

Mr. SWIDLER. I think the test of whether the members of the Commission have done a good job or not does not rest on our decision in any particular case but on our overall record of accomplishment. The basic answer to the charges is to appraise as a whole what we have done or failed to do and our ability to meet the challenge of our jobs. I am indebted to you for giving me this opportunity not only to speak in my own behalf in answering these charges, but also to defend the agency and to try to clarify our program. In the course of my statement today, Mr. Chairman, I intend to touch upon every matter that has been brought up in these hearings.

I was not here during the last hour or two of the hearings yesterday, but I have been briefed on what transpired. If I should miss some point, I know that you will help me by asking questions that will bring out the facts.

I might say that one of the, I hope helpful, byproducts of this hearing is that the members of this committee will get a greater familiarity with the Commission's problems and legislative needs. We have a heavy legislative program this year. Unlike last year, when we submitted a single omnibus bill, this year we will be submitting a series of bills, each with sufficient documentation and support to provide a basis for consideration by your committee.

It is to me, Mr. Chairman, particularly ironic that this controversy should have arisen in connection with the work of the Federal Power Commission, which I have been following since it was created, because I think it is exhibiting more aggressiveness and meeting with more success and laying a more solid foundation for the administrators who come after us than at any time in its history.

I need not tell the members of this committee the state of the Federal Power Commission when the new commissioners took over. What Mr. Landis and the President said are quoted on page 2 of my written statement. It was held up as one of the horrible examples of the failure of administration.

Dean Landis, in his report to then President-elect Kennedy, said that the Federal Power Commission—

without question, represents the outstanding example in the Federal Government of the breakdown of the administrative process,

and the President, in his message to Congress on the regulatory agencies of April 1961, spoke of the Commission's "incredible backlog" of pipeline rate cases, which totaled over \$1 billion in rate suspensions. The Commission was not only failing to protect the interests of the consumers, it was threatening the ability of the industries it regulated to carry on their work.

There has been a real change in the situation since that time. I would like to read to you what Mr. Landis said when we had no more than begun the change which has come over the Commission since we took office. And this, too, is quoted in my statement at pages 12 and 13. Dean Landis said in February of 1962, a year ago, that the attitude of the new Commission—

is one of a readiness to meet these challenges and the intention to apply a Herculean effort in doing so.

He added that the Commission's—

record in the past 3 months of bringing about the refunding of some \$35 million of excess charges is significant.