

I appreciate this opportunity to appear before the subcommittee and present my individual views on S. 1664 to make the Administrative Conference a permanent organization.

My appearance here today is to urge passage of S. 1664 creating a continuing Conference. I am confident that there is much to be gained by the establishment of a permanent Conference on a legislative foundation by the enactment of appropriate legislation.

During recent years, more and more attention has been focused on the problems of the regulatory agencies. Various groups which have studied the problems of the agencies in recent years have recommended establishment of a permanent Conference. The Judicial Conference of the United States, the American Bar Association, the Federal Bar Association, and finally the Conference established by the President have favored a permanent organization to provide a concerted and continuing effort toward improving the administrative process.

Creation of the Administrative Conference established by Executive Order 10934 was proposed in a letter to the President dated August 25, 1960, signed by the Chairman of the Civil Aeronautics Board, the Federal Trade Commission, the Federal Power Commission, the Federal Communications Commission, the Securities and Exchange Commission, and the Interstate Commerce Commission. In this letter it was suggested that legislation might eventually be required to create a continuing Conference on administrative procedure.

The Conference established by the President in 1961 made its final reports as directed in the Executive order after 19 months of intensive study. One of these reports is dated December 15, 1962, and contains 30 recommendations concerning various phases of agency procedures and activities. Seventeen of these recommendations pertain to matters in which my own agency has a direct and vital interest.

Some of the recommendations, such as recommendation No. 16 respecting ex parte communications, are currently being studied by the Commission with a view toward implementing them by appropriate administrative action.

Another example of a matter under consideration as the result of the work of the Conference is ICC docket No. 34013 instituted by the Commission early in 1962. One of the objectives of this proceeding is to develop standardized cost data which would be admissible in rate cases and possibly constitute prima facie proof.

Thus, the work and recommendations of the Conference established by the President have generated considerable interest and study in particular areas of agency activity.

The other report of the Conference on the matter of a continuing body dedicated to the improvement of the agencies is in the form of a letter to the President dated December 17, 1962, over the signature of the Chairman of the Conference. The letter urges enactment of legislation creating a permanent Conference.

The primary reason for this recommendation is the need for a means or vehicle by which agencies in the Federal Government may cooperatively, continuously, and critically examine their administrative processes and related organizational problems.

Believing that the main source of information, as well as the resolve to couple fairness with efficiency, lie within the agencies them-