

formance of Judge Prettyman. Few will think, I suppose, that any statutory language will guarantee the personal qualities of a Chairman of the Conference but it can provide authorities that will permit the right kind of Chairman to function most effectively.

The Chairman of the Conference should have, I think, at least the following powers. First, he should have the authority to make preliminary inquiries into matters he deems important for consideration by the Conference and should be able to do so on his own initiative, or upon the suggestion of other persons, both inside and outside the Federal Government. Second, he should be regarded as the official spokesman for the Conference in all dealings with the officials of Federal agencies, with whom he will be in continuous touch on matters concerning the improvement of administrative procedures. Third, he should be the presiding officer at all meetings of the Council and the Assembly, recognized both as hand and head, the chief executor and the chief executive.

The Chairman should have both the status and the stature required to deal effectively with Federal officials of whatever rank, not in peremptory ways, of course, since he will have neither powers of command nor sanctions other than those of knowledge, reason, and good will. But he will be the central person in the Conference with continuity to guide its affairs that neither the Council nor the Assembly will have since these organizations will, at best, be able to meet only from time to time. It is the Chairman who must provide the necessary followup to Conference recommendations for the improvement of agency procedures but he will be able to do so only if he has the dignity of position and the full authority which successful performance of his office will require.

The fourth principle of design for the Administrative Conference is that its competence should be coextensive with the problems it needs to deal with. S. 1664, I think, unnecessarily limits the jurisdiction of the proposed Conference in section 3 which confines the definition of "administrative program" to "rule-making" and "adjudication." I think that the jurisdiction of the Conference should, at the least, include licensing also.

The fifth principle is that recognition should be accorded to other professional skills besides those of lawyers and law professors in the work of the Conference. Problems of administrative procedure can often be illuminated by the insights of engineers, accountants, political scientists, and economists. Moreover, it is possible that they can contribute perspective that purely legal approaches (however essential in the conduct of public proceedings) may sometimes miss. Such professional skills may be made available by hire to the committees of the Conference, to be sure, but they may also be useful in the deliberations of the Council and in the plenary sessions of the Conference, and it would be valuable to provide them limited but direct representation.

In conclusion, it may be said that the concept of the Administrative Conference is one of the most promising ideas in public administration in three decades. The improvement of administrative procedures through cooperative self-help by agencies of the Federal Government can be achieved through an administrative conference. But that administrative conference will serve best which provides principal representation to the Federal agencies, under a strong and capable Chairman, and with a jurisdiction commensurate with the problems that need attention.

U.S. DEPARTMENT OF COMMERCE,  
MARITIME ADMINISTRATION,  
Washington, D.C., July 2, 1963.

HON. EDWARD V. LONG,  
Chairman, Senate Judiciary Subcommittee on Administrative Practice and Procedure, Washington, D.C.

DEAR SENATOR LONG: Allow me to congratulate you upon your designation as chairman of the Senate Subcommittee on Administrative Practice and Procedure. This subcommittee has a most important function in overseeing the operations of the several regulatory and promotional agencies which employ formal administrative procedures and I am happy that the chairmanship is in your good hands.

As you are undoubtedly aware, statutory hearings are conducted before this agency in three specific areas: (1) applications by steamship companies for operating-differential subsidy to permit competition with foreign carriers on a vessel operating cost parity pursuant to section 605(c) of the Merchant