

ferences in 1953 and 1961. For this reason, The Association of the Bar of the City of New York strongly endorses the adoption of a bill establishing the Administrative Conference on a permanent basis.

The problems which have beset our regulatory agencies in the past and which continue to do so today are problems of a most serious nature.

Although the agencies were created to relieve the courts of a burdensome workload and to prove an expeditious forum for the settlement of disputes, they themselves have been unable to handle the great volume of complex matters with which they much deal. Some cases take up to 5 and even 10 years before a disposition is reached. No matter what substantive result is reached in a case, it is impossible to do true justice to the parties in the face of this kind of obstacle. And even when the agency has reached a final determination, this is, in many instances, nothing but a prelude to further consideration by the courts.

If the agencies cannot fulfill the very purpose for which they were created—the expeditious settlement of disputes—then we are obviously faced with a very critical problem—a problem demanding the painstaking and persistent scrutiny of the men closest to the administrative process—the members of the agencies themselves, the members of the bar who practice before these agencies, and those in the government and academic communities who are familiar with the problems of administrative law and procedure.

These would be the people who would make up the Administrative Conference.

Their goal would be not only to speed up the administrative process, but would also include finding some way of reducing the costs of an administrative proceeding. Proceedings such as an application for a television channel or a small airline route can easily cost over \$100,000.

One of the strongest arguments that was advanced in favor of administrative agencies was that relating to the expertise the personnel of these agencies would possess. As the process has developed, questions have been raised as to the degree of expertise that actually exists at the top level of many of our agencies, where the responsibility for decision rests. The extent to which work should be done by a staff of opinion writers rather than the members of the agency themselves has been a matter of concern to many concerned with the functioning of the administrative process. It is a matter deserving of the critical attention of the best minds in the field. And, for this reason, study of the problem by a group such as would comprise the Administrative Conference would be invaluable.

The Conference, as we hope to see it, would consist of the chairman of each independent regulatory agency or his designee, the head of executive departments or other administrative agencies selected by the President, or his designee, and members of the practicing bar and academic community who are specially well informed and well acquainted with Federal administrative procedure.

As in the case of the two previous Conferences, it would be the job of the permanent Conference to study the procedures used by the agencies with a view to improving their efficiency, adequacy, and fairness when shortcomings are found, and to make recommendations