

The original documents are located in Box 1, folder “8/10/74 HR10309 Safety Standards for Boilers and Pressure Vessels” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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APPROVED
AUG 10 1974

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 7 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 10309 - Safety standards for
boilers and pressure vessels
Sponsor - Rep. Sullivan (D) Missouri

Posted
7/11
To Archives
8/12



Last Day for Action

August 14, 1974 - Wednesday

Purpose

To authorize the Coast Guard to adopt, through a regulatory process, boiler and pressure vessel safety standards consistent with modern technology.

Agency Recommendations

Office of Management and Budget	Approval
Department of Transportation	Approval
Department of Commerce	No objection
Department of State	No comment

Discussion

The enrolled bill is identical to a draft bill submitted to Congress by the Department of Transportation.

The present law was adopted in 1933. It provides that the maximum working pressure for boilers and pressure vessels be based on a safety factor of four. Since 1933 technological changes in such fields as stress analysis have led to the development of Boiler and Pressure Codes by the American Society of Mechanical Engineers (ASME) which permit use of a safety factor of three. In its report on H.R. 10309 the House Committee on Merchant Marine and Fisheries stated:

"Equivalent or higher integrity is obtained by replacing a larger safety or ignorance

factor of four with the smaller safety factor of three accompanied by a detailed stress analysis."

Discussing current major projects of interest to both the government and industry the House Committee further stated:

"...a saving in terms of safety and weight efficiency is achieved by using the more modern safety factor combined with a detailed stress analysis...The proposed amendment is needed to permit greater flexibility in the safety standards applicable to boilers and pressure vessels. The flexibility provided by this bill will allow the Coast Guard to maintain a more realistic position, consistent with current technology, in the regulation of marine safety."



Wilfred H. Russell

Assistant Director for
Legislative Reference

Enclosures



OFFICE OF THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

AUG 2 1974

Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C. 20503



Dear Mr. Ash:

Reference is made to your request for the views of the Department of Transportation concerning H.R. 10309, an enrolled bill

"To amend the Act of June 13, 1933 (P.L. 73-40), concerning safety standards for boilers and pressure vessels, and for other purposes."

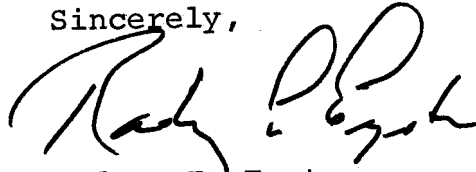
This is a legislative proposal of the Department of Transportation. The statute to be amended provides that the maximum working pressure for marine boilers and pressure vessels shall be based on a safety factor of four. This means that boilers and pressure vessels must be built in such a way as to theoretically withstand up to four times their normal operating pressure without failure. The enrolled bill would authorize the Department to set boiler and pressure vessel standards through the regulatory process. It would also reword the statute simplifying its language.

The present statute was enacted in 1933. Since that time significant strides have been made in stress analysis, in the manufacture and testing of construction materials and in the technology of boiler and pressure vessel fabrication which have reduced the need for so high a safety factor.

The inability of the Coast Guard to use modern standards imposes an economic and technical hardship on the American shipbuilding industry without meaningful benefit in terms of increased safety. The enrolled bill will open the way to greater flexibility in the application of safety standards to boilers and pressure vessels. This flexibility will allow the Coast Guard to maintain a more realistic position, consistent with current technology, in the regulation of marine safety.

Accordingly, the Department of Transportation strongly recommends that the President sign the enrolled bill, H.R. 10309.

Sincerely,



Rodney E. Eyster
General Counsel





**GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE**
Washington, D.C. 20230

AUG 5 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Ash:

This is in reply to your request for the views of this Department with respect to H. R. 10309, an enrolled enactment

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This Department would have no objection to approval of H. R. 10309 by the President.

Enactment of this legislation will not involve the expenditure of any funds by this Department.

Sincerely,

Karl E. Bakke

General Counsel



Ninety-third Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four

An Act

To amend the Act of June 13, 1933 (Public Law 73-40), concerning safety standards for boilers and pressure vessels, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4433 of the Revised Statutes, as amended (46 U.S.C. 411) is amended as follows:

- (1) By deleting the word "and" before the words "construction of boilers,".
- (2) By inserting the words ", and operation" before the words "of boilers, unfired".
- (3) By inserting after the words "unfired pressure vessels" the words "piping, valves, fittings,".
- (4) By placing the word "other" before the word "appurtenances".
- (5) By deleting the words "thereof, and steam piping".
- (6) By deleting the second sentence including the proviso.

Carl Albert

Speaker of the House of Representatives.

Hubert H. Humphrey

~~Vice President of the United States and~~

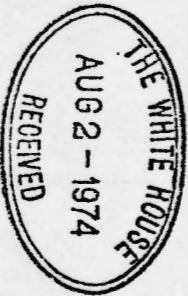
Acting President of the Senate

pro Tempore

APPROVED

AUG 10 1974

Gerald R. Ford



August 2, 1974

Dear Mr. Director:

The following bills were received at the White House on August 2nd:

H.R. 8217
H.R. 10309
H.R. 13264

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,



Robert D. Linder
Chief Executive Clerk

The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

To:
Harrison
8-7-74

AUG 7 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 10309 - Safety standards for
boilers and pressure vessels
Sponsor - Rep. Sullivan (D) Missouri

Last Day for Action

August 14, 1974 - Wednesday

Purpose

To authorize the Coast Guard to adopt, through a regulatory process, boiler and pressure vessel safety standards consistent with modern technology.

Agency Recommendations

Office of Management and Budget

Department of Transportation
Department of Commerce
Department of State



Approval

Approval
No objection
No comment

Discussion

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Walter H. Rommel

Assistant Director for
Legislative Reference

Enclosures

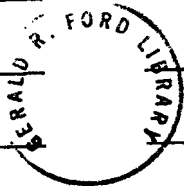
THE WHITE HOUSE
WASHINGTON

ENROLLED BILL

SUBJECT: Enrolled Bill H.R. 10309 - Safety

Standards for Boilers and Pressure Vessels

<u>Name</u>	<u>Approval</u>	<u>Date</u>
<u>Michael Duval</u>	<u>Yes</u>	<u> </u>
<u>Fred Buzhardt</u>	<u>Yes</u>	<u> </u>
<u>Bill Timmons</u>	<u>Yes</u>	<u> </u>
<u>Ken Cole</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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Comments:

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 496

Date: August 7, 1974

Time: 5:00 p. m.

FOR ACTION: Michael Duval
 Fred Buzhardt
 Bill Timmons

cc (for information): Warren K. Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, August 9, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill H. R. 10309 - Safety Standards for Boilers and Pressure Vessels



ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE
WASHINGTON

8/7/74

TO: WARREN HENDRIKS

Mike Arnold

FB

CC WKH

BT

JS



R
John J. Ratchford

THE WHITE HOUSE

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WASHINGTON

LOG NO.: 496

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ACTION REQUESTED:

___ For Necessary Action

XX For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

___ For Your Comments

___ Draft Remarks

REMARKS:

OK
Mike Duval

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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Warren K. Hendriks
For the President

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

AUG 7 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 10309 - Safety standards for
boilers and pressure vessels
Sponsor - Rep. Sullivan (D) Missouri

Last Day for Action

August 14, 1974 - Wednesday

Purpose

To authorize the Coast Guard to adopt, through a regulatory process, boiler and pressure vessel safety standards consistent with modern technology.

Agency Recommendations

Office of Management and Budget

Approval

Department of Transportation

Approval

Department of Commerce

No objection

Department of State

No comment

Discussion

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Enclosures

Nefred H. Rommel

Assistant Director for
Legislative Reference



OFFICE OF THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

AUG 2 1974

Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C. 20503



Dear Mr. Ash:

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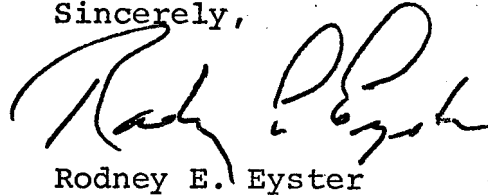
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Accordingly, the Department of Transportation strongly recommends that the President sign the enrolled bill, H.R. 10309.

Sincerely,



Rodney E. Eyster
General Counsel

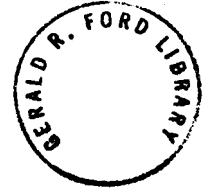




GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE
Washington, D.C. 20230

AUG 5 1974

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Director, Office of Management
and Budget
Washington, D. C. 20503



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This Department would have no objection to approval of H. R. 10309 by the President.

Enactment of this legislation will not involve the expenditure of any funds by this Department.

Sincerely,

Karl E. Bakke

General Counsel

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 496

Date: August 7, 1974

Time: 5:00 p. m.

FOR ACTION: ~~Michael Duval~~
 Fred Buzhardt
 Bill Timmons

cc (for information): Warren K. Hendriks
 Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, August 9, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill H. R. 10309 - Safety Standards for
Boilers and Pressure Vessels



ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:

No objection
H.C.

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
 For the President

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 7 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 10309 - Safety standards for
boilers and pressure vessels
Sponsor - Rep. Sullivan (D) Missouri

Last Day for Action

August 14, 1974 - Wednesday



Purpose

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Agency Recommendations

Office of Management and Budget	Approval
Department of Transportation	Approval
Department of Commerce	No objection
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Walter H. Rowell

Assistant Director for
Legislative Reference

Enclosures



OFFICE OF THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

AUG 2 1974



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Office of Management and Budget
Washington, D. C. 20503

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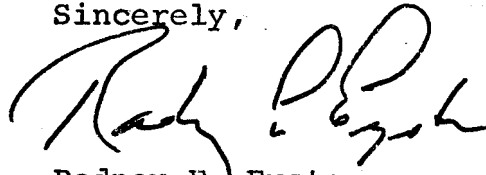
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Accordingly, the Department of Transportation strongly recommends that the President sign the enrolled bill, H.R. 10309.

Sincerely,



Rodney E. Eyster
General Counsel





GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE
Washington, D.C. 20230

AUG 5 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D. C. 20503

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This Department would have no objection to approval of H. R. 10309 by the President.

Enactment of this legislation will not involve the expenditure of any funds by this Department.

Sincerely,

Karl E. Bakke

General Counsel

THE WHITE HOUSE

WASHINGTON

August 8, 1974

MEMORANDUM FOR: MR. WARREN HENDRIKS

FROM: WILLIAM E. TIMMONS *W. E. Timmons*

SUBJECT: Action Memorandum - Log No. 496
Enrolled Bill H. R. 10309 - Safety
Standards for Boilers and Pressure Vessels

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 496

Date: August 7, 1974

Time: 5:00 p. m.

FOR ACTION: Michael Duval
Fred Buzhardt
✓ Bill Timmons

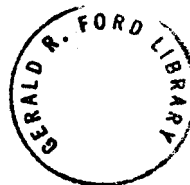
cc (for information): Warren K. Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, August 9, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill H. R. 10309 - Safety Standards for Boilers and Pressure Vessels



ACTION REQUESTED:

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___ For Your Comments

___ Draft Remarks

REMARKS:

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Warren K. Hendriks
For the President

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 7 1974

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Nifred H. Rowell

Assistant Director for
Legislative Reference

Enclosures



OFFICE OF THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

AUG 2 1974

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Director
Office of Management and Budget
Washington, D. C. 20503



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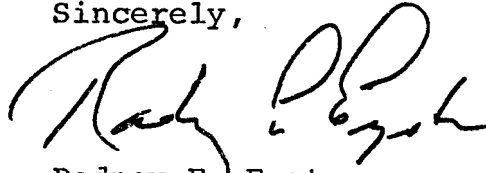
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Sincerely,



Rodney E. Eyster
General Counsel



AUG 5 1974



GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE
Washington, D.C. 20230

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D. C. 20503



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This Department would have no objection to approval of H. R. 10309 by the President.

Enactment of this legislation will not involve the expenditure of any funds by this Department.

Sincerely,

Karl E. Bakke

General Counsel

COAST GUARD SAFETY STANDARDS FOR BOILERS AND PRESSURE VESSELS

JANUARY 22, 1974.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mrs. SULLIVAN, from the Committee on Merchant Marine and Fisheries, submitted the following

REPORT

[To accompany H.R. 10309]



The Committee on Merchant Marine and Fisheries, to whom was referred the bill (H.R. 10309) to amend the Act of June 13, 1933 (Public Law 73-40), concerning safety standards for boilers and pressure vessels, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE LEGISLATION

The purpose of the bill is to amend the Act of June 13, 1933, to provide greater flexibility in the safety standards applicable to boilers and pressure vessels which in turn will allow the Coast Guard to maintain a more realistic position, consistent with current technology, in the regulation of marine safety.

BACKGROUND AND NEED FOR THE LEGISLATION

The statute to be amended provides that the maximum working pressure for marine boilers and pressure vessels shall be based on a safety factor of four. This means that boilers and pressure vessels must be built in such a way as to theoretically withstand up to four times their normal operating pressure without failure. The proposed amendment would empower the Commandant of the Coast Guard to set boiler and pressure vessel standards through the regulatory process. It would also reword the statute so as to simplify its language.

The original statute was passed in 1933. Since then significant strides have been made in stress analysis, in the manufacturing and testing of construction materials, and in the technology of boiler and pressure vessel fabrication. Boiler and Pressure Codes which represent more modern standards for safety in boiler and pressure vessel design have been developed by the American Society of Mechanical Engi-

neers (ASME). These Codes permit the use of a safety factor of three. Equivalent or higher integrity is obtained by replacing a larger safety or ignorance factor of four with the smaller safety factor of three accompanied by a detailed stress analysis. Requirements for material fabrication and inspection are also more restrictive under the Codes and reflect practices which have been developed and proven in the United States during the past decade in the construction of nuclear reactor vessels.

A number of current projects of interest to both the government and industry, including a proposed floating nuclear power plant, various liquified natural gas (LNG) cargo containment systems using pressure vessel type tanks, and the American Society of Mechanical Engineers Ad Hoc Committee study on hyperbaric chambers, would utilize an ASME Code with the pressure vessel safety factor of three. In each of these projects, a saving in terms of safety and weight efficiency is achieved by using the more modern safety factor combined with a detailed stress analysis. The inability of the Coast Guard to use the ASME Code or similar standards imposes economic and technical hardships on the American shipbuilding industry without a meaningful return of benefits in terms of increased safety.

The proposed amendment is needed to permit greater flexibility in the safety standards applicable to boilers and pressure vessels. The flexibility provided by this bill will allow the Coast Guard to maintain a more realistic position, consistent with current technology, in the regulation of marine safety.

COMMITTEE ACTION AND CONCLUSION

The Committee held hearings on October 2, 1973. All testimony was favorable. The Committee ordered the legislation favorably reported without objection.

COST OF LEGISLATION

Pursuant to Clause 7 of Rule XIII of the Rules of the House of Representatives, the Committee estimates that there will be no additional cost to the Government as the result of the enactment of this legislation.

DEPARTMENTAL REPORTS

The Department of Transportation transmitted an Executive Communication dated June 25, 1973 on the subject legislation. The draft bill submitted is now H.R. 10309 and the Executive Communication is No. 1083, which follows herewith. There also follows a report from the Department of Commerce:

[EXEC. COMM. No. 1083]

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., June 25, 1973.

HON. CARL ALBERT,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: There is transmitted herewith a draft of a proposed bill "To amend the Act of June 13, 1933 (P.L. 73-40), concern-

ing safety standards for boilers and pressure vessels, and for other purposes."

The statute to be amended provides that the maximum working pressure for marine boilers and pressure vessels shall be based on a safety factor of four. This means the boilers and pressure vessels must be built in such a way as to theoretically withstand up to four times their normal operating pressure without failure. The proposed amendment would empower the Commandant of the Coast Guard to set boiler and pressure vessel standards through the regulatory process. It would also reword the statute simplifying its language.

The present statute was passed in 1933. Since then significant strides have been made in stress analysis, in the manufacture and testing of construction materials and in the technology of boiler and pressure vessel fabrication. Boiler and Pressure Codes which represent more modern standards for safety in boiler and pressure vessel design have been developed by the American Society of Mechanical Engineers. These Codes permit a safety factor of three. Yet under the Codes an equivalent or higher integrity than is required under present law can be obtained by replacing a larger safety factor or ignorance factor of four with a smaller safety factor of three and performing a detailed stress analysis. Requirements for materials fabrication and inspection are also more restrictive under the Codes. These increased requirements reflect practices which have been developed and proven in the U.S. during the past decade in the construction of nuclear reactor vessels.

The Office of Merchant Marine Safety within the Coast Guard is currently considering industry and government proposals concerning the Tenneco/Westinghouse offshore floating nuclear power generating plant, the MARAD/General Electric Nuclear ship propulsion study, the ASME Ad Hoc Committee study on hyperbaric chambers, and various liquified natural gas (LNG) cargo containment systems utilizing pressure vessel type tanks. These proposed projects would utilize an ASME Code involving a pressure vessel with a safety factor of three.

The inability of the Coast Guard to use the Code standards, or similar standards, would impose an economic and technical hardship on the American shipbuilding industry without meaningful benefits in terms of increased safety. The proposed amendment would open the way to greater flexibility in the safety standards applicable to boilers and pressure vessels. Such flexibility would allow the Coast Guard to maintain a more realistic position, consistent with current technology, in the regulation of marine safety.

It would be appreciated if you would lay the proposed bill before the House of Representatives. A similar bill has been transmitted to the President of the Senate.

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

CLAUDE S. BRINEGAR.

Enclosure.

(The attached draft bill is now H.R. 10309.)

GENERAL COUNCIL OF THE DEPARTMENT OF COMMERCE,
Washington, D.C., January 17, 1974.

HON. LEONOR K. SULLIVAN,
*Chairman, Committee on Merchant Marine and Fisheries, U.S. House
of Representatives, Washington, D.C.*

DEAR MADAM CHAIRMAN: This is in further reply to your request for the views of this Department with respect to H.R. 10309, a bill—

To amend the Act of June 13, 1933 (Public Law 73-40), concerning safety standards for boilers and pressure vessels, and for other purposes.

The Act of June 13, 1933, requires that boilers and pressure vessels for use on ships must be built in such a way as to theoretically withstand up to four times their normal operating pressure without failure. The bill would delete this requirement and would authorize the Commandant of the Coast Guard to set boiler and pressure vessel standards through the regulatory process.

We recommend enactment of the bill. The bill would permit the Coast Guard to utilize current technology in setting standards and would allow periodic upgrading of such standards in keeping with technological advances.

We have been advised by the Office of Management and Budget that there would be no objection to the submission of our report to the Congress from the standpoint of the Administration's program.

Sincerely,

KARL E. BAKKE,
General Counsel.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, as amended, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

SECTION 4433 OF THE REVISED STATUTES, AS AMENDED
(46 U.S.C. 411)

SEC. 4433. The board of supervising inspectors is hereby empowered to prescribe formulas, rules, and regulations for the design, material, [and] construction, and operation of boilers, unfired pressure vessels, piping, valves, fittings, and other appurtenances [thereof, and steam piping] for use on vessels subject to the provisions of this Act. [The maximum working pressure shall be determined by formulas prescribed by the board of supervising inspectors, and no such boiler, pressure vessel, or appurtenance thereof shall be designed or operated where the factor of safety is less than four: *Provided*, That the minimum thickness and maximum allowable working pressure of valves, fittings, and other appurtenances shall be determined by formulas prescribed by the board of supervising inspectors.]

Calendar No. 996

93D CONGRESS }
2d Session }

SENATE

{ REPORT
No. 93-1034

AMENDING THE ACT OF JUNE 13, 1933 (PUBLIC LAW 73-40), CONCERNING SAFETY STANDARDS FOR BOILERS AND PRESSURE VESSELS, AND FOR OTHER PURPOSES

JULY 29, 1974.—Ordered to be printed

Mr. MAGNUSON, from the Committee on Commerce,
submitted the following

REPORT

[To accompany H.R. 10309]

The Committee on Commerce, to which was referred the bill (H.R. 10309) to amend the Act of June 13, 1933 (Public Law 73-40), concerning safety standards for boilers and pressure vessels, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of the bill is to amend the Act of June 13, 1933, to provide greater flexibility in the safety standards applicable to boilers and pressure vessels by allowing the Coast Guard through the regulatory process to set more realistic standards, consistent with current technology.

BACKGROUND AND NEED FOR THE LEGISLATION

The original statute to be amended was passed in 1933. It provides that the maximum working pressure for marine boilers and pressure vessels shall be based on a safety factor of four. A "factor of safety" of four requires boilers and pressure vessels to have material thicknesses and design construction to withstand a pressure four times the design operating pressure without failure.

Since 1933, significant advances have been made in the manufacture and testing of construction materials, in the technology and techniques of boiler and pressure vessel fabrication and in the methods

of stress analysis. The American Society of Mechanical Engineers (ASME) has developed boiler and pressure vessel codes to reflect these advancements in technology, materials, workmanship and quality control, and they are continually revised by committees of technical experts. These codes provide for a safety factor of three rather than four. This new safety factor, combined with a detailed stress analysis and more comprehensive requirements for construction and control, assure an equivalent or higher standard for safety.

If the Coast Guard is not permitted to use the ASME Code or similar current standards, economic and technical handicaps will be imposed on the American shipbuilding industry. Various liquefied flammable gas pressure type tanks, offshore floating nuclear power plants, and nuclear ship propulsion system could utilize the revised code without a reduction in the level of safety.

COMMITTEE ACTION AND CONCLUSION

On March 27, 1974, the Committee gave public notice that it was considering H.R. 10309 and invited interested parties to submit written statements on the bill by April 10, 1974. No comments were received. On June 4, 1974, the Committee ordered the legislation favorably reported without objection.

COST ESTIMATES

Pursuant to requirements of Section 252 of the Legislative Reorganization Act of 1970, the Committee estimated that there will be no additional cost to the Government as a result of the enactment of this legislation.

CHANGES IN EXISTING LAW

The proposed legislation makes changes in existing law as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

SECTION 4433 OF THE REVISED STATUTES, AS AMENDED, (46 U.S.C. 411)

SEC. 4433. The board of supervising inspectors is hereby empowered to prescribe formulas, rules, and regulations for the design, material, [and] construction, and operation of boilers, unfired pressure vessels, piping, valves, fittings, and other appurtenances [thereof, and steam piping] for use on vessels subject to the provisions of this Act. [The maximum working pressure shall be determined by formulas prescribed by the board of supervising inspectors, and no such boiler, pressure vessel, or appurtenance thereof shall be designed or operated where the factor of safety is less than four: *Provided*, That the minimum thickness and maximum allowable working pressure of valves, fittings, and other appurtenances shall be determined by formulas prescribed by the board of supervising inspectors.]

DEPARTMENTAL VIEWS

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,
Washington, D.C., April 1, 1974.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of this Department with respect to H.R. 10309, an act "To amend the Act of June 13, 1933 (Public Law 73-40), concerning safety standards for boilers and pressure vessels, and for other purposes."

The Act of June 13, 1933, requires that boilers and pressure vessels for use on ships must be built in such a way as to theoretically withstand up to four times their normal operating pressure without failure. H.R. 10309 would delete this requirement and would authorize the Commandant of the Coast Guard to set boiler and pressure vessel standards through the regulatory process.

We recommend enactment of H.R. 10309. This act would permit the Coast Guard to utilize current technology in setting standards and would allow periodic upgrading of such standards in keeping with technological advances.

We have been advised by the Office of Management and Budget that there would be no objection to the submission of our report to the Congress from the standpoint of the Administration's program.

Sincerely,

KARL E. BAKKE,
General Counsel.

OFFICE OF THE SECRETARY OF TRANSPORTATION,
Washington, D.C., May 2, 1974.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of the Department of Transportation concerning H.R. 10309, a bill "To amend the Act of June 13, 1933 (Public Law 73-40), concerning safety standards for boilers and pressure vessels, and for other purposes."

The bill modernizes the existing safety standards for marine boilers and pressure vessels. The statute, as amended, would authorize the Coast Guard to maintain a more realistic position, one consistent with current technology, in the safety regulation of marine boilers and pressure vessels.

H.R. 10309 is a legislative proposal of the Department of Transportation. We strongly urge its favorable consideration by the Committee on Commerce.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the submission of this report for the consideration of the Committee.

Sincerely,

RODNEY E. EYSTER,
General Counsel.

Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

To amend the Act of June 13, 1933 (Public Law 73-40), concerning safety standards for boilers and pressure vessels, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4433 of the Revised Statutes, as amended (46 U.S.C. 411) is amended as follows:

- (1) By deleting the word "and" before the words "construction of boilers,".
- (2) By inserting the words ", and operation" before the words "of boilers, unfired".
- (3) By inserting after the words "unfired pressure vessels" the words "piping, valves, fittings,".
- (4) By placing the word "other" before the word "appurtenances".
- (5) By deleting the words "thereof, and steam piping".
- (6) By deleting the second sentence including the proviso.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

