

The original documents are located in Box 65, folder “10/17/76 HR13326 Exempting the Steamboat "Delta Queen" from Certain Vessel Inspection Laws” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library

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APPROVED
OCT 17 1976

8/10/17/76

THE WHITE HOUSE
WASHINGTON

ACTION

Last Day: October 18, 1976

October 13, 1976

MEMORANDUM FOR: THE PRESIDENT

FROM: JIM CANNON *J.C.*

SUBJECT: Enrolled Bill H.R. 13326 - Exempting
the Steamboat Delta Queen from
Certain Vessel Inspection Laws

This is to present for your action H.R. 13326, a private bill which would exempt from certain statutory fire safety standards, the historic Mississippi River steamboat Delta Queen.

BACKGROUND

The Delta Queen was built in 1928 and has stateroom accommodations for about 190 passengers. It was entered on the national register of historical vessels in 1970. Many people in the country, and particularly residents of States bordering the Mississippi River, have a strong interest in its preservation as the last remaining survivor of the historical and colorful Mississippi Riverboat Era.

The Delta Queen does not meet the fire safety standards enacted by Congress in 1966 (Public Law 89-777).

The owners of the Delta Queen have voluntarily undertaken certain alterations of the boat to improve her fire safety. Moreover, the Coast Guard has increased the number of inspections it regularly conducts on this boat. The publicity used by Delta Queen owners states that the boat operates under an exemption from Federal boat safety fire laws.

Representative Sullivan of Missouri, in her swan song from Congress, introduced this private bill to extend the Delta Queen's exemption from 1978 to 1983. The bill was overwhelmingly supported in Congress, and has the strong support of a number of Senators and Congressmen in the Ohio and Mississippi River area.



ARGUMENTS FOR APPROVAL

1. There are strong historical and sentimental motivations to preserve the Delta Queen.
2. School children have, for a number of years, raised nickels and pennies to save this boat, and it draws huge crowds along the Mississippi wherever it docks. It is one of the last remaining paddle wheel vessels in America.
3. Your clear interest in the enjoyment of Mississippi Riverboat travel is consistent with signing this bill.
4. Admiral Siler, Commandant of the Coast Guard, indicates that although the Coast Guard is, as a matter of institutional policy, opposed to this bill, he feels that the Delta Queen's historic significance coupled with more frequent Coast Guard safety inspections could justify signing the measure.

ARGUMENTS FOR DISAPPROVAL

1. The original exemptions for the Delta Queen were to remain only until the new vessel, the Mississippi Queen, was ready. That boat is now in operation on the Mississippi, and has been successful. Some Coast Guard officials conjecture that the owners of the Delta Queen will, if the boat's exemption is extended, move the vessel's operations to a different area so that it will not be competing with the new Mississippi Queen.
2. The Delta Queen is constructed primarily of wood, and, operating in the overnight passenger trade, presents in the minds of some DOT officials an unacceptable fire safety risk. The Delta Queen is the only U.S. passenger ship that does not meet the 1966 Act fire safety standards.
3. The Delta Queen would still be entitled to operate in daylight hours; only overnight passenger service would be prohibited under the 1966 Act.

Additional background information, including letters from Secretary Coleman and the General Counsel of the Department of Commerce, is provided in OMB's enrolled bill report at Tab A.

AGENCY RECOMMENDATIONS

DOT and OMB recommend disapproval. The Department of Commerce defers to DOT.

STAFF RECOMMENDATIONS

Max Friedersdorf	"Strongly recommend approval"
Counsel's Office (Lazarus)	"Disapproval"

RECOMMENDATION

I recommend approval of H.R. 13326. The historic and nostalgic significance of this boat cannot be overestimated. Moreover, the additional Coast Guard inspections, the publicity noting that the boat operates with a fire safety exemption, and the commitment by Admiral Siler to continue extra inspections indicate that the safety issue is not as severe as some believe.

I also recommend that you issue the attached signing statement which has been approved by Max Friedersdorf, Counsel's Office (Lazarus) and the White House Editorial Office (Smith). OMB recommends that if you decide to sign the bill you do not issue a signing statement.

DECISION

Sign H.R. 13326 at Tab B

Issue signing statement at Tab C

Approve GRF Disapprove _____

Disapprove H.R. 13326 and sign Memorandum of Disapproval at Tab D which has been cleared by Doug Smith.



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

OCT 11 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 13326 - Exempting the
steamboat Delta Queen from certain vessel
inspection laws.
Sponsor - Rep. Sullivan (D) Missouri

Last Day for Action

October 18, 1976 - Monday

Purpose

Exempts the steamboat Delta Queen from statutory fire safety standards through November 1, 1983.

Agency Recommendations

Office of Management and Budget	Disapproval (Memorandum of disapproval attached)
Department of Transportation	Disapproval (Memorandum of disapproval attached)
Department of Commerce	Defers to DOT

Discussion

As an outgrowth of several disasters (particularly that of the Yarmouth Castle in November 1965, resulting in 90 fatalities) affecting ships carrying American passengers, the Congress in 1966 enacted Public Law 89-777 which provided that after November 1, 1968, no passenger ship of the United States of 100 gross tons or more and having stateroom accommodations for 50 or more passengers should be granted a certificate by the Coast Guard unless the ship was constructed of fire-resistant material and met certain other fire safety requirements. That statute was expressly intended to apply to vessels of the Delta Queen type, which is a paddlewheel riverboat with extensive wooden construction.

By Public Law 90-435, the Delta Queen was afforded a two-year exemption until November 1970. By Public Law 91-612, the ship was granted another exemption until November 1, 1973. Public Law 93-106 provided another exemption until November 1, 1978. The exemption applies only to operating the vessel on overnight cruises, since the vessel meets the standards for daytime service.

Each exemption was enacted with the understanding that a replacement vessel which conformed to applicable safety standards would be built within the exemption period to replace the Delta Queen. That vessel, the Mississippi Queen, has now been constructed and was placed in operation this past summer. Apparently, the new vessel has been very successful and has taken away a fair amount of the Delta Queen's business. It is the informal conjecture of the Coast Guard that the owners of the Delta Queen may decide to move that vessel's operation to a different area so that it will not be competing with the new vessel.

The Delta Queen was built in 1928 and has stateroom accommodations for about 190 passengers. Its hull is steel plated, but much of its superstructure is wood. It operates on the Ohio and the Mississippi Rivers in the cruise trade, and many people are interested in its preservation as the last remaining survivor of the historical and colorful Mississippi River boat era. Legislation to extend the waiver for the Delta Queen has had the strong support of a number of Senators and Congressmen in the Ohio and Mississippi Rivers area. In its report on the enrolled bill, the House Merchant Marine and Fisheries Committee stated:

"Another reason for preserving this romantic link with our past, and perhaps the really basic reason, is the undeniable fact that the people of the Nation want it."

In early 1971, the owners of the Delta Queen voluntarily undertook selected alterations to the ship aimed at improving her fire safety, such as repainting the wooden superstructure with fire retardant paint and installing a new automatic fire alarm system and new sprinkler pump. The Coast Guard did not participate in the determination of which alterations should be made. It has, however, instituted a comprehensive program of periodic inspections.

In its letter on the enrolled bill, DOT concludes: "This Department has consistently opposed legislation to prolong the service of the DELTA QUEEN on the ground that the vessel, constructed primarily of wood, and operating in the overnight passenger trade, presents an unacceptable risk in regard to fire safety. As the Federal agency charged with the responsibility for the promotion of maritime safety, we cannot recommend that the President sign this bill."

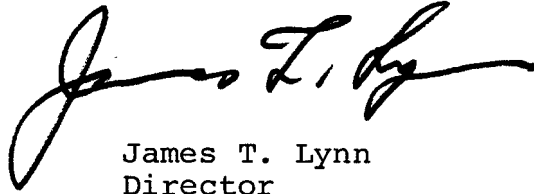
Although we are sympathetic to the historical and sentimental motivations of those who would preserve the Delta Queen, DOT and we believe that the safety consideration is the predominant one. The Delta Queen is the only U.S. passenger ship that does not meet the 1966 Act safety standards.

The very nature of the type of voyage contributes to the risk of a disaster. The vessel carries passengers, many of whom are elderly, on overnight trips, often in a festive atmosphere. The possibility of difficulty in abandoning the ship in an emergency is real. In addition, the fact, often asserted by proponents of the exemption, that a vessel not far from land precludes any serious risk to the passengers is fallacious. This is evidenced by the serious loss of life in the vessel NORONIC in 1949 even while she was moored at a Toronto port.

The main reason given in the past for exemptions from the fire safety laws was that the vessel would be replaced by the Mississippi Queen, which was then under construction. As noted above, the Mississippi Queen is now in operation, thus negating this argument. In addition, even without an exemption, the owners can continue to operate the Delta Queen in daytime service. The exemption is needed only because the owners wish to operate the vessel on overnight cruises.

The proponents of this legislation now argue that the Delta Queen is needed to insure the economic viability of Mississippi Queen. DOT points out, however, that "If it is in the national interest that the new MISSISSIPPI QUEEN continue its operation, a direct Federal subsidy would be preferable to the cross-subsidy provided by revenues from the unsafe operation of the DELTA QUEEN."

For these reasons, we join with DOT in recommending that you disapprove the bill. A draft memorandum of disapproval is attached for your consideration.

A handwritten signature in black ink, appearing to read "James T. Lynn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

James T. Lynn
Director

Enclosures

C

STATEMENT BY THE PRESIDENT

I am signing today H.R. 13326, which will extend until November 1, 1983, the existing exemption of the steamboat Delta Queen from the requirements of Public Law 89-777 regarding safety laws applicable to ships. This exemption is needed to permit the Delta Queen to operate on overnight cruises after November 1, 1978.

The Delta Queen, a historic paddlewheel riverboat, was built in 1928 and has been operating on the Ohio and Mississippi Rivers since that time. It was entered on the National Register of historic vessels in 1970. Its preservation as a symbol of Americana is important to the people of this Nation to whom our national heritage means so much. This legislation will preserve a splendid reminder of America's past.

Even without its current exemption, however, the Delta Queen will be permitted to operate on daytime service. There remains sufficient time for the Executive branch and the Congress to assess the economic viability of the Delta Queen under those circumstances and the steps that might be taken to preserve a splendid reminder of America's past.

THE WHITE HOUSE,

MEMORANDUM OF DISAPPROVAL

I am withholding my approval from H.R. 13326, which would extend until November 1, 1983, the existing exemption of the steamboat Delta Queen from applicable safety laws. This exemption would be needed to permit the Delta Queen to continue to operate on overnight cruises after November 1, 1978.

In recent years safety, and particularly transportation safety, has been a matter of growing concern to the public, to the Congress, and to the Executive branch. It is against that background that I am compelled to veto H.R. 13326. On three previous occasions, legislation has been enacted to exempt the Delta Queen from applicable safety laws because of assurances that the owners would arrange for a replacement vessel within the period of the exemptions. That vessel, the Mississippi Queen, has been finished, meets the safety standards required by law, and is now in operation.

I recognize the interest in preserving the Delta Queen as a symbol of Americana, but the fire hazard inherent in a wooden passenger vessel is too high a price to pay for yet another five years of exemption from the applicable safety laws. In fact, the Delta Queen is the only U.S. passenger ship that does not meet the safety standards of present law.

Mariners have historically viewed fires as presenting the greatest potential for shipboard tragedy. The very law which H.R. 13326 would amend -- Public Law 89-777 -- was precipitated by the fire in the cruise ship Yarmouth Castle in November 1965, in which ninety persons died. Loss of life is virtually a characteristic of vessel conflagrations. I understand that there is no practical way that the Delta Queen can be modified to make her acceptably safe for overnight cruises, despite efforts to apply modern technology to the problem.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 18

Date: October 14

Time: 900am

FOR ACTION: Max Friedersdorf
Bobbie Kilberg *dk*
OMB *NO Statement*
Robert Hartmann

cc (for information):

FROM THE STAFF SECRETARY

DUE: Date: October 14

Time: 500pm

SUBJECT:

Signing Statement - H.R. 13326 -Exempting the Steamboat
Delaa Queen from certain vessel inspection laws

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor 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

Date: October 14

Time: 900am

10/14/76
9:35 a.m.
9

FOR-ACTION: Max Friedersdorf
Bobbie Kilberg
OMB
Robert Hartmann

cc (for information):

FROM THE STAFF SECRETARY

DUE: Date: October 14

Time: 500pm

SUBJECT:

Signing Statement - H.R. 13326 -Exempting the Steamboat
Delta Queen from certain vessel inspection laws

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

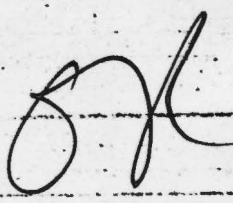
For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

10/14/76 - Sent copy + background material for researching. nm
10/14/76 - Researched copy returned. nm



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.

James M. Cannon
For the President

. am signing today, H.R. 13326, which will extend until
ember 1, 1983, the existing exemption of the steamboat
Delta Queen from the requirements of Public Law 89-777
regarding safety laws applicable to ships. This exemption
is needed to permit the Delta Queen to operate on overnight
cruises after November 1, 1978.

The Delta Queen, a historic paddlewheel riverboat, was
built in 1928 and has been operating on the Ohio and Miss-
issippi Rivers since that time. It was entered on the
National Register of historic vessels in 1970. Its preservation
as a symbol of Americana is important to the people of this
Nation to whom our national heritage means so much. I am
happy to sign this legislation in order to preserve a
splendid reminder of America's past.

The White House

October , 1976

10/12/76 - 10:45 am
n

Date: October 11

Time: 1000pm

FOR ACTION: Judy Hope
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann ✓

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 13

Time: 1100am

SUBJECT:

H.R.13326-Exempting the steamboat Delta Queen from
certain vessel inspection laws

ACTION REQUESTED:

- | | |
|---|---|
| <input type="checkbox"/> For Necessary Action | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

please return to judy johnston, ground floor west wing

10/12/76 - copy sent for researching. mm
10/13/76 - Researched copy returned. -mm

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.

James M. Cannon
For the President

I am withholding my approval from H.R. 13326, which would extend until November 1, 1983, the existing exemption of the steamboat Delta Queen from applicable safety laws. This exemption would be needed to permit the Delta Queen to continue to operate on overnight cruises after November 1, 1978.

In recent years safety, and particularly transportation safety, has been a matter of growing concern to the public, to the Congress, and to the Executive branch. It is against that background that I am compelled to veto H.R. 13326. On three previous occasions, legislation has been enacted to exempt the Delta Queen from applicable safety laws because of assurances that the owners would arrange for a replacement vessel within the period of the exemptions. That vessel, the Mississippi Queen, has been finished, meets the safety standards required by law, and is now in operation.

I recognize the interest in preserving the Delta Queen as a symbol of Americana, but the fire hazard inherent in a wooden passenger vessel is too high a price to pay for yet another five years of exemption from the applicable safety laws.

Mariners have historically viewed fires as presenting the greatest potential for shipboard tragedy. The very law which H.R. 13326 would amend--Public Law 89-777--was precipitated by the fire in the cruise ship Yarmouth Castle in November 1965, in which ninety persons died. Loss of life is virtually a characteristic of vessel conflagrations. I understand that there is no practical way that the

Delta Queen can be modified to make her acceptably safe for overnight cruises, despite efforts to apply modern technology to the problem.

Even without its current exemption, however, the Delta Queen will be permitted to operate on daytime service. There remains sufficient time for the Executive branch and the Congress to assess the economic viability of the Delta Queen under those circumstances and the steps that might be taken to preserve a splendid reminder of America's past.

THE WHITE HOUSE

October , 1976

Date: October 14

Time: 900am

10/14/76
9:35 a.m.

FOR ACTION: Max Friedersdorf
Bobbie Kilberg
OMB
Robert Hartmann

cc (for information):

ML
373
to Rep 10:00
10/14 GAm

FROM THE STAFF SECRETARY

DUE: Date: October 14

Time: 500pm

to DJS
10/14 11:38
GAm

SUBJECT:

Signing Statement - H.R. 13326 -Exempting the Steamboat
Delta Queen from certain vessel inspection laws

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor 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.

James M. Cannon
For the President

al

I am signing today, H.R. 13326, which will extend until November 1, 1983, the existing exemption of the steamboat Delta Queen from the requirements of Public Law 89-777 regarding safety laws applicable to ships. This exemption is needed to permit the Delta Queen to operate on overnight cruises after November 1, 1978.

*Transportation
Back-up*

The Delta Queen, a historic paddlewheel riverboat, was built in 1928 and has been operating on the Ohio and Mississippi Rivers since that time. It was entered on the National Register of historic vessels in 1970. Its preservation as a symbol of Americana is important to the people of this Nation to whom our national heritage means so much. I am happy to sign this legislation in order to preserve a splendid reminder of America's past.

The White House

October , 1976

11

Date: October 11

Time: 1000pm

10/12/76 - 10:45 am
n

FOR ACTION: Judy Hope
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann ✓

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

353
to R40 1:07
to 10/12 6am

mb

FROM THE STAFF SECRETARY

DUE: Date: October 13

Time: 1100am

SUBJECT:

TO DSS 10/13 10:57 AM

H.R.13326-Exempting the steamboat Delta Queen from
certain vessel inspection laws

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

OK/mwb

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.

James M. Cannon
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 11

Time: 1000pm

FOR ACTION: Judy Hope *sign*
Max Friedersdorf *sign*
Bobbie Kilberg *veto*
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

Comments given Hope

FROM THE STAFF SECRETARY

DUE: Date: October 13

Time: 1100am

SUBJECT:

H.R.13326-Exempting the steamboat Delta Queen from certain vessel inspection laws

ACTION REQUESTED:

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

REMARKS:

please return to judy Johnston, ground floor 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 SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

OCT 8 1976

Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Lynn:

Reference is made to your request for our comments concerning H.R. 13326, an enrolled bill

"To extend until November 1, 1983, the existing exemption of the steamboat DELTA QUEEN from certain vessel laws."

The DELTA QUEEN is a paddle wheel steamer presently used on the Ohio and Mississippi Rivers to carry passengers on overnight cruises. Unfortunately the DELTA QUEEN has a wooden superstructure creating a risk of fire substantially greater than that inherent in modern passenger ships constructed of noncombustible materials. In 1966 the DELTA QUEEN was temporarily exempted from the provisions of the 1966 Safety at Sea Act (44 STAT. 1384, 46 U.S.C. 369) which require overnight passenger vessels to be constructed of fire-retardant materials. This exemption was extended in 1968, 1970, 1973, and this enrolled bill will further extend the exemption, which is scheduled to expire in 1978, to November 1, 1983. The exemption is valid only so long as the DELTA QUEEN is operated on inland rivers.

Prior exemptions for the DELTA QUEEN were viewed as temporary since a replacement paddle wheeled steamer was under construction. Although the new vessel, the MISSISSIPPI QUEEN, has been completed and is now in operation, the exemption provided for in this enrolled bill has been supported by its proponents on the ground that the DELTA QUEEN is needed to insure the economic viability of the newly constructed MISSISSIPPI QUEEN.

This Department has consistently opposed legislation to prolong the service of the DELTA QUEEN on the ground that the vessel, constructed primarily of wood, and operating in the overnight passenger trade, presents an unacceptable risk in regard to fire safety. As the Federal agency charged with the responsibility for the promotion of maritime safety, we cannot recommend that the President sign this bill.

PROPOSED MEMORANDUM OF VETO

In recent years safety, and particularly transportation safety, has been a matter of growing public concern. The Federal Government has responded well to that concern with a number of significant safety statutes. Major acts include the Motor Vehicle and Highway Safety Acts, the Child Protection and Toy Safety Act, the Railroad Safety and Hazardous Materials Transportation Acts, and more recently, the Occupational Safety and Health Act.

It is against that background that I am compelled today to veto H.R. 13326, a bill which would perpetuate an unacceptable risk to the American public in the continued overnight passenger operation of the riverboat DELTA QUEEN. I am not insensitive to the public plan for preservation of this symbol of Americana, but the fire hazard inherent in a wooden passenger vessel is too high a price to pay. Moreover, the nation now has the new, safe MISSISSIPPI QUEEN in operation, so that desirable symbolism can be continued without extending the unsafe overnight operation of the DELTA QUEEN. Finally, operation of the DELTA QUEEN during daylight hours is acceptably safe and is not prohibited by law.

It is with reluctance but with genuine concern that I veto H.R. 13326.

If it is in the national interest that the new MISSISSIPPI QUEEN continue its operation, a direct Federal subsidy would be preferable to the cross-subsidy provided by revenues from the unsafe operation of the DELTA QUEEN. Moreover, without this law the DELTA QUEEN could provide some revenue support through daylight (as distinguished from overnight) operations, which are not prohibited.

We have enclosed a suggested veto message for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "William T. Coleman, Jr." The signature is written in black ink and is positioned above the printed name.

William T. Coleman, Jr.

Enclosure



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

OCT 6 1976

Honorable James T. Lynn
Director, Office of Management
and Budget
Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Lynn:

This is in reply to your request for the views of this Department concerning H. R. 13326, an enrolled enactment

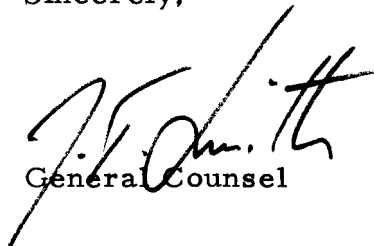
"To extend until November 1, 1983, the existing exemption of the steamboat Delta Queen from certain vessel laws."

This enrolled enactment would amend 46 U. S. C. 369(b) by extending from November 1, 1978 to November 1, 1983 the exemption granted to a vessel operating solely on the inland rivers from a requirement that no United States passenger vessels of one hundred gross tons or over, having berth or stateroom accommodations for fifty or more passengers, shall be granted a certificate of inspection by the Coast Guard unless the vessel is constructed of fire retardant material.

This Department would defer to the views of the Department of Transportation concerning the advisability of approval of H. R. 13326 by the President, since the Coast Guard of that Department is charged with the responsibility for the licensing of vessels.

Enactment of H. R. 13326 would require no expenditure of funds by the Department of Commerce.

Sincerely,


General Counsel



Date: October 11

Time: 1000pm

FOR ACTION: Judy Hope
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 13

Time: 1100am

SUBJECT:

H.R.13326-Exempting the steamboat Delta Queen from
certain vessel inspection laws

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

Strongly recommend approval.

[Signature]

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.

James M. Cannon
For the President

Date: October 11

Time: 1000pm

FOR ACTION: Judy Hope ✓
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 13

Time: 1100am

SUBJECT:

H.R.13326-Exempting the steamboat Delta Queen from
certain vessel inspection laws

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

*I recommend signing. See attached
statement and draft signing statement.
jll - 10/12/76
5pm.*

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.

James M. Cannon
For the President

THE WHITE HOUSE
WASHINGTON

OMB would recommend no signing statement.

In no way should the last sentence of statement be approved.

Lezarus - COMMENTS

Date: October 14

Time: 900am

FOR ACTION: Max Friedersdorf
Bobbie Kilberg
OMB
Robert Hartmann

cc (for information):

FROM THE STAFF SECRETARY

DUE: Date: October 14

Time: 500pm

SUBJECT:

Signing Statement - H.R. 13326 -Exempting the Steamboat
Delta Queen from certain vessel inspection laws

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

~~No objection, but suggest the inclusion of language
indicating what steps have otherwise been taken to
insure the safety of passengers on the steamboat.~~

K. Lazarus 10/14 10/14 at 4:55

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.

James M. Cannon
For the President

I am signing today, H.R. 13326, which will extend until November 1, 1983, the existing exemption of the steamboat Delta Queen from the requirements of Public Law 89-777 regarding safety laws applicable to ships. This exemption is needed to permit the Delta Queen to operate on overnight cruises after November 1, 1978.

The Delta Queen, a historic paddlewheel riverboat, was built in 1928 and has been operating on the Ohio and Mississippi Rivers since that time. It was entered on the National Register of historic vessels in 1970. Its preservation as a symbol of Americana is important to the people of this Nation to whom our national heritage means so much. ~~I am~~ ~~happy to sign~~ ^T this legislation ^{will} ~~in order to~~ preserve a splendid reminder of America's past.

The White House

October , 1976

JKH
OK
10/14
at
4:55

Date: October 11

Time: 1000pm

FOR ACTION: Judy H
Max Fr ersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 13

Time: 1100am

SUBJECT:

H.R.13326-Exempting the steamboat Delta Queen from
certain vessel inspection laws

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

Concur in OMB's recommendation of disapproval.

K. Lazarus 10/13

add in memo of disapproval at end of third paragraph:

"In fact, the Delta Queen is the only U.S. passenger ship
that does not meet the safety standards of present law."

if vetoed
OK
JRH
10/14
at 4:55

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.

James M. Cannon
For the President

MEMORANDUM OF DISAPPROVAL

I am withholding my approval from H.R. 13326, which would extend until November 1, 1983, the existing exemption of the steamboat Delta Queen from applicable safety laws. This exemption would be needed to permit the Delta Queen to continue to operate on overnight cruises after November 1, 1978.

In recent years safety, and particularly transportation safety, has been a matter of growing concern to the public, to the Congress, and to the Executive branch. It is against that background that I am compelled to veto H.R. 13326. On three previous occasions, legislation has been enacted to exempt the Delta Queen from applicable safety laws because of assurances that the owners would arrange for a replacement vessel within the period of the exemptions. That vessel, the Mississippi Queen, has been finished, meets the safety standards required by law, and is now in operation.

I recognize the interest in preserving the Delta Queen as a symbol of Americana, but the fire hazard inherent in a wooden passenger vessel is too high a price to pay for yet another five years of exemption from the applicable safety laws.

Mariners have historically viewed fires as presenting the greatest potential for shipboard tragedy. The very law which H.R. 13326 would amend--Public Law 89-777--was precipitated by the fire in the cruise ship Yarmouth Castle in November 1965, in which ninety persons died. Loss of life is virtually a characteristic of vessel conflagrations. I understand that there is no practical way that the

Delta Queen can be modified to make her acceptably safe for overnight cruises, despite efforts to apply modern technology to the problem

Even without its current exemption, however, the Delta Queen will be permitted to operate on daytime service. There remains sufficient time for the Executive branch and the Congress to assess the economic viability of the Delta Queen under those circumstances and the steps that might be taken to preserve a splendid reminder of America's past.

THE WHITE HOUSE

October , 1976

Date: October 14

Time: 900am

FOR ACTION: Max Friedersdorf
Bobbie Kilberg
OMB
Robert Hartmann

cc (for information):

FROM THE STAFF SECRETARY

DUE: Date: October 14

Time: 500pm

SUBJECT:

Signing Statement - H.R. 13326 -Exempting the Steamboat
Delta Queen from certain vessel inspection laws

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston,ground floor west wing

[Handwritten signature] O.K. - *[Handwritten signature]*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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James M. Cannon
For the President

I am signing today, H.R. 13326, which will extend until November 1, 1983, the existing exemption of the steamboat Delta Queen from the requirements of Public Law 89-777 regarding safety laws applicable to ships. This exemption is needed to permit the Delta Queen to operate on overnight cruises after November 1, 1978.

The Delta Queen, a historic paddlewheel riverboat, was built in 1928 and has been operating on the Ohio and Mississippi Rivers since that time. It was entered on the National Register of historic vessels in 1970. Its preservation as a symbol of Americana is important to the people of this Nation to whom our national heritage means so much. ~~I am~~ ^{will} ~~happy to sign~~ this legislation ~~in order~~ to preserve a splendid reminder of America's past.

The White House

October , 1976

STATEMENT BY THE PRESIDENT

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I am withholding my approval from H.R. 13326, which would extend until November 1, 1983, the existing exemption of the steamboat Delta Queen from applicable safety laws. This exemption would be needed to permit the Delta Queen to continue to operate on overnight cruises after November 1, 1978.

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I recognize the interest in preserving the Delta Queen as a symbol of Americana, but the fire hazard inherent in a wooden passenger vessel is too high a price to pay for yet another five years of exemption from the applicable safety laws. *In fact, the Delta Queen is the only U.S. passenger ship that does not meet the safety standards of present law.*

Mariners have historically viewed fires as presenting the greatest potential for shipboard tragedy. The very law which H.R. 13326 would amend--Public Law 89-777--was precipitated by the fire in the cruise ship Yarmouth Castle in November 1965, in which ninety persons died. Loss of life is virtually a characteristic of vessel conflagrations. I understand that there is no practical way that the

Delta Queen can be modified to make her acceptably safe for overnight cruises, despite efforts to apply modern technology to the problem

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October , 1976

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THE WHITE HOUSE,

EXEMPTING STEAMBOAT "DELTA QUEEN" FROM CERTAIN VESSEL LAWS

JULY 13, 1976.—Referred to the House Calendar and ordered to be printed

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

REPORT

[To accompany H.R. 13326]

The Committee on Merchant Marine and Fisheries, to whom was referred the bill (H.R. 13326) to extend until November 1, 1983, the existing exemption of the steamboat *Delta Queen* from certain vessel laws, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 13326 is to extend until November 1, 1983, the existing exemption of the steamboat *Delta Queen* from certain vessel inspection laws. This, of course, would provide the authority for an additional 5 years of operation for the river steamer *Delta Queen*.

BACKGROUND AND NEED FOR THIS LEGISLATION

The *Delta Queen* is a paddlewheel riverboat and at the present time is one of the few overnight passenger vessels left on our river system. She is 285 feet long and weighs 1,837 tons. Her hull, over 50 years old, was shaped at Clydesbank, Scotland; her steel forged at the Krupp works in Germany. Her superstructure is mostly of wood and this is where the safety question has arisen.

Under legislation enacted in the 89th Congress—Public Law 89-777—certain standards for the safe operation of deep-draft cruise vessels were enacted into law. Specifically, this law prohibits the issuance, after November 1, 1978, of a certificate of inspection to a United States passenger vessel of one hundred gross tons or having berth or state-room accommodations for fifty or more passengers if the vessel was not constructed of fire-retardant material and if the structural fire protection did not conform to requirements established by regulations for vessels contracted for on or after May 28, 1936.

The original legislation gave the inland water passenger vessel owners two years to permit the companies involved to assess their particular situations. One company operating on the Great Lakes elected to go out of business, rather than reconstruct its vessel to satisfy the current standards of structural fire protection. Another company, now called the Delta Queen Steamboat Company, the owner and operators of the *Delta Queen* decided to construct a new vessel which would meet the requirements of Public Law 89-777. However, they found that with the rise in the costs of material and labor, a replacement vessel would cost in excess of \$20 million, instead of the originally anticipated \$4 million. These costs stalled new construction at that time; and led to the enactment of Public Law 90-435 which authorized the *Delta Queen* to continue in operation until November, 1970. Additional extensions were granted by the Congress in 1970 and 1973, while the company overcame almost insurmountable obstacles in constructing a new vessel, the *Mississippi Queen*. The new vessel is scheduled to begin operations this summer.

H.R. 13326 would grant the *Delta Queen* a five-year reprieve from the shipbreakers so that the American people will continue to have an opportunity to know and cherish this grand old lady of the rivers. Your Committee believes that this reprieve is justified for the following reasons:

First, your Committee believes the *Delta Queen* should be allowed to continue to ply the inland rivers of the United States because of her great historic and cultural value. In this regard, your Committee wishes to note that the *Delta Queen* has been designated an historic monument by the National Register of Historic Sites. At a time when change is the rule and not the exception, there should be kept intact marks of the old America which are a part of our history, tradition and culture.

Another reason for preserving this romantic link with our past, and perhaps the really basic reason, is the undeniable fact that the people of the Nation want it. Your Committee would like to point out that the *Delta Queen* makes port calls in some 17 States and thousands of Americans each year enjoy the beauty of our Nation's waterways and spend their vacations on this fabulous replica of the past. Few other subjects in the past years have brought forth a stream of letters and outpouring of emotion as has this particular matter. Your Committee is of the opinion that our Colleagues in the Congress, as they have in the past, in general will support the contention that this historic monument has the well-wishes of millions of our fellow Americans.

Another reason why this legislation should be enacted is that the owners of this vessel have had their vessel plying the inland waters of this great Country for fifty years without one loss of life due to an accident or an unsafe condition. It must be considered that the *Delta Queen* is not a vessel engaged in international carriage or trade and does not encounter the stresses, strains and dangers of vessel on the high seas. Studies of the operation of the *Delta Queen* have convinced your Committee, and many other people, that the nature of her commerce and the many special precautions taken by her owners to protect her make the *Delta Queen* safe for operation on the rivers.

At this very moment, when the Congress is considering this legislation to exempt the *Delta Queen* from the safety at sea laws, thou-

sands of Americans are aboard vessels on the various inland waterways of Europe which do not meet the standards established in this area by the laws we now have on the books. Your Committee does not believe that we need to be insensitive to the desires of our people and if we wish to preserve this little piece of our romantic past and keep the *Delta Queen* available to the millions of Americans who have been enjoying her all these many years, then we should pass H.R. 13326.

Finally, enactment of this legislation is needed to insure the economic viability of the newly-constructed *Mississippi Queen*. Without the existence of the organization to promote and sell river passenger travel that surrounds the *Delta Queen*, the financial success of the new boat would be in serious doubt.

The new vessel will be the world's largest and finest. She will cost over \$20 million, be steam-powered with a stern paddlewheel of traditional design, and will be constructed of modern materials. She will have the old-time glamour and charm that *Delta Queen* passengers enjoy so much. The vessel will be the first major U.S. passenger vessel built in a U.S. shipyard in the past twenty years.

The new vessel, the *Mississippi Queen*, will be 365 feet long with a 68-foot beam and an 8-foot draft. The vessel will be constructed entirely of non-combustible materials and the hull and outfitings will comply with the latest Coast Guard regulations. She contains 200 staterooms with a total passenger capacity of over 400 and a crew complement of 120. The vessel will cruise at approximately 12 miles per hour and the gross tonnage is approximately 4,500 tons—more than twice the capacity of the *Delta Queen*. While the new vessel will have many traditional steamboat features, she will also include conveniences and facilities unknown to riverboats when the *Delta Queen* was constructed. Some of the innovations are passenger elevators, a swimming pool, individual room air-conditioning, a motion picture theatre and a complete internal telephone and communication system.

On the basis of the record and the testimony at the hearings, your Committee is convinced that the *Delta Queen* operates as safely in all circumstances as can be expected. However, because of the importance of the safety aspects, your Committee questioned the owners of the vessel very carefully at the hearings concerning safety improvements made in the vessel following periodic Coast Guard inspections. In order to show that the owners have taken affirmative measures to make the *Delta Queen* as safe as possible, the following improvements submitted for the hearing record are set out in this report:

SUMMARY OF "DELTA QUEEN" IMPROVEMENTS SINCE 1966

VESSEL STRUCTURE IMPROVEMENTS

During the past ten years we have replated approximately 50% of the hull of the *Delta Queen*. Inside we have removed wood supports and decking from the lower hull and replaced with steel supports and plates.

Other structural improvements included installing new steel bulkheads and welding up of all portholes. We fireproofed wooden bulkheads. Replaced deteriorated wood and metal with fireproof or fire-treated materials. Removed old paint from wooden panels and restored

with fireproof varnish to original condition. Painted canvas deck covering was replaced with fireproofed Dex-o-tex. Entire deck sections, such as the Texas Bow, and steel decking on the main deck have been replaced or rebuilt.

Major deckhouse improvements include complete repainting in 1975, new crew and officer dining rooms, new laundry facility, new galley refrigerator system, improved air conditioning and ventilation for nearly all spaces, refrigerated drinking fountains and major overhaul and repair of practically every mechanical and electrical system.

VESSEL MECHANICAL SYSTEMS

All mechanical systems aboard the *Delta Queen* are maintained regularly but in addition, we have performed major overhaul and modernization of all steam machinery, replacing where necessary and augmenting with electrical back-up equipment where appropriate. The main engines have been reconditioned and completely overhauled. We added a new air ejector, and a new coffin feedwater pump as well as dual electric condensate pumps. Plumbing and piping systems have been replaced and extensively renewed.

For the comfort of our passengers and crew, we have air conditioned practically all vessel spaces. Most of the equipment is quite new, including the main 60-ton compressor and motor which was installed last year.

ELECTRICAL SYSTEMS

When the *Delta Queen* was originally constructed, it was equipped with three 50KW DC generators. No facility for emergency power was provided. As the *Delta Queen's* life was extended by Congressional action, a long-range program of complete conversion from DC to AC was undertaken. First, two converted AC steam turbines, then a new 180KW AC generator, then a 200KW diesel, then in 1974, after the five-year exemption was granted, another 200KW diesel, plus a 60KW emergency diesel with automatic switch over. The old DC generators and the massive DC switchboard have been removed from the vessel.

All main feeders have been replaced with modern armored cable. We have rewired many of the lighting circuits in passenger areas. Old fuse boxes have been replaced with modern circuit breakers and in some areas, such as crew quarters, all old wiring has been removed and replaced by new wiring and fixtures.

This past winter we have removed and replaced with new equipment the navigation light and signalling panel in the pilot house.

COMMUNICATION SYSTEMS

The old speaking tube from pilot house to engineer still works but day-to-day communications are carried on by automatic dial telephone, loudspeaking intercom, sound-powered telephone, and three different public address and loudspeaker systems. Ship-to-shore communications are made on single side-band equipment and UHF FM Marine radio. The passenger public address system can be activated from the pilot house or the purser's office. All telephones have been labeled with the number to dial in the event of an emergency.

FUEL OIL SYSTEMS

Fuel oil systems in the *Delta Queen* originally were relatively primitive. For the sake of safety and to prevent pollution, we have made a large number of improvements in fuel handling. Each time we work on the fuel tank, it is necessary to make them fire safe. This in itself is a time consuming and expensive chore of wire brushing with solvent every crack and cranny inside the bilge tanks. As a consequence, our tanks are free of the previous 40 years of accumulated petroleum crud. They are safer and tighter than before.

We have also done major overhaul on our fuel oil pumps. We have replaced one steam pump with an electric fuel pump for higher reliability and greater flexibility in the event of an emergency, or when steam pressure fails. A full spare is carried on board. To reduce the possibility of firing failure, the old day-tanks have been renovated and put back in use since 1973.

We installed new vent pipes on our fuel tanks so that in the event of an overfill, all tanks will drain into safety containers instead of into the river. Further, we have installed a Keene oily bilge water separator. This unit separates and filters water from our bilges so that it may be dumped overboard without polluting the river. The oily remainder is kept in a holding tank until we dump it in an oil reclamation barge. Recently we have installed remote reading thermometers on our fuel tanks so that we may be sure the heated oil is kept below dangerous temperatures, and we insulated our tank tops to minimize transfer of heat into other compartments.

STEAM BOILERS

With the possible exception of our electrical work, more money has been spent on our boilers and steam generating system than any other part of the *Delta Queen*. Fortunately, the original boilers were of the water-tube type which is the safest boiler design and still in use today. By replacing the water tubes as necessary, it is possible to keep these boilers in excellent condition indefinitely. We have made extensive replacement of tubes, 1800 key caps, safety valves and fittings. We rebuilt the fire boxes, refractory and renewed and improved the boilers so that today they are safer and more efficient than we first built.

Prior to 1966, the feedwater distillers, which were inappropriate for river water to begin with, had deteriorated to the point where they were almost useless. Consequently, raw river water was introduced into the boiler system. Sediment and chloride caused rapid deterioration of the boiler tubes and it was not uncommon to spring a leak in a boiler tube. Such leaks were inconvenient, expensive and sometimes dangerous due to the high back pressure generated by free steam within the fire box. Our new water distiller now provides adequate make-up water so that there has not been a water-tube failure in nearly eighteen months. We have also replaced our reciprocating feedwater pumps with a modern turbine unit, and we have greatly improved our water treatment and control.

Another significant improvement in our steam generating plant was the installation in 1974 of the new burners and semi-automated

controls. This involved the construction and addition of forced air, closed registers, which prevent flashbacks and boiler fires and improves our air-fuel mixture for greater efficiency and reduction of pollutants.

In the process of making these improvements, we have stripped and replaced the insulation and lagging, fireproofed adjacent sections and completely cleaned and overhauled spaces and auxiliary machinery.

WATER HANDLING SYSTEMS

The *Delta Queen* was originally designed to use river and saltwater in her sanitary systems. Although the water was chlorinated and reasonably safe, the mud and sediment content made it appear distasteful. Also, as mentioned above, it was deleterious to our boiler feedwater system and posed a serious problem for the sprinkler system which would become clogged due to accumulation of river mud.

In 1974, we installed an Aqua-chem, 8,000 gallons per day, water distillation plant. This unit is large enough to more than fulfill its primary purpose of providing pure water for the boilers. Therefore, it provides non-potable water for wash water systems as well so we now have clean water. This water is also used to flush out and charge our sprinkler system.

IMPROVEMENTS FOR FIRE PREVENTION (CREW QUARTERS)

Since the 1966 Safety at Sea Law, the *Delta Queen* has made massive improvements for fire prevention. The entire lower crew quarters, which were constructed largely of wood and painted heavily, have been totally removed. We stripped the hull down to bare steel, removing all wooden supports, decking, partitions, etc. New steel supports and decking were installed and then fireproof steel partitions for new crew quarters. All plumbing was similarly replaced. Electrical wiring and all equipment likewise totally replaced.

The new crew quarters were a vitally important project since they were a disgraceful remainder of another era in maritime history. We were frequently forced to accept crew members of a lower caliber than desirable to run a safe and efficient vessel. Now with well-lighted, fireproof, clean and comfortable crew quarters, with a maximum of two men per room, we are able to attract and keep better personnel. They are more likely to respect the needs of our passengers and the safety precautions for the vessel. Although this one improvement cost nearly three quarters of a million dollars, we feel it has been a major factor in our unbroken safety record, and consistent praise by our passengers for our alert, courteous and efficient 75-man crew.

IMPROVEMENTS FOR FIRE PREVENTION (PASSENGER FACILITIES)

The original *Delta Queen* had relatively few staterooms with private bath. That was deluxe treatment back in the 20's. Nowadays, of course, a room without facilities is quite undesirable. Consequently, we have made major revisions in our stateroom configuration so that all but six staterooms have facilities and all staterooms have quick and easy access to the open deck.

A multiplicity of stairways and unobstructed decks and passageways make it possible, in the event of an emergency, for passengers to easily and quickly, find their way to safety. There are no long labyrinthian passageways or fully enclosed decks.

Another major safety improvement was treating every stateroom with fire retardant intumescent coatings. These coatings involve the application of two base coats of intumescent material, which puffs up upon the application of heat to form a fireproof insulation barrier to reduce the heat reaching the wood. On top of the intumescent coating we have applied a fireproof paint to facilitate cleanliness. Intumescent coatings are now used widely not only on flammable material such as wood, but on steel to prevent the intense heat of a fire from causing the steel to soften and twist. Steel structures which do not have intumescent coating or a surrounding protection of concrete can be devastated even more disastrously by fire than a wood structure, which while flammable does retain some structural strength until nearly consumed.

Whenever possible, we have replaced wood with steel or other fireproof materials. Specifically, we have replaced wooden decking throughout the lower hold with steel. We have used fireproof composition panels in ceilings in public areas. Fire retardant intumescent coatings have also been applied to all public rooms. We have carpeted all staterooms with fire retardant carpeting. In recognition of the human element in fire prevention, we have carefully trained our crew to be alert to fire hazards and how to properly report and control fire. Night watchmen patrol the boat continuously from 10 p.m. to 6 a.m. while passengers are sleeping. They use a Detex system to document their inspection of all critical areas throughout the vessel. A pilot or deck officer is also on duty around the clock to monitor and supervise watchmen activities.

EMERGENCY FIRE WARNING AND SIGNALING SYSTEM

The original *Delta Queen* had a full coverage, manual fire alarm system which was maintained until the present legislation was passed to permit the *Delta Queen* to continue operation. Then in 1974 the entire system was removed. New cable installed in every section of the vessel, new breakers and switches installed, new alarm bells and sirens and the entire system integrated with the automatic heat, smoke and fire detection system installed in 1972. Therefore, the *Delta Queen* now has one of the most modern and sophisticated fire alarm and warning systems manufactured in the world today. In fact, it is identical in part as that used in the Federal Capital and the House and Senate office buildings.

This system, manufactured by Pyr-alarm and Edwards Company, will automatically detect smoke and other products of combustion in closed areas. It will detect flame caused by a change in ambient light and it will detect heat caused by hazardous temperature rise.

The manual alarms are installed, according to Coast Guard instruction, in convenient well-marked locations on every deck and in every public area aboard the *Delta Queen*. The automatic detection portion of the system is installed in work areas, crew areas and storage areas.

The main enunciator panel is installed in the engine room with a secondary enunciator panel in the pilot house. Lights and alarms are rung throughout the vessel in the event the system is triggered manually or automatically.

FIRE FIGHTING SYSTEMS

In 1974 a new fire control plan was instituted. This plan shows all fire fighting apparatus and facilities. It is used in conjunction with the fire station plan to coordinate crew fire fighting activities.

The *Delta Queen* has extensive fire fighting apparatus; some of it original equipment, but massively renewed, and other equipment which our company has in most cases, voluntarily purchased and installed to minimize the risk to our passengers and vessel.

The original fire fighting equipment included an automatic sprinkler system of over 350 sprinkler heads covering every passenger and crew space. That system has been massively renewed, is continuously inspected and has been augmented frequently for complete coverage and high reliability. Every passenger stateroom and lavatory have sprinkler heads. Every crew compartment and every storage area has sufficient sprinkler heads to extinguish automatically any fire which may occur.

We have two main sprinkler pumps. The original steam unit which draws directly from the sea well, and an electric sprinkler pump installed after our reprieve in 1970. These two units can be augmented in an emergency by any other house pump on our main water line by valve control. Additionally, we just added a settling tank and a jockey pump to minimize the introduction of unfiltered water and stabilize the pressure.

Flow alarms automatically monitor the system balance and our engineers regularly inspect and flush the lines and sprinkler heads.

Another major system of fire fighting apparatus originally installed aboard the *Delta Queen* is the fire hose and hydrant system. Twenty-four hydrants are installed at frequent intervals so that two or more hoses can be brought into use at any location. We carefully inspect and renew hoses as necessary. Hydrants are opened and flushed at regular intervals and fire drills exercise all equipment at least once a week.

The boiler room is protected by 650 pounds of CO₂ which when released will flood the bilge area and space in front of the fire boxes in the event of a fire in the boiler room. Thirty-eight other manually operated and five automatic CO₂ systems are positioned throughout the vessel with particular emphasis on machinery spaces, storage areas and galley. A new automatic galley extinguishing system for the exhaust trunk was just installed this year. CO₂ extinguishers are inspected periodically and all are approved by the U.S. Coast Guard.

Soda and water extinguishers are spaced strategically throughout the vessel for use where CO₂ extinguishers would be less effective, such as on wood or paper fires. Fire axes are positioned at regular points throughout the vessel and oxygen tanks and masks and other emergency safety equipment is stored near the pilot house.

LIFESAVING DEVICES

The *Delta Queen* is equipped with a rescue boat slung in davits on the starboard side. This vessel is equipped with emergency equipment and flotation tanks.

We also carry two 10-man rigid life rafts and four 20-man inflatable life rafts equipped for ocean service. In addition the *Delta Queen* carries and regularly inspects both adult and child life preservers well in excess of the regular complement of passengers and crew.

The original bilge pumps were steam siphons, which were efficient and satisfactory under ordinary circumstances. However, to improve hull security we have extensively cleaned, inspected and renewed bilge spaces and installed new automatic electric and steam pumps in engine and fire room bilges.

NAVIGATION EQUIPMENT

In the old days the *Delta Queen* was steered by a salty pilot with a 10-foot wheel. He judged the ripple of the water and the lights on the shore to steer his course. Today the *Delta Queen* is equipped with two sets of modern radar, a fathometer, three types of radio, instant voice communications between pilot house and deck areas, a drift meter and a variety of alarm systems so that the pilot at the hydraulically-assisted steering gear commands a vessel modern in everything but appearance. At the flip of a switch, he can turn on a powerful bow thruster which will swing the vessel as necessary to navigate landing, locks and difficult passages.

CREW TRAINING

All of the new and improved facilities of the *Delta Queen* make her safer and more comfortable but the critical factor in the equation is always crew and officers. With the improvements in crew living conditions, better salaries and the ever-growing fame of the *Delta Queen*, we can now boast one of the best trained and finest crews on any passenger ship. We still have some of the grand old-timers who can measure the current of the river at 1,000 yards by eye. But we also have graduates of the River Academy and veterans of some of the proud ships in America's recent maritime history.

Four crew members completed the River Academy firefighting school in January, 1976, and four more will attend in June. On board safety and firefighting classes are conducted frequently.

Our crew is recruited from the most avid and enthusiastic of young people looking for adventure and fulfillment. Captain Ernest Wagner continues as Master and is famous for his careful blending of demanding discipline and patient teaching. Even minor accidents aboard the *Delta Queen* are rare and when they occur, extraordinary measures are taken to find out why and how to prevent a recurrence in the future. To this date, there has not been a passenger fatality due to a steamboat casualty aboard the *Delta Queen* nor for that matter, has there been a serious injury caused by fire or other accident.

SUMMARY OF IMPROVEMENTS PROMISED AT TIME OF 1973 LEGISLATION AND FULFILLMENT ACTUALLY ACCOMPLISHED

IMPROVEMENT PROMISED

ACTUAL WORK PERFORMED

- (1) Steam boiler remodeling. Furnaces and boilers to be rebuilt with new burners and closed air registers. The boilers and refractory were stripped down. Major rebuilding of the boilers and fire boxes took place. New semi-automated burners were installed with closed air registers for optimum efficiency and greatly reduced fire risk. Additionally we installed a distiller plant to provide pure water to the boilers. Since these changes, there has been only one water tube failure, and the *Delta Queen's* fuel consumption and operational safety have been greatly improved.
- (2) Fuel tank modification. Old type fuel tanks made fuel handling difficult, even hazardous. All fuel tanks were stripped, cleaned inside and outside, repaired, pressure tested for leaks and refitted with new safety vents and measuring equipment. Spills and oil fumes have been greatly reduced as a result.
- (3) New crew quarters. Old crew quarters were labyrinths of painted wood partitions, sleeping as many as eight people to a room. Hot, humid and intolerable according to modern living standards. At a cost of more than three quarters of a million dollars, we stripped the entire lower hull clean of all partitions, electrical and plumbing. Entire new quarters were built for crew and junior officers. The partitions were of steel, as were the new decks and structural supports. New plumbing, new electrical, new lighting and new air conditioning brought our crew quarters up to a level comparable in safety and comfort to a modern ocean-going vessel.
- (4) Increased electrical capacity. In 1973 the *Delta Queen* depended on a 180KW AC steam generator and a 200KW diesel generator. For emergency lighting we had automatic battery lights. We added a second 200KW diesel generator on the port side, and made a major revision in our main switchboard to handle up to 400KW. We installed a new switchboard to only handle air conditioning equipment on the 180KW Elliott generator, and we installed a new 60KW emergency diesel generator in the engine room area which automatically takes over critical circuits in the event of a power failure up forward. As a result, the *Delta Queen*

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(5) Improved water system. The water handling systems aboard the *Delta Queen* have been fully modernized in prior years but due to an increase in cooling requirements for air conditioning and other auxiliary equipment, our needs increased.

(6) New SSB radio communications.

(7) Bow thruster. Stern paddlewheel steamboats operate efficiently as long as they are going up and down the river, but maneuvering becomes difficult when making landings and locks.

now has the electrical capacity and back-up systems attributable to a modern vessel built according to the latest standards. The total cost was well in excess of \$200,000.

We added several specialty pumps to provide greater and more reliable water supply to the sanitary system and cooling system. More important we added a distilling plant with a capacity of 8,000 gallons per day to provide pure water supply to the bodies. Coincidentally, this large evaporator also delivers enough water to supply the wash water lines in passenger and crew quarters so that Mississippi mud is no longer visible in these sanitation facilities.

In addition to the UHF navigation radio, a long distance radio telephone connection with the shore is necessary. We installed a new single side-band transceiver. Although this method of communication has not yet been fully adopted by the river community, our vessel does have improved communications.

We installed a new diesel-powered turbine bow thruster and reconstructed the entire peak section of the *Delta Queen*. It is enclosed in a new watertight, fireproofed compartment. Since its installation, the *Delta Queen* has navigated many difficult situations with previously unrealized safety and facility. The vessel can turn around in its own length and our pilot can more readily and more safely change course in the event of an emergency. While the cost of this improvement was in excess of \$150,000, it has proven to be a necessary and vital navigation aid for the *Delta Queen*.

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As a result of these vessel improvements, the *Delta Queen* is more reliable, safer and more suitable for the overnight passenger trade in which she is engaged.

Your Committee concludes that the granting of a five-year exemption is required so that the American people will continue to have a chance to know and cherish this grand old lady of the rivers, and to ensure the success of the operation of the new vessel, the *Mississippi Queen*. Your Committee concludes that the voluntary and required renovations to the *Delta Queen* in the last few years will adequately protect the vessel's passengers, and the public interest. Your Committee notes that these improvements in the *Delta Queen* have been carried out by the owners very carefully and at great cost and that the bill was reported out of Committee unanimously by voice vote.

COST

There will be no additional cost to the Federal Government in the event this legislation is enacted.

INFLATIONARY IMPACT STATEMENT

In accordance with clause 2(1)(4) of rule XI, of the Rules of the House of Representatives, the committee estimates that enactment of H.R. 13326 would have no significant inflationary impact on prices and costs in the national economy.

OVERSIGHT FINDINGS

With respect to the requirement of clause (2)(1)(3) of rule XI of the Rules of the House of Representatives—

(A) No oversight hearings have been held in connection with the subject matter of this bill; therefore no specific findings or recommendations are available at this time;

(B) Section 308(a) of the Congressional Budget Act of 1974 is not applicable;

(C) No estimate and comparison of costs has been received by the committee from the Director of the Congressional Budget Office, pursuant to section 403 of the Congressional Budget Act of 1974; and

(D) The committee has received no report from the Committee on Government Operations of oversight findings and recommendations arrived at pursuant to clause 2(b)(2) of rule X.

DEPARTMENTAL REPORTS

Reports were requested from the Departments of Commerce and Transportation; however, no response was received from either department by the time the report was filed.

CHANGES IN EXISTING LAW MADE BY THE BILL AS REPORTED

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, 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 italics, existing law in which no change is proposed is shown in roman:

SECTION 5(b) OF THE ACT OF MAY 27, 1936

(49 Stat. 1384, 46 U.S.C. 369(b))

(b) That no passenger vessel of the United States of one hundred gross tons and over, propelled by machinery, the construction, or material alteration of which shall be begun subsequent to the passage of this Act, shall be granted a certificate of inspection by a board of local inspectors of the Bureau unless the said general contract plans and specifications therefor shall have been submitted at least in triplicate to and approved by the aforesaid Director before the construction of such vessel or alteration thereof shall have been commenced; nor shall any such vessel, the said plans or specifications for which have been materially altered subsequent to such approval be granted a certificate, as aforesaid, unless such altered plans and specifications shall have been submitted at least in triplicate to and approved by the said Director, prior to such change in construction having been made. No such certificate shall be granted to any such vessel which has not been constructed and equipped in accordance with said plans and specifications approved as aforesaid: *Provided*, That approved plans and certificates of the American Bureau of Shipping classed vessels may be accepted by the Director as evidence of the structural efficiency of the hull and the reliability of the machinery of such vessels, except as far as existing law places definite responsibility on the Bureau of Marine Inspection and Navigation. The American Bureau of Shipping shall continue to function in connection with the Government, its bureaus, departments, boards, and commissions, as heretofore provided under the Merchant Marine Act, June 5, 1920 (ch. 250, sec. 25; 41 Stat. 998; 46 U.S.C. Annotated, sec. 881), and as provided in the Act of March 2, 1929, entitled "An Act to establish load lines for American vessels, and for other purposes", or any similar Act hereinafter enacted. After November 1, 1970, no passenger vessel of the United States of one hundred gross tons or over, having berth or stateroom accommodations for fifty or more passengers, shall be granted a certificate of inspection by the Coast Guard unless the vessel is constructed of fire retardant material, except that this requirement shall not apply until [November 1, 1978,] *November 1, 1983*, with respect to a vessel operating solely on the inland rivers. The structural fire protection provided on these vessels shall conform to the requirements set forth in regulations for a vessel contracted for on or after May 28, 1936.

Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

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

An Act

To extend until November 1, 1983, the existing exemption of the steamboat
Delta Queen from certain vessel laws.

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,* That the primary
purpose of the amendment made by section 2 of this Act is to assure
the continuity of operation of the overnight riverboat, the steamboat
Delta Queen, by extending her existing exemption from the safety at
sea laws. In order to assure the preservation of this historic and tradi-
tional piece of American folklore and life, such amendment will pro-
vide for the continued operation of the present steamboat Delta Queen.

Sec. 2. The penultimate sentence of section 5(b) of the Act of
May 27, 1936 (49 Stat. 1384, 46 U.S.C. 369(b)), as amended, is
amended by striking out "November 1, 1978," and inserting in lieu
thereof "November 1, 1983,".

Speaker of the House of Representatives.

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

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I am signing today H.R. 13326, which will extend until November 1, 1983, the existing exemption of the steamboat Delta Queen from the requirements of Public Law 89-777 regarding safety laws applicable to ships. This exemption is needed to permit the Delta Queen to operate on overnight cruises after November 1, 1978.

The Delta Queen, a historic paddlewheel riverboat, was built in 1928 and has been operating on the Ohio and Mississippi Rivers since that time. It was entered on the National Register of historic vessels in 1970. Its preservation as a symbol of Americana is important to the people of this Nation to whom our national heritage means so much. This legislation will preserve a splendid reminder of America's past.

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