same entries upon payment of a sum equivalent to the cost thereof to the Government, to be determined from time to time by the Secretary of Commerce."

SEC. 4. (a) The local inspectors of the Bureau of Marine Inspection and Navigation shall inspect the crew quarters of every American vessel, at least once in each month, or at such times as such vessel shall enter an American port, and shall satisfy themselves that such quarters are of the size required by law or regulations issued thereunder, are properly ventilated and in a clean and sanitary condition, and are equipped with the proper plumbing and mechanical appliances required by law or regulations issued thereunder, and that such plumbing and mechanical appliances are in good working order and condition.

(b) Whenever it shall be found that the crew quarters of any such vessel are not of the size required by law or regulations issued thereunder or are not properly ventilated or are not in a clean and sanitary condition or are not equipped with the proper plumbing and mechanical appliances required by law or regulations issued thereunder, or that such plumbing and mechanical appliances are not in good working order and condition, the appropriate board of local inspectors shall withdraw the certificate of inspection of such vessel and refuse to reissue the same until such improper conditions have been corrected; and the master or other licensed officer of such vessel who shall have willfully or negligently permitted such vessel to be in such improper condition shall be subject to a penalty of not more than $500.

(c) This section shall take effect ninety days after the enactment of this Act.

SEC. 5. (a) From and after the enactment of this Act all licensed officers and pilots of vessels of the United States shall be citizens of the United States, native-born, or completely naturalized.

(b) From and after six months after the enactment of this Act upon each departure of any such vessel from a port of the United States, 75 per centum of the crew, excluding licensed officers, shall be citizens of the United States, native-born, or completely naturalized, unless the Secretary of Commerce shall, upon investigation, ascertain that qualified citizen seamen are not available, when, under such conditions, he may reduce the above percentages.
(c) If any vessel while on a foreign voyage is for any reason deprived of the services of any member of the crew, such position or vacancy caused by the promotion of another to such position may be supplied by a person other than defined in paragraph (a) and (b) until the first call of such vessel at a port in the United States where such replacements can be obtained.

(d) The owner, agent, or officer of any such vessel, who shall employ any person in violation of the provisions of this section, shall be subject to a penalty of $500 for each offense.

Sec. 6. That any person who (1) shall receive or have in his possession any certificate, license, or document issued to vessels or officers or seamen by the Bureau of Marine Inspection and Navigation or by any officer or employee of the United States authorized by law to represent such Bureau, to which he is not lawfully entitled, with intent unlawfully to use the same; or (2) shall use or exhibit or attempt to use or exhibit any such certificate, license, or document to which he is not lawfully entitled; or (3) without lawful authority shall alter or change, or attempt to change, any such certificate, license, or document by addition, interpolation, deletion, or erasure; or (4) shall forge, counterfeit, or steal, or shall attempt to forge, counterfeit, or steal, any such certificate, license, or document; or (5) shall unlawfully have in his possession or knowingly use any such altered, changed, forged, counterfeit, or stolen certificate, license, or document; or (6) shall print or manufacture, or cause to be printed or manufactured, any blank form of such certificate, license, or document without first obtaining the authority of the Bureau of Marine Inspection and Navigation; or (7) shall have in his possession without lawful excuse, and with intent unlawfully to use the same, any blank form of such certificate, license, or document; or (8) shall in any manner transfer, or cause to be so transferred, or negotiate such transfer of, any blank form of such certificate, license, or document, or any such altered, changed, forged, counterfeit, or stolen certificate, license, or document; or (9) shall aid or abet the perpetration of any of the foregoing acts shall for each offense, upon conviction thereof, be fined not more than $5,000 or imprisoned for not more than five years, or both.

Sec. 7. The Secretary of Commerce shall enforce this Act as to all vessels of the United States subject to the provisions of this Act through collectors of customs and other Government officers acting under the direction of the Bureau of Marine Inspection and Navigation, and shall make such rules and regulations as he may deem necessary to carry out the provisions of this Act.

Sec. 8. No provision of this Act and no amendment made by this Act shall apply to fishing or whaling vessels or yachts: Provided, however, That the provisions of law herein amended shall continue in effect insofar as they are applicable to said vessels or yachts with like force and effect as if this Act had not been passed.

Sec. 9. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of the provisions thereof, shall not be affected thereby.

Sec. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved, June 25, 1936.