

UNITED STATES GOVERNMENT

*Memorandum*

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

DATE: **MAY 18 1967**

SUBJECT: Carrying Out the Provisions of the National  
Traffic and Motor Vehicle Safety Act of 1966

In reply  
refer to:

FROM : The Secretary of Transportation

TO : Mr. DeVier Pierson  
Associate Special Counsel to the President

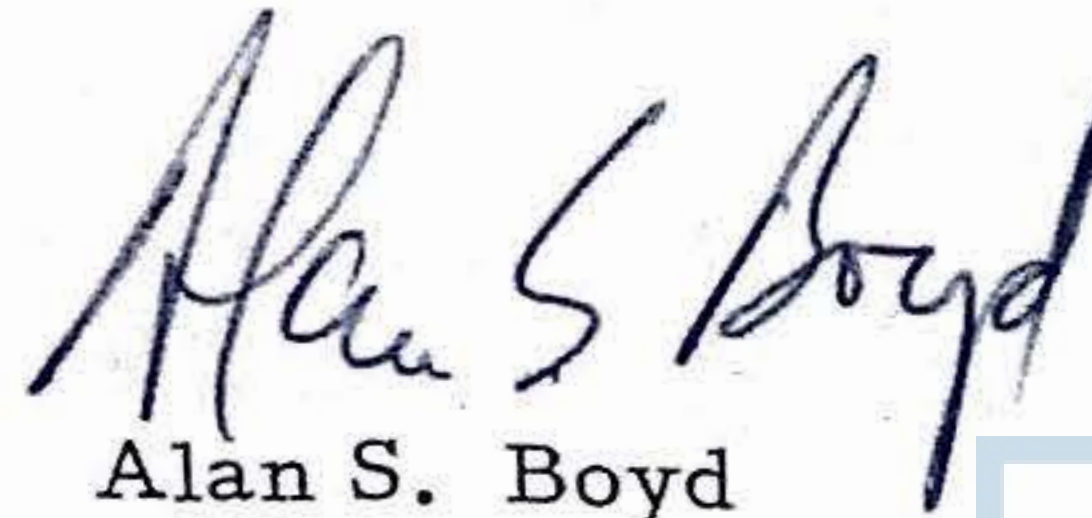
It is the Department's desire that the President exercise his authority to direct that the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 be carried out through the National Highway Safety Bureau and its Director.

This would mean that only one appointment for Dr. Haddon would be required (that for Director of the National Highway Safety Bureau).

Before formally transmitting an Executive Order for this purpose I wanted to put the proposition before the White House and would appreciate a response as soon as possible.

Since Jim Falcon of John Macy's office is involved in the appointment aspects of the decision, I am informing him by a copy of this memorandum.

There is also attached a draft of the proposed Executive Order if the President approves my recommendation.

  
Alan S. Boyd

Enclosure

Eno

Center for  
Transportation

WHITE HOUSE  
WASHINGTON

May 20, 1967  
10:30 a.

*Rec'd  
12-19*

FOR THE PRESIDENT

Attached is a memorandum from Secretary Boyd with a proposed Executive Order.

The Department of Transportation Act permits the automobile safety and highway safety functions to be conducted by two separate agencies -- or a single bureau. You have the option under the law.

Presently, Dr. Haddon is director of both agencies and operates them as a single shop. Boyd would like to combine them into a National Highway Safety Bureau as permitted under the law.

We are now getting some inquiry about Haddon's appointment. He has been on an acting status since the Act became effective on April 1. He had not been reappointed because Boyd had not made a recommendation as to the consolidation of these agencies. Boyd now hopes that we can expedite this matter and head off any speculation that Haddon might not be reappointed.

If you approve the consolidation, we will route an Executive Order through channels for your signature. I will also advise Macy's office so that he can proceed with the appointment recommendation on the basis of a single bureau.

I recommend approval.

*DeVier Pierson*  
DeVier Pierson

Approved, prepare Executive Order  
and tell Macy \_\_\_\_\_

See me \_\_\_\_\_



Barefoot,

Have Ramsey look this over  
and give me his opinion.

LBJ/MW/mjdr

May 29, 1967

3:15p

Safe

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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 25, 1967

MEMORANDUM FOR: DeVier Pierson

The President requested that I have the Attorney General review the proposed Executive Order on consolidation of Automobile Safety and Highway Safety in DOT.

The Attorney General has approved the draft order, with minor changes, which have been provided to Budget with the request that Budget approve and prepare a final draft as required by Executive Order 11030. I imagine this will be re-submitted through you shortly.

  
Barefoot Sanders

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EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

WASHINGTON 25, D.C.

May 25, 1967

Honorable Ramsey Clark  
Attorney General  
Washington, D. C. 20530

Dear Mr. Attorney General:

Herewith, in consonance with the provisions of Executive Order No. 11030, is a proposed Executive order entitled "Administration of the National Traffic and Motor Vehicle Safety Act through the National Highway Safety Bureau and its Director."

The order has been proposed informally by the Department of Transportation and received informally by this Bureau from the Office of Legal Counsel. Revisions as to form, suggested by that Office, are reflected in the order as attached.

The sole effect of the order will be to cause the National Traffic and Motor Vehicle Safety Act of 1966 (P.L. 89-563) to be carried out through the National Highway Safety Bureau and its Director. The latter agency is authorized by the Highway Safety Act of 1966 (P.L. 89-564), as amended. In the absence of such an order, Public Law 89-563 would be required to be carried out through another agency in the Department of Transportation--the National Traffic Safety Bureau (section 115, Public Law 89-563, as amended).

We are requesting that the Department of Transportation furnish direct to the White House Office a draft press release for possible use in connection with the issuance of the order.

The proposed order has the approval of the Director of the Bureau of the Budget.

I am sending a copy of this letter, together with a copy of the proposed order, to the Secretary of Transportation.

Sincerely yours,

(Signed) Arthur B. Focke

General Counsel

Enclosures

Eno  
Center for  
Transportation

MAY 26 1967

MEMORANDUM

Re: Proposed Executive Order entitled "Administration of the National Traffic and Motor Vehicle Safety Act Through the National Highway Safety Bureau and its Director."

The primary source of the President's authority to issue this proposed Executive order is section 201 of the Highway Safety Act of 1966, which provides that "The President is authorized to carry out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 through the Agency and Administrator authorized by this section." The agency referred to in this section was the National Highway Safety Agency.

The name of that agency was changed to the National Highway Safety Bureau and the name of its operating chief was changed from Administrator to Director by section 8(h) of the Department of Transportation Act. In accordance with these changes, section 3(f)(3) of the DOT Act states that "The President is authorized, as provided in section 201 of the Highway Safety Act of 1966, to carry out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 through the Bureau and Director authorized by section 201 of the Highway Safety Act of 1966."

In a letter to the President dated September 15, 1966, this Office approved as to form and legality a proposed Executive order containing a provision that would have exercised the authority vested in the President by section 201 of the Highway Safety Act of 1966.<sup>1/</sup> The memorandum accompanying that letter of approval considered at some

<sup>1/</sup> That proposed order also included various other provisions pertaining to the coordination, allocation, and reorganization of traffic and highway safety functions. Apparently, no part of that proposed order has been issued to date.

length the question of reconciling the President's authority to consolidate automobile and highway safety functions under section 201 with the apparent intention of Congress to allocate those functions, respectively, between two distinct agencies. However, the subsequent enactment of section 3(f)(3) of the DOT Act, which reaffirms that same authority of the President's, has made clear the intention of Congress to permit the President to revise the original allocation of functions in the manner now proposed.

The proposed order is acceptable as to form and legality.

Martin F. Richman  
Acting Assistant Attorney General  
Office of Legal Counsel

The logo for the Eno Center for Transportation, featuring the word "Eno" in a large, light blue, sans-serif font.The logo for the Eno Center for Transportation, featuring the text "Center for Transportation" in a white, sans-serif font on a light blue rectangular background.



Office of the Attorney General  
Washington, D. C.

MAY 26 1967

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Administration of the National Traffic and Motor Vehicle Safety Act Through the National Highway Safety Bureau and its Director."

This proposed order was presented by the Secretary of Transportation. It was revised in form and then transmitted for the consideration of this Department as to form and legality by the Bureau of the Budget. In its present form, it has the approval of the Director of that agency.

This proposed order replaces substantially identical section 1 of the proposed order entitled, "National Traffic and Highway Safety," which was transmitted to you, along with the requisite approval as to form and legality, on September 15, 1966.

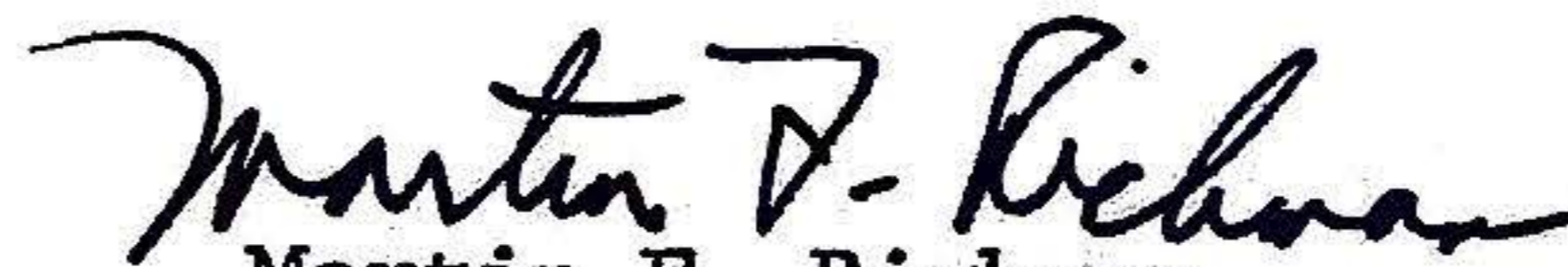
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The proposed Executive order transmitted herewith  
is approved as to form and legality.

Respectfully,



Martin F. Richman  
Acting Assistant Attorney General  
Office of Legal Counsel



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# GENERAL SERVICES ADMINISTRATION



*National Archives and Records Service*  
Washington, D.C. 20408

May 26, 1967

IN REPLY REFER TO:

Mr. William J. Hopkins  
The White House  
Washington, D. C.

Dear Mr. Hopkins:

Transmitted herewith is a proposed Executive order entitled  
"Administration of the National Traffic and Motor Vehicle  
Safety Act Through the National Highway Safety Bureau and its  
Director."

The proposed Executive order has been reviewed in this Office  
and approved by the Director for conformity with the provisions  
of Executive Order 11030.

Sincerely yours,

A handwritten signature in cursive script that reads "Warren R. Reid".

Warren R. Reid, Director  
Presidential and Legislative Division  
Office of the Federal Register

Eno

Center for  
Transportation

June 1, 1967

6:00 p. m.

MEMORANDUM FOR THE PRESIDENT

The attached Executive Order consolidates the motor vehicle and highway safety functions into a single National Highway Safety Bureau under the Federal Highway Administration, Department of Transportation.

In the absence of this order, the motor vehicle safety function and the highway safety function would be carried out by separate agencies. This anomaly arose because the 1966 Safety Acts were divided in two parts. This was to permit separate consideration by the Commerce and Public Works Committees on the parts within their jurisdiction. The Department of Transportation Act gave you authority to combine the two agencies into a single bureau.

Secretary Boyd initiated the request for this order. It has been approved by Justice and Bureau of the Budget.

Also attached is a memorandum to you from John Macy appointing Dr. William Haddon as Director of the National Highway Safety Bureau. Since this is a new Bureau, a new appointment is necessary. It will not involve any change of job function--Dr. Haddon has been heading both agencies to be consolidated in the new Bureau.

Assuming you desire to nominate Haddon, we have made arrangements to have speedy confirmation proceedings by joint action of the Senate Commerce and Public Works Committees. We do not want this to become a forum for a lengthy discussion of the controversial automobile safety standards. For this reason, we are emphasizing that the new appointment is only a formality required by a legal technicality.

Transportation prepared a press release on Dr. Haddon's appointment. I believe it is undesirable to feature the appointment--but that the consolidation to a single Bureau deserves a brief release. A revised release is attached.

I concur that you have authority to issue the Executive Order and that the new appointment of Dr. Haddon is necessary under the law. I recommend signature of both documents.



W. DeVier Pierson

Center for  
Transportation

RECEIVED  
JUN 5 1967

E.O. To Anderson, Pm 402: 6/6/67 (1:20pm)

Nominations to Senate 6/1/67

filed  
EX  
FG175  
6-1

MR. WATSON:

June 6, 1967

EXECUTIVE ①+  
FG 175-5-1  
FEB  
FG 155-22  
FG 155-23  
FG 175

Dear Mr. Secretary:

The President today signed an Executive  
# 11357  
Order entitled "Administration of the National  
Traffic and Motor Vehicle Safety Act Through  
the National Highway Safety Bureau and its  
Director." A copy of a White House Press  
Release in connection therewith is enclosed.

Sincerely,

William J. Hopkins  
Executive Assistant  
to the President

The Honorable  
The Secretary of Transportation  
Washington, D. C.

Enclosure

rrg  
4



IMMEDIATE RELEASE

JUNE 6, 1967

Office of the White House Press Secretary

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THE WHITE HOUSE

#11357

President Johnson today signed an Executive Order consolidating federal motor vehicle and highway safety functions into the National Highway Safety Bureau. The Bureau will be a part of the Federal Highway Administration, Department of Transportation.

The safety act passed by Congress in 1966 placed responsibility for motor vehicle safety in one agency and responsibility for highway safety in another. However, the Department of Transportation Act authorized the President to consolidate the functions of both agencies in a single bureau. The Executive Order causes this consolidation.

The President also nominated Dr. William Haddon, Jr. as Director of the Bureau. Dr. Haddon has headed both safety agencies since their establishment in 1966 in the Department of Commerce and since their transfer to the Department of Transportation. Consequently, his appointment involves no change of job function -- and is necessary only to comply with the technical requirements of the Act.

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Center for  
Transportation

filed  
EX  
FG175-5-1A  
6/6/67

EXECUTIVE ORDER

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ADMINISTRATION OF THE NATIONAL TRAFFIC AND MOTOR  
VEHICLE SAFETY ACT THROUGH THE NATIONAL HIGHWAY  
SAFETY BUREAU AND ITS DIRECTOR

By virtue of the authority vested in me as  
President of the United States by Section 201 of the  
Highway Safety Act of 1966, as amended (80 Stat. 735,  
943), and by Section 3(f)(3) of the Department of  
Transportation Act (80 Stat. 932), it is hereby or-  
dered that the provisions of the National Traffic  
and Motor Vehicle Safety Act of 1966, as amended  
(80 Stat. 718, 943), shall be carried out through  
the National Highway Safety Bureau and the Director  
thereof.

THE WHITE HOUSE

JUN 6 - 1967



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