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Citation: 1 Compilation of Selected Acts within the Jurisdiction the Committee on Energy and Commerce 599 2005

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ACT OF MAY 27, 1921 [1]

(Submarine Cables)

AN ACT Relating to the landing and operation of submarine cables in the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [47 U.S.C. 34] That no person shall land or operate in the United States any submarine cable directly or indirectly connecting the United States with any foreign country, or connecting one portion of the United States with any other portion thereof, unless a written license to land or operate such cable has been issued by the President of the United States: *Provided,* That any such cable now laid within the United States without a license granted by the President may continue to operate without such license for a period of ninety days from the date this Act takes effect: *And provided further,* That the conditions of this Act shall not apply to cables, all of which, including both terminals, lie wholly within the continental United States.

SEC. 2. [47 U.S.C. 35] That the President may withhold or revoke such license when he shall be satisfied after due notice and hearing that such action will assist in securing rights for the landing or operation of cables in foreign countries, or in maintaining the rights or interests of the United States or of its citizens in foreign countries, or will promote the security of the United States, or may grant such license upon such terms as shall be necessary to assure just and reasonable rates and service in the operation and use of cables so licensed: *Provided,* That the license shall not contain terms or conditions granting to the licensee exclusive rights of landing or of operation in the United States: *And provided further,* That nothing herein contained shall be construed to limit the power and jurisdiction heretofore granted the Interstate Commerce Commission with respect to the transmission of messages.

SEC. 3. [47 U.S.C. 36] That the President is empowered to prevent the landing of any cable about to be landed in violation of this Act. When any such cable is about to be or is landed or is being operated, without a license, any district court of the United States exercising jurisdiction in the district in which such cable is about to be or is landed, or any district court of the United States having jurisdiction of the parties, shall have jurisdiction, at the suit of the United States, to enjoin the landing or operation of such cable or to compel, by injunction, the removal thereof.

SEC. 4. [47 U.S.C. 37] That whoever knowingly commits, instigates, or assists in any act forbidden by section 1 of this Act shall be guilty of a misdemeanor and shall be fined not more than $5,000, or imprisoned for not more than one year, or both.

[1] Public Law 8, 67th Congress, 42 Stat. 8, May 27, 1921.

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SEC. 5. [47 U.S.C. 38] That the term "United States" as used in this Act includes the Canal Zone, the Philippine Islands, and all territory, continental or insular, subject to the jurisdiction of the United States of America.

SEC. 6. [47 U.S.C. 39] That no right shall accrue to any Government, person, or corporation under the terms of this Act that may not be rescinded, changed, modified, or amended by the Congress.

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ADDITIONAL COMMUNICATIONS STATUTES

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SECTION 632 OF THE COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

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