

Assuming decision to give further consideration to a proposed increase, what further steps might follow? First, it would be possible to have a factfinding study, either by an agency or an ad hoc committee. A report based on such a study could be the means by which public influence was exerted on those proposing the increase. This is the well-known practice in labor disputes. In labor disputes, however, the report goes back to the collective bargaining table for consideration by opposed parties. In the case of consideration of proposed price or wage increases because of their inflationary effect the report would go to the party proposing the increase for its consideration. In such a case the argument that a public hearing was necessary to insure fairness to parties proposing an increase and to the public would probably be forcefully advanced and accepted. Second, it could be assumed that some steps would need to be taken in advance of a hearing. There would be need for assemblage of statistical data. There would also be need for some authority representing the public to analyze this data and present a public case at the hearing. Third, the nature of the hearing would need to be carefully considered. Utility rate hearings often take many months. The issues to be considered in inflationary concentration of power cases would be equally as complex, often more complex. But long delays in decision on price or wage increases could not be tolerated. The effectiveness of the effort to control sellers' inflation would be destroyed if there was not a firm resolve to limit the length of hearings. Necessarily, all issues could not be "litigated"; the hearing would be more legislative, less judicial, in type than utility rate proceedings.

A program of surveillance of prices or of wages and prices for a number of industries or products would collapse from its own weight if hearing procedures and steps leading to hearings had to follow the judicialized model which has developed for utility rate regulation. If one or a few industries were chosen for utility type of control the need for simplification would still be presented but in a more difficult form. In utility type of control decisions would be subject to judicial review, at least on constitutional grounds. The record would have to be adequate to substantiate the decision made. It may be that before a utility type of control is imposed on another industry a congressional committee should consider whether, or by what means, procedures can be sufficiently simplified to prevent delays of years in reaching final decisions. This kind of decisionmaking process is unfitted for dynamic American industrial conditions.

The need for expedition in processes would be imperative because suspension of wage or price increases during factfinding or hearing would be vital to the success of the public effort. In the absence of suspension the chain effects of wage or price increases through industry would be so great that, as Humpty Dumpty found for the egg, no recourse would exist for undoing what had already occurred. But suspension would and could not be accepted for long in a dynamic economy. A principle of economy in administration would have to work in two ways: in careful choice and restriction of number of factfinding or hearing proceedings to those which could be handled administratively, and in simplification of proceedings to insure prompt disposal.