

the same as the view taken by the Judicial Conference (District of Columbia). That resolution was adopted by the section, transmitted by special order to the house of delegates, and there adopted. Transmission to the Judicial Conference (United States) and to the President was authorized. At the same time the house of delegates designated the council of the administrative law section and the special committee on procedure, chaired by Smith W. Brookhart, Esq., to act jointly in the preparation of legislation on the subject. Proposed legislation was prepared for presentation to the midwinter meeting of the house of delegates in Chicago in February 1961. On account of then pending events, action on that report was postponed until the August meeting, 1961.

In February 1960, the Subcommittee on Legislative Oversight, of which Congressman Oren Harris was the chairman and Robert W. Lishman was chief counsel, submitted an interim report (H. Rept. 1258, 86th Cong., 2d sess.), in which attention was called to the steps being taken in the process of the formulation of a proposed permanent group to study the overall problems of the agencies. The subcommittee said:

"Current thinking is that this new organization, to be known as the Conference on Administrative Procedures, will perform, in the administrative law field, the present functions in the judicial field which are performed by the Conference on Judicial Procedures."

Still in the meantime, the chairmen of six of the large independent agencies (Civil Aeronautics Board, Federal Trade Commission, Federal Power Commission, Federal Communications Commission, Securities and Exchange Commission, and Interstate Commerce Commission) jointly prepared a letter to the President. This was a long, detailed statement, in which the need for a permanent conference was stated and the composition of such a conference suggested. The letter further proposed that an organization committee prepare an agenda for the conference and suggested further that consideration of legislation not be undertaken until after organization of the conference and that recommendations respecting legislation be adopted by the conference itself. In this letter it was proposed that eight of the Cabinet departments, the Civil Service Commission, the Atomic Energy Commission, the Federal Aviation Agency, and the seven large independent agencies send representatives to the conference, and that certain bar associations nominate members. "Such associations," said the letter, "might well include" the American Bar, the Federal Bar, the I.C.C. Practitioners, the Motor Carrier Lawyers Association, the Federal Power Bar, the Federal Communications Bar, the Federal Trial Examiners' Conference, "and similar organizations." That letter was eventually completed and dated August 25, 1960.

Under date of August 29, 1960, President Eisenhower concurred in the proposal and authorized arrangements for the initial organization of such a conference. A committee, which came to be known as an organization committee, was thereupon appointed<sup>3</sup> and after several weeks of work completed a proposed set of bylaws.

The Conference envisioned by that set of bylaws was an assemblylike body of 65 delegates, 40 of whom would be from the Government and 25 from outside the Government. One delegate would be designated by the Secretary of each of nine Cabinet departments, two from each of the seven big agencies, two trial examiners, and six to be appointed at large by the Chairman, with the approval of the Executive Committee. The plan envisioned that five delegates be named by the president of the American Bar Association, two by the President of the Federal Bar Association, eight from the practicing bar, five from university faculties, and five experts in nonlegal fields, all to be named by the Chairman, with the approval of the Executive Committee. The plan provided for standing committees, for a permanent secretariat, and for liaison with the Congress through the naming of six Representatives, three from each house, by the Vice President and Speaker, respectively.

The proposed bylaws described in some detail the subjects which would be considered by the Conference. About this time the national election occurred, and action looking toward a call of the Conference was postponed.

<sup>3</sup> The names of the members of this committee were Donald C. Beelar, Marver H. Bernstein, Kent H. Brown, John L. Fitzgerald, Robert W. Ginnane, Earl W. Kintner, Robert Kramer, John C. Mason, Thomas G. Meeker, Carl R. Miller, E. Blythe Stason, Theodore F. Stevens, Jerrold G. Van Cise, Franklin M. Stone; E. Barrett Prettyman, chairman; and William C. Kopolovitz, secretary.