

There are very stringent limitations in the reorganization act providing for offices and appointments. You can only provide for appointment either by the President with Senate confirmation or under the Classification Act. Now, that, in itself, might create a problem in establishing such a Conference.

Mr. KENNEDY. On the other hand, even the Bureau of the Budget in the past has hired outside consultants to make studies of agency procedures; have they not?

Mr. STAATS. Oh, yes; we have.

Mr. SEIDMAN. By contract.

Mr. KENNEDY. So that everything this Conference is going to do in the way of studying and recommending has been done in one fashion or another prior to this time. Is that right?

Mr. STAATS. Well, as I indicated in my statement, there is no single road to Rome in this area as in many others. This is an area in which the Bureau of the Budget has had a great deal of interest and concern, obviously. It is a matter in which the congressional committees having jurisdiction have had a proper concern. Many of the outside organizations have been concerned, and I think there has been much new public attention, and therefore interest on the part of the regulatory agencies themselves in improving their procedures.

I think that the thing which is unique here is that you would have a congressionally approved, permanent body, made up predominantly of the agencies themselves which are concerned with this problem and patterned very largely on the experience of the Judicial Conference, which, I believe, has been recognized as having been quite successful in improving procedures in the courts.

We really borrowed the central idea from that experience. We would be very happy to explore what we could accomplish under the reorganization powers. I would have some doubt that from the point of view of Congress this would be the happiest approach to it, but certainly, we would be glad to furnish you a memorandum as to what could be done technically within the authority there.

Mr. KENNEDY. But your thinking is that that would not be the best approach?

Mr. STAATS. That would be my feeling; yes.

Mr. KENNEDY. One other point, Mr. Chairman. I know that Mr. Staats mentioned in his statement that there was not unanimous agreement on all the details of the bill, and you will recall Judge Prettyman suggested several changes that he would like. Professor Gellhorn and other members of the Council of the last Conference have also suggested changes.

Now, do I understand you correctly, Mr. Staats, to say you have already given account to those suggestions and rejected them?

Mr. STAATS. Mr. Chairman, on this point, I would like to emphasize that very seldom do you have any significant proposal where you could get complete unanimity of views, either within the executive branch or elsewhere, and that, of course, is a proper role for the Congress in assessing these differences and coming to a conclusion.

We do feel, however, that here a large amount of discussion has taken place. With respect to some of the details—I would consider them details—with respect to some of the details of this bill it has