

Executive Order 11382**AMENDMENT OF EXECUTIVE ORDERS RELATING TO FUNCTIONS
OF THE DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Department of Transportation Act (Public Law 89-670, 80 Stat. 931), hereinafter referred to as the Act, established the Department of Transportation in the Executive Branch to be headed by a Secretary of Transportation and to be composed of the Federal Aviation Administration, the Federal Highway Administration, the Federal Railroad Administration, the Coast Guard, the Saint Lawrence Seaway Development Corporation and the National Transportation Safety Board; and

WHEREAS, the Act vested in the Secretary of Transportation new major responsibilities in the field of transportation, including that of exercising leadership under the direction of the President in transportation matters, and also transferred to the Secretary of Transportation and to certain instrumentalities of the Department of Transportation many functions involving transportation; and

WHEREAS, the transportation functions established or transferred by the Act involve additional activities which are currently assigned by Executive orders and other Executive documents to officers and agencies from whom the related statutory functions have been transferred by the Act; and

WHEREAS, it is appropriate and desirable with the establishment of the Department of Transportation that certain authority and duties concerned with transportation be assigned to the Secretary of Transportation or to officers and agencies under his jurisdiction:

NOW, THEREFORE, by virtue of the authority vested in me by section 301 of Title 3 of the United States Code and by the laws cited as authority for the Executive orders amended below, and as President of the United States, it is ordered as follows:

SECTION 1. *Classified information.* (a) Executive Order No. 10501 of November 5, 1953, as amended, is further amended by—

(1) inserting "Department of Transportation" in the list of departments and agencies in subsection (a) of section 2 thereof after "Department of Labor" and

(2) deleting "Federal Aviation Agency" from that list.
The Department of Transportation shall be deemed to have had authority for classification of information and material from April 1, 1967.

(b) Executive Order No. 10865 of February 20, 1960, as amended, is further amended by striking out the words "Administrator of the Federal Aviation Agency", "Deputy Administrator of the Federal Aviation Agency", and "Federal Aviation Agency" and inserting in place thereof "Secretary of Transportation", "Under Secretary of Transportation", and "Department of Transportation", respectively.

SEC. 2. *Federal Airport Act.* Executive Order No. 10536 of June 9, 1954, is amended by striking out the words "Administrator of Civil Aeronautics" and inserting in place thereof the words "Secretary of Transportation".

SEC. 3. *Life saving medals.* The regulations prescribed by section 1 of Executive Order No. 10765 of April 24, 1958 (being §§ 109.1 *et seq.* of Chapter I of Title 49 of the Code of Federal Regulations) are amended by—

(1) striking out the words "Interstate Commerce Commission" and "Commission" in §§ 109.1 and 109.3 and inserting in place thereof "Department of Transportation" and "Department", respectively, and

(2) striking out all of §§ 109.4, 109.5, and 109.6 and inserting in place thereof the following:

"§ 109.4 *Review of evidence; recommendations.* Applications for medals, together with all affidavits, testimony, and other evidence received in connection therewith, and the records developed in connection with investigations initiated by the Department of Transportation, shall be referred to a committee of three Department officials designated by the Secretary of Transportation. One of such officials shall be directly concerned with railroad safety, and another with motor-carrier safety. The committee shall carefully consider each application or record, and after thoroughly weighing the evidence shall prepare an abstract or brief covering the case and forward it, together with the committee's recommendation, to the Secretary of Transportation for his consideration.

"§ 109.5 *Award of Medals.* Upon approval by the Secretary of Transportation of the committee's recommendation in any case, the Secretary shall make the award of the medal in the name and on behalf of the President.

"§ 109.6 *Adoption and revision of designs.* The Secretary of Transportation is authorized to adopt and revise the existing designs for the medal, rosette, and ribbon provided for by the Act."

SEC. 4. *Contracting authority.* Executive Order No. 10789 of November 14, 1958, as amended, is further amended by inserting the words "Department of Transportation" in the list of departments and agencies in section 21 thereof after the words "Department of Commerce" and striking out of that list the words "Federal Aviation Agency".

SEC. 5. *Assignment of claims.* (a) Executive Order No. 10840 of September 30, 1959, is amended by striking out the words "Federal Aviation Agency" in the text and heading and inserting in place thereof the words "Federal Aviation Administration".

(b) The utilization by the Federal Aviation Administration of the authority made available to it by section 5(a) of this order shall be subject to direction and control by the Secretary of Transportation.

SEC. 6. *Extra-territorial jurisdiction.* (a) Executive Order No. 10854 of November 27, 1959 (as limited by section 7 of Executive Order No. 11326 of February 13, 1967), is amended by striking out the words "Administrator of the Federal Aviation Agency" and "Administrator" and inserting in place thereof the words "Secretary of Transportation".

(b) Executive Order No. 11326 of February 13, 1967, is hereby amended by striking out the words "Administrator of the Federal Aviation Agency" and inserting in place thereof the words "Secretary of Transportation".

SEC. 7. *International aviation.* (a) The Presidential Memorandum of August 11, 1960, on the subject of Executive Order No. 10883 of the same date, is amended by—

(1) striking out the words "Administrator of the Federal Aviation Agency" and "Administrator" and inserting in place thereof the words "Secretary of Transportation" and

(2) striking out the words "Federal Aviation Agency" and inserting in place thereof the words "Department of Transportation" and

(3) striking out the second sentence of the third paragraph of the memorandum.

(b) The Presidential Letter of June 22, 1963, assigning responsibility to the Secretary of State regarding international aviation policy, is amended by—

(1) striking out the words "Federal Aviation Agency" in the second paragraph and inserting in place thereof the words "Department of Transportation" and

(2) striking out the last two sentences of the third paragraph and inserting in place thereof the following: "The other members will be the Secretary of Defense, the Secretary of Commerce, and the Secretary of Transportation, or their respective representatives, the Chairman of the Civil Aeronautics Board, and the Administrator of the Agency for International Development. The Secretary of Transportation will serve as vice chairman."

SEC. 8. *Interdepartmental Highway Safety Board.* Executive Order No. 10898 of December 2, 1960, as amended, is further amended by—

(1) striking out all of subsection (b) of section 1 thereof and inserting in place thereof the following:

"(b) The Board shall have as members the following:

(1) The Secretary of Transportation, who shall be chairman of the Board.

(2) The Secretary of Commerce.

(3) The Secretary of Defense.

(4) The Postmaster General.

(5) The Secretary of Labor.

(6) The Secretary of Health, Education, and Welfare.

(7) The Chairman of the Interstate Commerce Commission.

(8) The Administrator of General Services." and

(2) striking out the word "Three" in subsection (d) of section 1 thereof and inserting in place thereof the word "Four".

SEC. 9. *Allowances and benefits.* Executive Order No. 11137 of January 7, 1964, is amended by—

(1) striking out the words "Secretary of the Treasury" and inserting in place thereof the words "Secretary of Transportation" and

(2) striking out all of section 101 and inserting in place thereof the following:

"SECTION 101. The term 'employee', as defined in 5 U.S.C. 5921 (3), is hereby further defined as including civilian employees, compensated from non-appropriated funds, of the instrumentalities of the United States under the jurisdiction of the armed forces covered by 5 U.S.C. 2105 (c)." and

(3) striking out the words "Section 203 of the Overseas Differentials and Allowances Act (5 U.S.C. 3035)" in section 102 and inserting in place thereof the words "5 U.S.C. 5922 (c)" and

(4) striking out the words "Section 1 of the Act of June 19, 1952, ch. 444 (5 U.S.C. 150k)" in section 201 and inserting in place thereof the words "5 U.S.C. 2105 (c)" and

(5) striking out the words "Section 111 (6) of the Overseas Differentials and Allowances Act (5 U.S.C. 3032 (6))" in section 202 (b) and inserting in place thereof the words "5 U.S.C. 5921 (6)".

SEC. 10. *Supersonic Transport*. Executive Order No. 11149 of April 1, 1964, is hereby amended by striking out the words "Administrator of the Federal Aviation Agency" and inserting in place thereof the words "Secretary of Transportation".

SEC. 11. *Wartime status*. Executive Order No. 11161 of July 7, 1964, is hereby amended by—

(1) striking out the words "Administrator of the Federal Aviation Agency" the first time they appear in section 1 and the word "Administrator" in section 2 and inserting in place thereof the words "Secretary of Transportation" and

(2) striking out the words "Administrator of the Federal Aviation Agency" the other times they appear and inserting in place thereof the words "Federal Aviation Administrator" and

(3) striking out the words "Federal Aviation Agency" in the text and heading and inserting in place thereof the words "Federal Aviation Administration" and

(4) striking out the word "Secretary" in section 2 and inserting in place thereof the words "Secretary of Defense".

SEC. 12. *Alaska Development Committees*. Executive Order No. 11182 of October 2, 1964, is amended by striking out the words "Administrator of the Federal Aviation Agency" and inserting the words "Secretary of Transportation".

SEC. 13. *Coast Guard*. The Executive Orders listed below are further amended by striking out the words "Secretary of the Treasury" and inserting in place thereof the words "Secretary of Transportation":

(1) Executive Order No. 10448 of April 22, 1953, as amended

(2) Executive Order No. 10631 of August 17, 1955

(3) Executive Order No. 10977 of December 4, 1961

- (4) Executive Order No. 11016 of April 25, 1962
- (5) Executive Order No. 11046 of August 24, 1962
- (6) Executive Order No. 11079 of January 25, 1963
- (7) Executive Order No. 11157 of June 22, 1964, as amended
- (8) Executive Order No. 11190 of December 29, 1964
- (9) Executive Order No. 11231 of July 8, 1965
- (10) Executive Order No. 11239 of July 31, 1965

SEC. 14. *Redelegation of authority.* Unless prohibited by law or otherwise specified in the applicable order, and in addition to any other applicable authority to delegate and redelegate, the Secretary of Transportation and the Federal Aviation Administrator may redelegate and authorize successive redelegations of any authority conferred in this order or the orders amended by this order.

SEC. 15. *Prior actions.* All orders, determinations, rules, regulations, permits, contracts, agreements, interpretations, rulings, directives, certificates, circulars, policies, licenses, privileges, awards, and other actions relating to any function affected by this order shall remain in effect according to their terms, except for the substitution of the appropriate official by or under the authority of this order, until modified, terminated, superseded, set aside, amended, or revoked by appropriate authority, and nothing in this order shall affect the validity or force of anything done under previous delegations or other assignments of the functions affected by this order.

SEC. 16. *Revocations.* The following are revoked:

- (1) Executive Order No. 10534 of June 9, 1954
- (2) Executive Order No. 10771 of June 20, 1958
- (3) Executive Order No. 10858 of January 13, 1960
- (4) Executive Order No. 10968 of October 10, 1961.



THE WHITE HOUSE,
November 28, 1967.

Executive Order 11383

INSPECTION OF INCOME, EXCESS-PROFITS, ESTATE, AND GIFT TAX RETURNS BY THE SENATE SELECT COMMITTEE ON STANDARDS AND CONDUCT

By virtue of the authority vested in me by section 55(a) of the Internal Revenue Code of 1939, as amended (53 Stat. 29, 54 Stat. 1008; 26 U.S.C. (1952 Ed.) 55(a)), and by section 6103(a) of the Internal Revenue Code of 1954, as amended (68A Stat. 753; 26 U.S.C. 6103(a)), it is hereby ordered that any income, excess-profits, estate, or gift tax return for the years 1948 to 1968, inclusive, shall, during the Ninetieth Congress, be open to inspection by the Senate Select Committee on