

Mr. FENSTERWALD. I have no questions, Mr. Chairman. I would like to thank Mr. Kintner for an extremely helpful statement.

Senator LONG. Mr. Kennedy?

Mr. KENNEDY. Thank you, Mr. Chairman. I have no questions.

Senator LONG. Thank you.

At this time I would like to put in the record a letter from Mr. Swidler, Chairman of the Federal Power Commission, and a letter from Mr. Smith, General Counsel of the Treasury Department, addressed to Senator Eastland.

Without objection they will be placed in the record at this point.  
(The letters referred to follow:)

FEDERAL POWER COMMISSION  
*Washington, D.C., June 12, 1963.*

HON. JAMES O. EASTLAND,  
*Chairman, Committee on the Judiciary,*  
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: In response to your June 10 request for our views on S. 1664, we are wholeheartedly in favor of the creation of a permanent organization to improve administrative procedures. The participation of the Commission in the recently concluded Conference has aided our own efforts to revitalize our procedures. The investigations of those procedures made by the various committees of the Conference pointed up areas in which improvements were shown to be desirable and they have been adopted. The Conference also provided a forum in which procedural innovations made by one agency were evaluated and brought to the attention of other agencies, and we were gratified that some of the FPC's recent procedural reforms were recommended by the Conference for adoption by other agencies. We expect that similar studies and information would be of value in the future.

The Conference can be of considerable assistance to the executive branch and to the committees of Congress by providing a knowledgeable and impartial body to suggest and evaluate proposals for administrative improvement.

The bill, correctly, we believe, provides for a Conference without authority to direct agency action. Every agency has its own responsibilities and, as such, should be the judge of its own procedures. We think it would be a mistake to dilute the responsibility of an administrative agency for improving the dispatch of its business. This will follow the pattern of the Judicial Conference which has no power to direct action but whose recommendations to the President, the Supreme Court, and the Congress have resulted in an improvement of the judicial process. We believe an Administrative Conference established in accordance with the provisions of the bill should in time attain the stature of the Judicial Conference.

Sincerely,

JOSEPH C. SWIDLER, *Chairman.*

THE GENERAL COUNSEL OF THE TREASURY.  
*Washington, D.C., June 12, 1963.*

HON. JAMES O. EASTLAND,  
*Chairman, Committee on the Judiciary,*  
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on S. 1664, to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes.

The Department believes it would be desirable to establish a permanent Administrative Conference of the United States and consequently favors the enactment of the proposed legislation. However, the Department recommends that the words "and the availability of funds" be added at the end of clause (3) of section 6(c) of the bill. The compilation of information necessarily entails the use of manpower and the Department feels that compliance with requests for information should be limited in terms of the availability of staff and budget.