

terest Act since, as a member of a firm and also individually, I have a number of cases pending for and against the Government. This minor thing was cured in connection with the Second Hoover Commission. There was a special provision in that statute which cured that problem and I think that problem should be taken care of.

That is about all I think I would like to say on this bill. I would like to urge upon you, Mr. Chairman, that this in my mind is as important a piece of legislation and perhaps more important than the Administrative Procedure Act of 1946. That was an important piece of legislation. You will recall that it took some 6 or 7 years to produce that legislation in satisfactory form, and I think this legislation will start a type of inquiry and the writing of precedents which has already shown itself valuable. With a statutory base behind it, I think will show even more value than is indicated by the last report of the former Administrative Conference.

Thank you very much.

Senator LONG. Thank you very much. Your statement has been very interesting and very helpful to us.

Mr. Fensterwald, any questions?

Mr. FENSTERWALD. I am in a predicament. I have been waiting for years to examine the dean of my law school, and now that that occasion arises, I have only one question.

Is it your view that the Conference will be and should be predominantly made up of agency people, whether that language is in the bill or not?

Mr. LANDIS. I think so. I don't think any specific language to accomplish this is necessary in the bill. As I say, it will be inevitable. It is essential, for example, that the major Federal agencies be represented in that Conference, and of those there are at least 40 that should be represented, and when you think in terms of a full membership of the Conference being somewhere in the neighborhood of 80, you are bound to have a preponderance of Government people. I think it's a good thing, and I don't feel any necessity for indicating that half of the Council should be members of the bar and half should be members of the agencies. Moreover, I don't feel that political affiliation is a matter of any concern with regard to the formation of the Council or formation of the Conference. It will probably be true in a Democratic administration that you will have more Democrats than Republicans. The reverse, of course, will be true when you have a Republican administration. This is nonpartisan work. I have never seen any indication of a partisan attitude exhibited at any time, either in the Council or the Administrative Council. It happened that the Council, although originally primarily made up of Government personnel, became the other way within about a year's time. I left the Government, but I stayed with the Council and other changes took place, but it didn't alter the fundamental attitude of the group that constituted the Council.

Mr. FENSTERWALD. One additional question: Did you find in any voting on the recommendations in the Assembly that there was necessarily any split between the agency people on the one hand and non-agency people on the other?

Mr. LANDIS. No; there was never that. Some agencies are accustomed to certain basic standards with regard to administrative procedures; others are not accustomed to them. As you know, for exam-