

In the first place, with respect to common problems, I found that there were many areas where bringing the agencies together and concentrating on the kind of problems which a number of the agencies did have to face, that there could be a very enlightening comparative examination for all concerned.

Dean Landis has mentioned, for example, rate proceedings of a number of agencies, licensing proceedings of a number of agencies and the problems of Government contracts. Although these areas do not lend themselves to easy uniform generalizations, and the law involved doesn't cut across all the operations of the Government, they do concern many different agencies with different substantive problems, but with common procedural problems.

In the second place, I was amazed at the amount of entirely uncompensated time and effort which was put into the operation by the private attorneys. It was really exciting to see that, and I think that that contributed a great deal to the work of the Conference. In that connection too, I was interested to see how the attitudes of both the Government personnel and private attorneys developed, and to some extent changed during the course of the examination of particular problems. One of the things that made possible effective studies of the agencies was the active cooperation of agency members with academic people who were doing the spade work of the examination together with the contributions made by practicing attorneys from their own varied and intensive experience.

With respect to the question of whether there was a split between the Government personnel and the private attorneys, I would like to say that, of course, we shouldn't minimize some difference of attitudes or points of view born from particular experience; that the Government people have very much and properly in mind the interests of the Government in protecting the general public interest, and private attorneys have frequently very much in mind the impingement of Government activities upon private persons. However, the truth is that as our administrative law has developed, there has been such a growing and continuous shift back and forth between Government and private practice, that we get many people with a variety of experience.

Also, it was interesting to note how continuous committee work, during which Government personnel and private attorneys were closely associated over a period of time in the examination of particular problems, gradually changed original viewpoints or brought about some common points of view. In that connection, I think that's why it is perhaps particularly important to emphasize the point that both Judge Prettyman and Dean Landis made, that it is desirable to have continuous participation by a particular member of the Conference, whether he be a Government person or a private person; that the use of alternates who come in for an occasional meeting without having continuously participated, sacrifices that sort of continuous development which may really lead to the substantial contributions toward solution of problems.

With respect to the positions taken, I think one of the most interesting things was to hear a private attorney say with respect to a particular problem:

Of course, in my private practice I find it very useful to have some particular procedure available, and I have used it frequently, but from the point of view