

Senator Long. I have a very important telephone call that I must take. I understand the next witness can't be here tomorrow and we will recess now for about 10 minutes and we will come back to hear the next witness. Let me say—I didn't notice you had finished, but we do thank you, Mr. Paglin, for your statement.

Mr. PAGLIN. Thank you, Mr. Chairman.

Senator Long. Before I call the next witness I want to call a recess for about 10 minutes. Before doing so, I shall place in the record the letter from the Chairman of the FCC, the Honorable E. William Henry.

(The letter is as follows:)

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C., June 12, 1963.

Hon. EDWARD V. LONG,
Chairman, Subcommittee on Administrative Practice and Procedure, Committee
on the Judiciary, U.S. Senate, Washington, D.C.

DEAR SENATOR LONG: The Commission would like to take this opportunity to endorse enactment of S. 1664, a bill to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States. Enactment of this legislation would provide the " * * means by which agencies in the Federal Government may cooperatively, continuously, and critically examine their administrative processes and related organizational problems," as recommended by the Hon. E. Barrett Prettyman in his letter of December 17, 1962, transmitting to the President the final report of the interim Administrative Conference of the United States.

The Commission fully supports establishment of the Administrative Conference on a permanent basis. We believe that the continuing study of procedural problems common to all Federal agencies in light of the need for maximum efficiency on the part of the Government, and of the necessity for affording fairness to those affected by governmental action—will do much to improve administrative practices.

In supporting this legislation, we note with approval several distinctive aspects of S. 1644—the high degree of autonomy of the proposed Conference, specific exclusion of the Conference from matters of substantive policy committed by law to agency discretion, and the formulation of recommended new standards of practice through mutual cooperation and only after agency-members of the Conference have been afforded an opportunity to assess the effect of such standards on their operation. We believe that these features of the bill strike a sensible balance between the divergent needs of agencies to tailor their procedures to particular operational problems and the admitted need for some means by which procedural problems can be continuously appraised and approved.

By direction of the commission:

E. WILLIAM HENRY, *Chairman*.

(The following letter and memorandum were received from Mr. Paglin subsequent to the close of the hearings:)

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., June 24, 1963.

Hon. BERNARD FENSTERWALD, Jr.,
Chief Counsel, Subcommittee on Administrative Practice and Procedure, Committee on the Judiciary, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR MR. FENSTERWALD: Following my testimony before the subcommittee on June 13, 1963, on S. 1664, calling for establishment of an Administrative Conference of the United States on a permanent basis, you suggested that it might be useful if there were some further information in the record regarding the questions asked other witnesses about the existence of "bloc voting" in the recently concluded Administrative Conference established by the President under Executive Order 10934.

Accordingly, I have prepared a short memorandum which is based on my participation in the proceedings of that Conference, and which, to my mind, negates any concern over "bloc voting." Of course, you will appreciate that this memorandum is based, in large part, on events which took place some time ago,