

ment. Our overriding purpose was to determine once and for all whether the concept of an agency conference was valid—whether a group so constituted could effectively challenge and deal with problems which, in the words of Dean Landis' report of December 1960, "threaten to thwart hopes so bravely held" for the success of the administrative agencies. The experimental stage is now complete, and I believe the Administrative Conference has proved that it is both valid in concept and effective in practice.

In urging the enactment of this legislation, one is inclined to underscore the changes and improvements expected once the Conference has been permanently established to oversee the implementation of its recommendations.

I have every faith in these anticipated benefits, and am certain that the administrative process will be markedly improved in future years. However, I submit that Congress need not base its judgment solely on expectations.

The recent Conference has already had a demonstrably worthwhile effect on the practices and procedures of many agencies. While by no means a complete list, I have noted some of the actions which have already been taken by various Federal agencies in spontaneous response to recommendations of the Conference:

1. Recommendations 3 and 4 advocated a change in the method of judicial review of orders of the Interstate Commerce Commission. It is my understanding that the Commission favors the recommendations and is preparing draft legislation for submission to Congress which would, if enacted, change a procedure in effect since 1903.

2. Recommendation No. 6, that the Armed Services Board of Contract Appeals be constituted as a unitary board in the Defense Establishment, has been adopted.

3. Recommendation No. 7, that departments and agencies having internal appellate entities publish the procedural rules and final decisions of those entities, has been adopted by the Atomic Energy Commission, Federal Aviation Agency, National Aeronautics and Space Administration, Veterans' Administration and the Departments of Agriculture, Interior, and Treasury.

4. Recommendation No. 15 deals with the requirement placed upon those agencies subject to the Administrative Procedure Act to accord persons compelled to appear before them the right to be "accompanied, represented, and advised by counsel."

The recommendation suggested a reexamination by the agencies to insure conformity with certain specified minimum standards. I have been advised that this recommendation has been adopted by the Civil Service Commission, Federal Power Commission, Small Business Administration, the Federal Reserve System, Post Office Department, and Department of Health, Education, and Welfare.

In addition, four other agencies are reportedly in the process of adopting this recommendation.

5. Recommendation No. 16, dealing with the sensitive matter of ex parte communications, is undoubtedly the most extensive of these suggestions upon which agency action has been taken. This recommendation sets forth a number of basic principles for use by individual agencies in the promulgation of their separate codes of behavior. The