

sensibilities of other countries. It must be a multilateral program—if I may use that term—and not solely an American program where they get the idea that we are trying to impose on them our school ideas about education.

Mr. MORSE. Mr. President, I shall now make the comment that I was going to make after the passage of the bill when comments are made by Senators who are not members of the Committee on Labor and Public Welfare. In view of the statement which has been made by the Senator from Arkansas [Mr. FULBRIGHT] this is the most appropriate place to make that statement.

Mr. President, when the President first talked to me about this bill, at the time when he was talking to me about other parts of his legislative program, he told me he was going to send up a subsequent bill; and that he would have a subsequent conversation with me about it after the Department of Health, Education, and Welfare, and the Department of State prepared the bill.

I made a report of this, and Senators on the committee know about it, in our executive session.

The President said that he wanted me to work very closely with the chairman of the Committee on Foreign Relations and the Committee on Foreign Relations in regard to the bill because there was also a great foreign policy interest in the bill. I have done that. I have kept the chairman, and particularly Dr. Marcy, the head of the professional staff of the Committee on Foreign Relations, apprised of the progress of the bill throughout the hearings, and executive sessions. The chairman of the Committee on Foreign Relations and Dr. Marcy have from time to time made suggestions that carried great weight with us in connection with our consideration of the bill. I have reported them to the committee as we came to the markup session.

Mr. President, I would like to have included in the body of my discussion of the bill my very deepest appreciation to the Senator from Arkansas [Mr. FULBRIGHT] for the great help that he and his professional staff have given to me in connection with the bill.

While I am saying that—because I see him sitting directly in front of me, and knowing that probably going through his head is the hope that I will finish the bill quickly—I want to express my thanks and appreciation to the distinguished majority leader for his great help to me in handling this bill even prior to scheduling for today.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. There was going through my mind the magnificent performance of the distinguished senior Senator from Oregon [Mr. MORSE] this year. The Senator has climbed the educational ladder with the elementary-secondary education bill, the higher education bill, and now the international educational bill. It is a magnificent, outstanding, and significant performance, and I give to the Senator all the credit in the world.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Mr. President, I would like to suggest, in deference to the Senator from Arkansas [Mr. FULBRIGHT], that intelligent men can make any rules work.

The Senator from Arkansas [Mr. FULBRIGHT], instead of being niggardly about any question of jurisdiction, took a position that brought about the desired result. The Senator is fully a party to it. It is a great tribute to both of the Senators that the bill is before us and about to be passed.

Mr. MORSE. Mr. President, I wish to say that the Senator from Arkansas [Mr. FULBRIGHT] is a great teammate, and he is a great general. I am glad to be a private in his ranks.

Mr. FULBRIGHT. Mr. President, I cannot let that statement pass the Senate, but I am delighted to be a part of this entire area because it is the area that is meaningful. I regret that it is not larger than it is, but there would have been no bill had it not been for the Senator from Oregon [Mr. MORSE].

Mr. THURMOND. Mr. President, I want the RECORD to show that I do not favor the passage of the pending proposal.

At the present time, we are approaching a financial crisis, and our country is engaged in fighting a war in South Vietnam. Our full resources and efforts should be devoted to winning this war. Consideration should be given now to only defense and other essential programs.

In view of this, I do not believe it is wise to authorize the expenditure of \$130 million for this new program for the fiscal years 1968 and 1969.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute as amended was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment, and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on final passage of the bill.

The bill (H.R. 14643) was passed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I ask unanimous consent that the bill be printed as passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, this is the third key education measure directed to successful Senate passage by the distinguished senior Senator from

Oregon [Mr. MORSE] this session. This fact alone speaks highly for Senator MORSE's keen appreciation of the educational needs and problems of the Nation. It also demonstrates clearly his continuing devotion to the task of seeking ways to meet the needs—of offering methods to solve the problems.

So his quick response to the President's proposal for developing a comprehensive international education program—which, I add, is now encompassed in the measure just passed—serves only to emphasize once again Senator MORSE's unsurpassed dedication to public service, his ready advance of sound legislation to meet a vital need and his phenomenal ability to get the job done—and done well.

But like most outstanding achievements, the Senate's overwhelming endorsement of the international education program required the strong support of many Members of this body. This it received with typical cooperation. Particularly strong and most articulate on this measure was the outstanding support of the senior Senator from New York [Mr. JAVITS]. Senator JAVITS, like Senator MORSE, has consistently demonstrated a deep and abiding interest in maintaining the superiority of the educational opportunities for the youth of the Nation. We are, as always, most grateful for his fine work on the Education Subcommittee.

Also to be commended for their splendid cooperative efforts on this measure are the junior Senator from Minnesota [Mr. MONDALE] and the junior Senator from Connecticut [Mr. RABICOFF]. But the Senate's efficient disposition of this proposal, in the final analysis, may be attributed to the cooperative action of every Member of this body. Once again, we all may be proud of another outstanding achievement.

DEPARTMENT OF TRANSPORTATION—CONFERENCE REPORT

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15963) to establish a Department of Transportation, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JACKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, the conferees were able to keep the Senate version intact on the main points of disagreement with one exception—the transfer of maritime functions.

The House agreed to accept the basic organization and structural provisions of the bill in the Senate version, including the distribution and assignment of functions, powers, and duties. This included acceptance of railroad, highway, and aviation administrators with statutorily assigned duties. Decision of these administrators will in certain matters be administratively final, subject only to appeal to the courts or the National Transportation Safety Board, as appropriate.

The House agreed to accept the Senate amendments strengthening the National Transportation Safety Board. This included acceptance of the Senate provisions assigning the Civil Aeronautics Board's aircraft accident investigation functions to the Safety Board, and authorizing the Safety Board to conduct its own investigations into rail, highway, and pipeline accidents.

The retention of these Senate amendments relating to the organizational structure of the Department, and the strengthened role of the National Transportation Safety Board, insure that safety matters will be placed in the hands of trained experts, leaving the Secretary free to devote his efforts to the numerous other duties and responsibilities vested in him.

The Senate was also able to persuade the House to agree to the retention of section 7, relating to investment standards and criteria, including language regarding water resource projects. As Members know, the House had deleted this entire section from its version of the bill.

In this connection, the Corps of Engineers expressed some concern to the committee with regard to language in the Senate report amplifying the definition of primary direct benefits and the use of prevailing rates. The corps felt that the language in the bill itself was perfectly acceptable but that the report language was too restrictive. By way of clarification, I would like to say on behalf of the Committee on Government Operations that it was our intent that—and I state this for the legislative history:

Where available in the area of the proposed waterway, prevailing published rates being applied for movement of the type and approximate volume of each commodity considered as potential traffic for the proposed waterway are to be used in the economic analysis.

Where prevailing rates are not available or are not being applied in the area of the proposed waterway for movement of the type and approximate volume of the potential traffic, constructed rates will be used in the economic analysis. Where such constructed rates are necessary, they are to be developed using rate structures on the alternative modes of transportation that have not been depressed due to their direct competition with an existing waterway.

Thus, Mr. President, it is the committee's intent that the resulting calculation of navigation benefits will be essentially those historically employed by the Corps of Engineers prior to the development of new procedures adopted in October 1960, which culminated in the directive of November 1964, and which was recently rescinded, as reported in letters from the Director of the Bureau of the Budget to the Chairman of the Public Works Committees dated August 24, 1966.

The House accepted the Senate language declaring it to be the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. The Secretary is directed not to approve any program or project requiring the use of such lands unless there is no feasible and prudent alternative to its use, and such program includes all possible planning to minimize harm to such areas.

The House likewise accepted Senate language which transferred the St. Lawrence Seaway Development Corporation and the Alaska Railroad to the new Department.

The House agreed to the Senate provisions on compensation of the various officers in the new Department.

The one exception, which the House insisted upon, and would not yield, was deletion of the transfer of maritime matters. Though the remaining days of this Congress may be few, the Senate would not yield on this point for two conference sessions. As Members well know, the Senate Committee on Government Operations realigned maritime functions in our bill to establish an independent maritime board within the Department; and to give to the Maritime Administrator additional latitude in the administration of duties assigned to that office. Still further amendments to strengthen this position were accepted on the floor of the Senate during recent debate. But it was all of no avail in the conference. Nothing short of complete elimination of the transfer of maritime functions was acceptable to the House.

The mandate of the House on maritime matters was clearly and overwhelmingly cast when it adopted—by a vote of 260 to 117—an amendment specifically to delete the transfer of maritime activities from Commerce to the Secretary of Transportation, and to delete the Maritime Administration, which had been provided for within the Department.

The Senate finally and most reluctantly agreed to the House position at the end of the second conference session. The Senate would not have yielded were it not for two considerations.

First. In view of the House mandate if the maritime remained in the bill, the conference report would be rejected in the House and there would be no Department of Transportation during this Congress. Our task became "the art of the possible." Your conferees acting in accord with our mandate from the Senate, in the form of a 64 to 2 vote for

a new Department, reluctantly acquiesced to deleting the provisions transferring maritime functions to the new Department, and establishing in the new Department a Maritime Administration and a Maritime Board.

Second. Though the maritime functions most regrettably are not transferred to the new Department, it will not thwart the purpose of this legislation, nor greatly diminish the mission of the new Department. In his message to the Congress, President Johnson said that no function of the new Department, no responsibility of its Secretary, will be more important than safety. Maritime safety matters will be within the new Department through the transfer of the Coast Guard. The next most important responsibility of the Secretary is to provide leadership in hammering out a coordinated transportation policy. Though maritime functions are not transferred to the new Department, the Secretary of Transportation is granted substantive authority to exercise leadership under the direction of the President in transportation matters, including those affecting the national defense and those involving national or regional emergencies; provide leadership in the development of national transportation policies and programs, and make recommendations to the President and the Congress for their consideration and implementation; promote and undertake development, collection, and dissemination of technological, statistical, economic, and other information relevant to domestic and international transportation; and promote and undertake research and development relating to transportation.

In summary, the Secretary is granted authority to develop and to recommend to the Congress a coordinated transportation policy for all modes of transportation.

There were, in addition, other points of disagreement, and in the give and take of a conference there was accommodation by way of modifying, clarifying, and in some instances, meshing language of the two bills.

In summary, Mr. President, the will of the Senate prevailed in the main, save as to the transfer of maritime functions. It is an important exception, and it is regrettable that it is not included. This omission will not, however, defeat the purpose of the bill, and a new Department of Transportation can take its rightful place in the Cabinet of the Federal Government.

Mr. President, I move that the Senate agree to the conference report.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, during the course of the Government Operations Committee consideration of this bill to create a Department of Transportation, an unavoidable situation developed whereby, as chairman of the committee, I was unable to give the bill the attention that it required to be expeditiously processed. So I called upon my friend, the distinguished Senator from Washington [Mr. JACKSON],

who is the ranking majority member of the committee, for assistance in handling this measure.

As always, he very graciously responded and moved forward with dispatch to achieve another in a long list of his many major accomplishments. Without his assistance and diligent work on this bill, it is very doubtful that it could have been successfully processed to enactment at this session of Congress.

I wish to thank him for the very valuable assistance he gave me.

Senator Jackson's contributions toward the ultimate enactment of this bill are manifold. I especially want to pay tribute to him and to our fellow conferees in being able to retain my amendment to section 7 of this bill relating to water resource projects. It is high time that Congress recapture the initiative in developing the natural waterways of this Nation, and it will be able to do so through the language incorporated in section 7 of this bill.

The junior Senator from Washington has performed magnificently, and I commend him for the continuing assistance he has rendered to the Committee on Government Operations, and for the great service he has performed on behalf of the Senate.

Again, I want to thank him and my colleagues on the committee who served as conferees for their support in those features of the bill which I deem so essential and indispensable to proper legislation in this field.

Mr. JACKSON. I wish to express my appreciation to the distinguished senior Senator from Arkansas for his generous comments on my work on this matter. I do want to point out that the distinguished chairman of the committee conducted lengthy hearings. He devoted much time to this measure. It was only in the latter days, because of other commitments and responsibilities, that it was necessary for him to forgo, from time to time, a part of the work; but he carried the major load of the work in making the establishment of this department possible.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to my distinguished senior colleague. Let me first say that my colleague [Mr. MAGNUSON] introduced the administration bill, on which the committee held lengthy hearings. We on the committee are indebted to him for his advice and counsel.

I also want to express our appreciation once again to his staff on the majority side, the General Counsel, Mr. Gerald Grinstein, and Mr. Stanton Sender, for their help throughout the hearings and in connection with the conference report, as well as the staff of our committee, headed by Mr. James Calloway, and Mr. Eli Nobleman, who worked hard and long on this measure.

I also want to express appreciation to the conferees, who worked long and hard and had many discussions in an effort to get a conference report that would be acceptable to the House and Senate.

I now yield to my colleague.

Mr. MAGNUSON. Mr. President, I join with the distinguished chairman of the Government Operations Committee in adding my appreciation and deep praise for the work of my colleague on this very complex and important matter.

The Members of Congress who work in any phase of the field of transportation have become familiar not only with the complexities of the Nation's transportation system, but also with its controversies.

I assure my colleagues in the Senate that those controversies are not easily resolved. Some of them are long standing. Some of them are bitter. But with it all, we have one of the finest transportation systems in the world, and the only one that is under private enterprise. With few exceptions it is owned and operated by private enterprise. It is this fierce competition that causes some of the controversies. When my colleague assumed this task, I knew it would be fraught with difficulties. He did his task well. I urge my colleagues to adopt the conference report.

I wish to compliment the staffs of both the Commerce Committee and the Government Operations Committee for the work they did on the bill.

My colleague from Washington [Mr. JACKSON] offered two amendments to the bill which I think considerably improve the provisions of the bill.

The first amendment declares it to be national policy that the natural beauty of our countryside and public parks should be preserved, and directs the Secretary not to approve any transportation plan or program which does not include all possible planning to minimize harm to such areas. This is a good amendment, and I wish to associate myself with this provision to insure the preservation of the natural beauty of our Nation in the construction of highways, railways, and other methods of movement of people and goods.

The second amendment which I think vastly improves the bill requires the cooperation and coordination on Federal transportation programs for urban areas by the new Secretary and the Secretary of HUD. This amendment will insure that we need not await the conclusion of the year's study on the location of urban transportation programs before we begin coordination of Federal programs in urban areas.

Lastly, I mention the provisions of section 7, which in itself was controversial when the bill was introduced. The ability of my colleague and the other conferees to work out section 7 and make the changes that were needed constitutes an improvement over the bill as it was introduced. The section now reads:

The Secretary is directed to develop, and from time to time in the light of experience to revise, standards and criteria for submission to the Congress for approval. This will insure that needed studies and economic analyses are made before such standards and criteria are placed into effect.

There are many other parts of the bill that I could discuss. There is one I wish to mention, because it provoked a great deal of controversy, which could probably have been foreseen when the bill

was introduced. But the junior Senator from Washington, his committee, and the staff, I think, did the right thing in this matter. The matter to which I refer is the administration of our maritime statutes. I have spoken on the floor of the Senate many times about our domestic fleet and how it has dwindled from a proud fleet of over 400 vessels immediately before World War II to less than 80 vessels. I do not intend to restate again the deplorable condition of our bulk carrier fleet which today carries only 5 percent of the movement of dry and liquid bulk cargo in the U.S. foreign trade.

It cannot work to the advantage of our Nation's merchant marine to have the location of the administration of maritime matters left in limbo. There are a number of obvious advantages in having the Secretary of Transportation be the primary Government spokesman for the American merchant marine. The Senate amendments sought to provide an independent Maritime Subsidy Board and a strong Maritime Administrator within the Department. Others, I know, feel strongly that the maritime program will not be vigorously carried out so long as it is located within a larger department which has other missions and programs. The maritime agency has been shuffled about the Government for 50 years without having found a permanent and effective home.

I have discussed this with other Senators. I see on the floor the distinguished Senator from Alaska [Mr. BARTLETT], who will be chairman of the Subcommittee on Merchant Marine and Fisheries of the Committee on Commerce next year. Next January we intend to hold committee hearings to see if we cannot reach a permanent solution to this perennial problem. The committee will consider whether the Maritime Administration should remain in Commerce, should be transferred to the new Department, or should be established in an independent agency.

The conference report—which was about all that could be worked out in this very highly controversial area—does not transfer maritime functions now in the Commerce Department. The new Secretary will, however, be assigned certain duties in the maritime field. The Coast Guard with its duties over maritime safety will be transferred to the new Department. The Secretary's responsibilities include providing leadership in the development of a coordinated transportation system, and the promotion of research and development in all modes of transportation. The new Secretary can exercise these statutory responsibilities even though maritime functions now remain in the Department of Commerce.

I do hope this will be understood by those who had a deep interest and participated in what I call an abiding controversy on this whole matter. I do not know what my colleague could have done other than what he did, in order to get a Department of Transportation established.

This is a great step forward. It is a historic step for the transportation industry in the United States. I think it

will be one of the best things that ever happened to solve some of these controversies, and to go forward, so that we can have, not only a modern merchant marine, but also modern railroads, trucks, bus lines, aviation, and all the other modes which make up the world's greatest transportation system. We will need, of course, a transportation system for the future as this country grows.

With its acceptance in the Cabinet of the President, transportation will no longer be forced to speak from many tongues scattered throughout the executive branch; there should now be one unified voice.

The bill agreed upon by the conferees is not a perfect bill, but it will provide the framework for the establishment of a Department of Transportation. I urge its adoption as a beginning toward the ultimate, perhaps unrealizable goal, of bringing together all transportation activities in the executive branch within the confines of one Department.

In recommending the establishment of a Department of Transportation, President Johnson said that no function of the new Department—no responsibility of its Secretary—will be more important than safety. The new Department as set forth in the conference report will contain safety jurisdiction over all modes—highway, rail, air, and maritime. A new National Transportation Safety Board will be established within the Department to provide the focus for across-the-board review of safety matters, to conduct safety studies for the benefit of our Nation's transportation employees and travelers.

The operational continuity of safety activities transferred to the new Department will be preserved by the conference report. The Coast Guard will be transferred to the new Department as a legal entity, and will continue to operate under the Commandant of the Coast Guard, who will report directly to the Secretary. The Commerce Committee will continue its jurisdiction over annual authorization bills for the Coast Guard to insure thorough review and consideration of Coast Guard matters.

Motor carrier, rail, and pipeline safety now in the Interstate Commerce Commission will be transferred to the new Department, and the Federal Highway and Railroad Administrators will carry out the Secretary's duties in this area. An unnecessary layer of bureaucracy will be eliminated in the new Department by the provisions in the bill allowing direct appeals to the courts from decisions of these Administrators which involve notice and hearings required by law. Furthermore, language in section 4(e) requiring the Secretary to present to the ICC information on the safety fitness of applicants for ICC operating authority will insure that the Commission can carry out its congressionally assigned duties in certificate, transfer, and complaint cases. The substitute version will insure that the operational continuity of railroad, highway, and pipeline safety matters will be preserved in the new Department.

In supporting the transfer of the Federal Aviation Agency to the new Depart-

ment, I strongly recommended that there should be no basic alteration in that Agency's present safety organization structure. I also urged that the accident investigation functions now in the CAB should be retained in an independent agency separate and apart from the air safety duties now in the FAA which are to be transferred to the new Department. The Senate amendments, which were agreed to by the House conferees, preserve the organizational safety structure of the Federal Aviation Agency activities by transferring these duties within the Department to the Federal Aviation Administrator, and providing that his decisions in the exercise of these safety functions will be administratively final. The independence and separation of air accident investigation functions is preserved by transferring CAB duties to the National Transportation Safety Board, an independent board within the Department. This organizational structure should preserve the effectiveness of our present air safety activities while at the same time placing aviation matters within the new Department.

The National Transportation Safety Board, in the Senate version which was accepted by the House conferees, will be truly independent of the Secretary, but within the Department. This five-man, bipartisan board, consisting of a Chairman and four other members appointed by the President, with confirmation by the Senate, for 5-year terms will be the driving force for the improvement of safety within the Department.

Over half of the 105,000 Americans who died in accidents last year were killed as a result of transportation accidents. Nearly 50,000 deaths involved motor vehicle accidents alone. Next to the Secretary, the Chairman of the National Transportation Safety Board will have, in the long run, perhaps the most important duties in the new Department. The Safety Board will determine the probable cause of all transportation accidents, will investigate air accidents, and can investigate rail, highway, and pipeline accidents. Furthermore, the Board will have the important duty of conducting special safety studies and making recommendations to the Secretary and the Congress on means to reduce the terrible toll of transportation accidents. The Chairman of the Safety Board can provide the leadership, the drive, and the wisdom to save thousands of lives of his fellow Americans each year.

The Secretary will also have important safety duties, none perhaps more important than those which are transferred to the new Department under the provisions of the Highway Safety Act of 1966, and the National Traffic and Motor Vehicle Safety Act of 1966. The successful implementation of these new laws recently enacted by the Congress, will make our Nation's highways more safe for all Americans.

Second only to safety, the most important duty of the Secretary of Transportation will be the development of policy recommendations for a coordinated transportation system to be submitted to

the President and the Congress for their consideration and implementation.

This year marks the 30th anniversary of the passage of the national transportation policy by the Congress. This policy has served the Nation well as a broad charter to promote the development of all modes of transportation under private enterprise. We have the world's outstanding transportation system, and the only one almost wholly operated by private enterprise. Our present system is not perfect, certainly, and it can and must be improved. In the next 20 years, if the growth of our transport industries merely keeps pace with our current national economic growth, the demand for transportation services will more than double.

The Secretary will provide a unified voice at the highest levels of Government for consideration of the needs of transportation. He will have the responsibility of providing leadership under the direction of the President in transportation matters. The Secretary is assigned the vital responsibility in this new Department of providing leadership in the development of national transportation policies and programs, and making recommendations to the President and the Congress for their consideration and implementation.

I am particularly pleased that the Secretary has been directed to consult with the States and local governments, and with the heads of other Federal departments and agencies, in order to encourage the establishment and maintenance of a coordinated transportation system. The Secretary is also granted broad authority to conduct and promote research and development in all modes of transportation, including the problem of aircraft noise abatement.

In my testimony before the Government Operations Committee last March, I suggested that the committee consider assigning to specified officers and offices in the Department the important duties of acting as a spokesman for the public interest in merger proceedings, and giving the traveling public a voice in the councils of Government. The Committee report indicated that while such assignments were not written into the enabling legislation, the members of the committee unanimously urged the Secretary of Transportation to make promotion of passenger service and representation of the public in passenger merger proceedings a prime concern, and to that end to assign to an Assistant Secretary or other appropriate official in the new Department these important duties. I strongly urge the new Secretary to heed this directive.

I am in wholehearted agreement with the position of the President that there be no alteration of the economic regulatory functions of the Interstate Commerce Commission, the Civil Aeronautics Board, or the Federal Maritime Commission. The conference report preserves the economic regulatory functions of these Commissions. The Congress will continue to look to these independent agencies to carry out the legislative policies of the Congress in the regulatory field. The Commerce Committee will

also continue to look to the regulatory agencies to recommend and comment upon legislation which affect their duties. This bill makes no change in the present practice of the ICC in making recommendations on legislation directly to the Congress. As Chairman of the Commerce Committee, I will continue to look to the ICC to make its independent views known on surface transportation legislation, and the CAB and FMC to make their views known on legislation affecting their aviation and maritime duties.

The Commerce Committee members are keenly interested in the success of legislation. As chairman of the Commerce Committee, I offer the new Secretary of Transportation a helping hand in carrying out the tremendous responsibilities vested in him. The Commerce Committee members, I know, will welcome his recommendations, and stand ready to be of assistance to him in the problems he will face. The Commerce Committee will continue to exercise its jurisdiction in transportation matters, and to aid the new Secretary in developing a coordinated transportation policy for the Nation.

I again congratulate my colleague and the committee, and I urge the adoption of the conference report.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. JACKSON. Mr. President, I am happy to yield to the Senator from Alaska.

Mr. BARTLETT. Before speaking with respect to the conference report, I wish to say I was encouraged by what the chairman of the conference committee has said. I think it would be most useful if the committee, next winter, were to inquire deeply and realistically into matters pertaining to the maritime industry, in an endeavor to formulate a national policy. We have been waiting for years for the administration to make such a recommendation. It has not. Perhaps the committee will have to do it on its own motion. I would rather it were otherwise, but we shall be prepared.

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Senator from Washington [Mr. JACKSON] and the distinguished chairman of the full committee, the Senator from Arkansas, and express my approval of what they have done, but my deep disappointment that the Senate bill was not accepted, including the Maritime Administration provision. I am sorry it was not accepted. I think it should have been.

I shall vote for the conference report, because it was the best the Senate conferees could do, after a long, hard, and arduous conference with the House conferees. I have been asked by the distinguished Senator from Ohio [Mr. LAUSCHE] to announce that he would be against the conference report.

Mr. JACKSON. Mr. President, I share the majority leader's deep disappointment. We, of course, did what was possible, and the conference report is the result. We had no other choice in the matter.

Mr. MANSFIELD. I understand that, and I commend the distinguished Senator and the committee.

Mr. MAGNUSON. This is a great step forward for transportation, and for the safety of our Nation's travelers.

Mr. MANSFIELD. I agree.

Mr. JACKSON. Mr. President, the able Senator from Connecticut was of invaluable help to us in the conference, and I wish to express my deep appreciation to him for his advice and counsel. I yield now to the Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I wish to express both admiration and praise for the leadership shown throughout the consideration of this measure by the distinguished junior Senator from Washington [Mr. JACKSON] and the chairman of the committee, the Senator from Arkansas [Mr. McCLELLAN]. Both of them worked very hard on a most knotty and complicated proposal.

We have long been in need of a unified transportation policy for this Nation. The pending bill goes a long way toward achieving it. I sat as one of the conferees on this committee. I express my admiration for the patience and the skill in which the Senator from Washington [Mr. JACKSON] conducted the affairs of the Senate during the conference.

I think it is safe to say that practically every point of a major nature that the Senate contended for was agreed to with one exception.

I join both of the distinguished Senators from Washington in expressing disappointment that the provision to include the Maritime Administration was not included in the bill.

I can testify to the fact that on this point the Senator from Washington was most persuasive. Yet, he and the House conferees were up against the very practical and hard fact that there had been a rollcall vote on this proposal in the other body and the vote was 261 to 117. This seemed from a practical standpoint to be an almost insurmountable hurdle to having the House yield.

I predict that the maritime interests in this country, both those representing the shipowners and those representing the unions, will be coming to the Congress in a very short period of time importuning Congress to include them in the Department of Transportation.

I believe that the maritime interests in fighting against this proposal have done their own industry and their employees a distinct disservice, because it puts the maritime transportation industry off by itself.

If we are really to have a uniform transportation policy for the interest of the entire Nation and of the maritime industry, that industry should be included.

My praise for the Senator from Washington can only be of the highest nature for the skill with which he conducted the conference in behalf of the Senate.

Mr. JACKSON. Mr. President, I thank the distinguished Senator for his kind remarks.

I yield to the distinguished junior Senator from Oklahoma who has taken such

a keen interest in the water resources area and in matters relating to the Federal aviation industry.

Mr. HARRIS. Mr. President, I join in the commendations of the chairman of our full committee, the distinguished Senator from Arkansas [Mr. McCLELLAN] for his very diligent work and effort in connection with the pending bill and particularly with regard to his amendment, which I cosponsored, having to do with water resources development.

I especially commend the distinguished Senator from Washington [Mr. JACKSON] who shepherded the bill through the committee, and who led those of us who were in the conference committee in the consideration in conference of the pending bill.

I know that the bill is a much better bill than it would have been had it not been for him. The bill in many respects is not exactly as all of us would like it, but I believe that it is a good first step. I believe that other changes can be made within this framework in the years to come by executive reorganization plans and by statute which will make the Department of Transportation better able to help develop a unified national transportation policy.

The pending bill is a good bill. I commend all those who worked on it, and particularly the staff members who have been identified earlier by the Senator from Washington.

I am pleased to support the conference report.

Mr. JACKSON. Mr. President, I thank the distinguished junior Senator from Oklahoma.

The distinguished senior Senator from South Dakota [Mr. MUNDT], who is the ranking minority member on the committee, is not able to be on the floor at the moment due to official business, but he made it possible for us to report unanimously on the pending conference report.

I express to him our deep appreciation for his contributions and assistance in making this new Department possible.

Mr. President, I yield to the distinguished senior Senator from Florida.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator.

I, too, join in complimenting him and the other members of his committee for the fine job they have done.

The distinguished Senator will recall that during the Senate floor debate on this measure I addressed a question to him.

I should like to repeat that question to make sure that the situation explained by him at that time still exists.

As I understood the answer to my question at that time, it was that all those regulatory bodies, which exercise partly legislative duties and partly judicial duties, will still remain independent agencies and will not be assembled within the roof of this Department.

Mr. JACKSON. The Senator is correct. He is referring to the Interstate Commerce Commission, the Federal Communications Commission, and the other regulatory commissions.

Mr. HOLLAND. I am referring to the Interstate Commerce Commission, the Federal Communications Commission, the Civil Aeronautics Board, the Federal Power Commission, and other agencies which in the first instance were created to exercise largely legislative powers because the heavy and much-increased burdens on Congress that have developed in recent years would have made it impossible for Congress to do the things it had done heretofore and because of scientific advances and other factors.

Second, to those same agencies were entrusted judicial or quasi-judicial or semijudicial duties, so that frequently they are very properly accused of wearing two hats, and neither of those two hats has to do with their exercising strictly executive or administration duties.

My understanding at that time was that the pending bill would bring into the new Department executive and administrative duties only, but would leave these regulatory agencies with power to do these legislative and judicial or semijudicial acts as independent regulatory agencies. Is that still the situation?

Mr. JACKSON. The independent agencies remain in exactly the same situation, with some minor changes. Referring, for example, to the CAB, the accident investigation function is transferred to the National Transportation Safety Board.

I will answer as definitively, I think, as one can respond to the question of the Senator.

There are no changes in connection with any of the answers I gave to the Senator at the time the bill was brought up on the floor. The conference report now pending made no changes in this respect.

I thank the Chair.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator. I assumed that that would be the case.

That means that we will have, with the passage and approval of the pending bill, a new executive Department in every sense of the word on a Cabinet level.

I think that is what we have needed. I think it should be enlarged, and I hope it will soon be enlarged to cover the maritime functions, because to my mind it is very difficult to rationalize any separation of maritime transportation problems from those problems that have to do with land and inland water and air transportation.

Mr. JACKSON. Mr. President, all modes of transportation, of course, should be included in the new Department.

The maritime industry is the only one left out. I pointed out in my remarks in chief, in explaining the conference report, that the Secretary of Transportation would have the authority to work out a broad national transportation policy covering all modes of transportation which would be submitted to Congress.

This would include, of course, his recommendations regarding the maritime industry, which was left out of the pending bill. In summary, he does retain authority to make recommendations to

Congress in the maritime area as well as in other areas of transportation.

Mr. HOLLAND. I thank the distinguished Senator.

I thought I read in the remarks of the distinguished Senator from Oklahoma a few minutes ago the implied wish that the executive reorganization power might be utilized sometime in the near future.

If that was the meaning of the remarks of the Senator, I join him in those remarks.

We will still have a three-legged stool until we get the maritime industry added as a fourth leg to this needed and particularly useful chair.

I thank the distinguished Senator and compliment him again for his fine service.

Mr. JACKSON. Mr. President, I appreciate the remarks of the distinguished Senator from Florida.

Mr. BREWSTER. Mr. President, I am delighted to support the conference report on the Department of Transportation bill. This report would take the Maritime Administration out of the Department of Transportation entirely.

I would hope that this approach will pave the way for an independent Maritime Administration, and, ultimately, a rebirth of the American merchant marine. Certainly I intend to push for legislation to achieve this end.

The conferees have reached a very acceptable position. I would particularly like to commend Senator JACKSON, who has worked very hard on a most complex and controversial piece of legislation. The end result is a very fine bill which I am proud to support.

Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

CHILD DEVELOPMENT GROUP OF MISSISSIPPI

Mr. JAVITS. Mr. President, I wish to call the attention of the Senate to a matter which has been receiving considerable attention in the press, and which I think deserves some consideration on the part of the Senate. It involves the development and future of an organization in Mississippi which is participating in the poverty program—the child development group, Mississippi.

Mr. President, the central fact is that this has been a going Headstart program, serving over 12,000 children in 121 centers in 28 Mississippi counties. I am informed that it is the largest single antipoverty program in the State of Mississippi.

It has come to the attention of the press that, somewhat abruptly, funds have been terminated. It had only recently been refunded by the OEO—in February 1966—with a \$5.6 million grant for a 6-month program. Abruptly, the program was canceled. An OEO release, dated October 2, 1966, gives the agency's reasons for this severe step as follows:

CDGM in its present organizational form, with its present administrative and

operating personnel, and record of management, cannot lawfully be refinanced by OEO.

To buttress its decision, the Office of Economic Opportunity published a situation report containing the results of an "interim audit" completed on September 15, 1966, and a memorandum to Director Sargent Shriver from OEO General Counsel Baker. There are three categories of charges.

Briefly, these charges are, first, that there were administrative and management deficiencies, an allegation which is very sharply challenged by CDGM. The second charge is that "CDGM is not disposed toward the development of biracial community action agencies which could mount the broader based programs contemplated under title II." The third charge is that "The program conducted in most centers by CDGM has not been Headstart as we conceive it. The program has been increasingly oriented toward the economic needs of adults rather than the needs of children."

Since publishing these charges, OEO, acted speedily to fund other organizations to carry on similar programs in the same area, and, according to the Washington Post of today, made at least one grant before application was formally made by the recipient. The Washington Post reports a funding of Rust College, for example, before the college, a small Negro institution at Holly Springs, Miss., had even fully applied for the money.

The New York Times of today speaks of a new biracial organization recently organized in Mississippi, called Mississippi Action for Progress, which also has been speedily funded, though it has had no previous experience in the poverty field.

It has already, almost overnight, received funding to the tune of \$10 million.

Inasmuch as I am the ranking member of the committee which deals with the poverty program, this organization, CDGM, appealed to me. Mr. President, there is a great deal of hotly controverted charge and countercharge in this matter. I certainly do not wish to prejudge the case. However, a great many serious questions have been raised and the right appears not to belong wholly to one side or the other on the matter. Hence, I urged the OEO to grant them a public hearing in Washington. They have at least been granted an audience with OEO, I understand, although that meeting is allegedly set for Atlanta, Ga. I have asked that such a meeting also be held in Washington, where I and my representatives might personally sit in and see what is at stake.

Mr. President, having looked into the matter in the preliminary way that I have, I feel that the basic question is whether a Headstart program in Mississippi must be a fully integrated organization, or whether the amount of integration in its managing board and staff must be in accordance with what can be done in integrating the classes for the children themselves in Mississippi, which is mighty little. Just how much integration and cooperation should be demanded?