

a basis for the charge, sometimes made indiscriminately, that the administrative process has been "overjudicialized." At other times, the Congress has moved in the opposite direction and has not provided sufficient procedural safeguards in situations where it should have done so—and by sufficient safeguards. I am not necessarily confining my remarks to whether or not the procedure has been "constitutional." I think it is equally important for the Congress to provide, where desirable, procedures which create a favorable public image.

Turning away from the Congress for a moment, I call attention to the fact that, in many reports which I have seen from public and quasi-public groups engaged in studying administrative law and procedure, a virtue is made of diversity. It is sometimes stated—all too categorically—that it is desirable to deal with each administrative law problem on an ad hoc basis and to provide for special procedures for the different administrative functions.

I have dwelt at some length upon the manner in which the Congress has approached the establishment of laws dealing with administrative agencies simply to illustrate the fact that there exists a gap in that there is no central governmental group concerned continuously with the detailed improvement of administrative procedure. An Administrative Conference of the United States, established along the lines proposed by the American Bar Association, would fill this gap.

For the first time, there would be a permanent body devoting itself day in and day out to critically examining the problems of administrative law and procedure and making an effort to bring about improvements.

The ideal way to do this, as is the position of the American Bar Association over a period of years, would be for the Congress to establish an independent Office of Administrative Practice and Procedure.

Such an idea was first advanced as far back as 1941 in the final report of the Attorney General's Committee on Administrative Procedure. Since that time, it has been advocated by others, including the American Bar Association. In 1956, it was my privilege to be the first chairman of the Special Committee on Legal Services and Procedure of the American Bar Association, which made a recommendation for the establishment of such an office of administrative practice and procedure and this recommendation was adopted by the house of delegates of the American Bar Association on February 20, 1956.

As recently as February 5 of this year, the house of delegates, in the same resolution in which it endorsed the establishment of an Administrative Conference of the United States, by legislation, reaffirmed its position as to the need for the establishment of an independent Office of Administrative Practice with a strong Director, "whether that Office be a separate agency or combined with the Office of Director of the Administrative Conference," which it also espoused.

I may add that, as far back as 1959, the American Bar Association adopted a resolution calling for the establishment of a permanent Administrative Conference by legislation along the lines which I have outlined above.

Therefore, the position of the American Bar Association is that the Congress, by enacting legislation for a conference, with a strong