

guage, and may I add that there does seem to be some doubt that the suggestion that the recent legislation to which the Bureau of the Budget called your attention would answer this purpose. At any rate, we think it is sufficiently important that there should be in this bill specific language to make it crystal clear that a person outside of the Government may serve on this Conference without running afoul of the conflict of interest statutes which, of course, are only technical situations.

Obviously if it is a matter of true conflict of interest, he is governed by the canons of ethics. No lawyer such as we are talking about here, the type of people who might be called upon to serve on this Conference, would think of accepting a position and serving on this Conference if in fact there was a conflict of interest.

At any rate, we see no reason why the bill shouldn't make it perfectly plain that there need be no difficulty here.

Also, I strongly urge that any legislation upon this subject include a provision, as advocated by the American Bar Association, that each member of the Assembly shall participate in his individual capacity and not as a representative of any governmental or nongovernmental organization.

This is very important. The whole concept of the Conference, as espoused by the American Bar Association, is to provide a forum in which persons learned in this field may gather and deal with the problems in this field. Unless the persons who actually serve as members of the Assembly feel that they have the opportunity to speak according to their individual convictions, maximum utility from the Conference cannot be expected.

I will paraphrase the remainder of my prepared statement simply by stating that Mr. Bernard Foster, one of our three witnesses for the American Bar Association, will in his testimony specifically submit to the subcommittee the suggestions of the bar association in draft form for inclusion in this record.

I respectfully suggest in conclusion that there is no better way for Congress to exercise the responsibilities to which the President referred and which created the previous Administrative Conference and to give evidence of its continuing concern than to establish on a permanent basis an Administrative Conference of the United States.

Thank you.

Senator LONG. Thank you, Mr. Sellers. We appreciate your being here and presenting your very helpful statement to us.

Is Mr. Foster next?

Mr. RUSSELL. I am Mr. Russell. I was going to be next, Mr. Chairman; I saw you looking apprehensively at the clock. What are your time requirements, and maybe I can make some adjustments.

Senator LONG. If we can simply curtail some of the statements—we have one other witness after you, Mr. Lane. The committee would like to complete the hearings this morning if possible. We could come back this afternoon, if necessary, to hear you all, but if the presentations can be made, we hope to be able to stay and complete them this morning.

Mr. RUSSELL. Fine.

Mr. Chairman, it is a pleasure and an honor to be with you today taking part in what I believe will become known as a major accomplishment in the field of administrative law.