

Then you state to the President that you would like to make a general comment concerning the regulatory agencies. Obviously we are commenting on the "regulatory agencies," meaning all of them. Do I take from this statement that you feel that there are procedures which should be changed in the law?

Mr. MORGAN. There are a few. But I wasn't really discussing procedures there. Those words, if I recall correctly, were preliminary to the comments I made with regard to the importance of personnel selection in all regulatory agencies.

The CHAIRMAN. All right, that limits it to what you said, I suppose, in your statement.

And then you refer in the following paragraph to certain great men who have served in Congress-sponsored agencies.

Then you say to the President:

Ordinary man cannot administer those laws today in the face of pressure generated by huge industries. Ordinary men yield too quickly to the present-day urge toward conformity, timidity, and personal security.

By that do you mean that in these regulatory agencies—since you have said that in your statement—that these agencies today are staffed with ordinary men?

Mr. MORGAN. I don't think you can say that.

The CHAIRMAN. What did you mean?

Mr. MORGAN. I meant to reinforce a point that has been made over and over by students of the regulatory process, that these agencies have the most unusual problems, they are more than judges, they are administrators. The cases that the Federal Power Commission has before it, for example, I am sure are far more difficult than the average case before any court in the country, with the possible exception of the Supreme Court. They are huge in size with regard to money, with regard to the number of customers served, with regard to the volumes of gas and electricity that are involved. They are actually extraordinary responsibilities that these agencies have to carry out. I am not an expert on all the regulatory agencies, but I know that to a greater or lesser degree the same thing is true of them all.

I feel, and I was trying to say while bowing out, that these agencies require the finest men that this Nation has, and it will take everything those men have, all their personal qualities, all their education, experience, character, and courage to carry out these laws properly. And I am simply saying that, as many have said before me, that no other kind of man should be selected for these agencies. This can be done. The prestige of these agencies can be raised to the point where you can attract the finest man in the country to them—and prestige will do it. In past years I can remember that the Interstate Commerce Commission was an agency with enormous prestige, it was a very great honor to serve on the Interstate Commerce Commission. Perhaps it had as much prestige as any agency of the U.S. Government.

The CHAIRMAN. Do you feel, then, Commissioner, that these agencies are staffed with personnel today that are yielding toward conformity, timidity, and personal security?

Mr. MORGAN. I must say frankly, sir, that there have been times in the past year and a half when I felt that was happening in the FPC; yes, sir.