

Mr. MOSS. Do you find anything wrong with the next paragraph?

Mr. SWIDLER. The one beginning "Under our laws"?

Mr. MOSS. Yes.

Mr. SWIDLER. No, sir. I think by and large that is all right.

Mr. MOSS. The next one?

Mr. SWIDLER. Well, sir, the next one, I think you get into some question there that I do not know my reading would be the same as yours. I would read it as insinuating, sir.

Mr. MOSS. Well, let's say that it insinuates. Would that take away the truth? Let's say, Mr. Swidler, that it does insinuate. Let's say it does.

Mr. SWIDLER. Yes, sir.

Mr. MOSS. We will accept your hypothesis that it does insinuate. Does that detract from the truth in the paragraph, that if these things happen, this will result?

Mr. SWIDLER. No, sir; the only part of this that I object to is—

Mr. MOSS. I am not always aware that every commissioner who comes before us is up to standard. I have met a few of them that I did not understand as having very much value on commissions.

Mr. SWIDLER. No; if not directed against anyone, I would not find too much to quarrel with here, and I think it is true that sometimes regulation can be a cover for a failure of protection of the public interest when it is not effective.

I think there are situations where the public thinks that their rights are being protected and they are not being protected. This is something I have pointed out, too, Mr. Moss.

Mr. MOSS. Then you do not find that there is an untruth in this?

Mr. SWIDLER. No; I do not find there is an untruth in there; merely in its application to the Federal Power Commission.

Mr. MOSS. Do you think it is a valid observation?

Mr. SWIDLER. I think it probably does apply to some agencies; yes, sir.

Mr. MOSS. The next paragraph?

Mr. SWIDLER. The next one is a long paragraph; let me see. There is a lot in that one.

Mr. MOSS. Do you find anything in that that you disagree with?

Mr. SWIDLER. Let me read it a sentence at a time:

The big problem in the regulatory field is not ex parte communication, influence peddling and corruption—

I think I can agree with that, at least at the present time.
Next:

In my experience as a regulatory official—

I don't know about his experience. Maybe he is correct in that.

But abandonment of public interest can be caused by many things, of which timidity and a desire for personal security are the most insidious.

I think that is true in many cases, as a general matter. I do not feel it is true as applied to the Federal Power Commission and I would like an opportunity to answer it if it is a charge.

This Commission must make hundreds and even thousands of decisions each year.

There he is tying it in with the Commission. That is true enough. We handle some very important cases, some of which involve hundreds of millions of dollars.