

cedures, ratemaking procedures, and the like, and the reason that I think they were as good as they are—they are better than, shall I say, the normal scholastic piece of research in those fields—is because they were done with the help and assistance of the agencies themselves. The men who undertook those studies got firsthand data by examining, in the agencies, the very procedures that they were researching. I would like to say this also with reference to the experience of that Conference.

The debates on the floor of the Administrative Conference were good, and there was by no means always unanimity of thinking among the members of the Conference. Some of these resolutions passed with considerable negative votes, and aroused quite a bit of opposition from some agencies, but there never was a schism between the members of the agencies and the members of the bar. You could never find either one of those groups lining up any particular way about any resolutions that came before the Conference. That's an important thing. There is no dichotomy between the members of the agency and the members of the bar, at least, there was none in the entire record of the Administrative Conference.

The second thing I would like to call your attention to is that the Conference afforded an opportunity for the members of the various agencies of the Federal Government to know each other, meet each other, and find out that very frequently their problems were mutual. Sometimes not, but again and again they discovered to their surprise that a problem that was bothering one agency had already been dealt with in quite a satisfactory manner by another agency. On the other hand, some agencies were shocked into discovering how unfair some of their procedures were. I recall the debate on one of these resolutions dealing with the disbarment of contractors by the General Service Administration, and by the Department of Defense, and I think every agency outside those two were surprised and rather shocked by the procedures that were followed in that connection.

The recommendation to change those procedures was passed almost unanimously by the Conference itself, the members of which wouldn't go along with the desire of the General Services Administration and the Navy Department who felt that they were not required to give a man a hearing on the question of whether he should be debarred from bidding on Government contracts. The Conference, as a whole, would not accept that position at all, and these are men who are the very bureaucrats who were supposed to be somewhat autocratic in their handling of affairs. I make that point because I would also like to make this point, that the success of a Conference of this nature depends upon the members of the agencies much more so than upon the members of the bar. That is important to the very ideals of this Conference that the responsibility for improving procedures must lie with the people who are administering those procedures. They should have the benefit of consultation with the bar in order to discover the problems of the practicing lawyers who come before them, but they have, and that is what this Conference does, it places upon the agency members the responsibility to go ahead and seek improvement of those procedures.