

more frequently or more vehemently, more profanely, than they do about the delays, the costs, the involved redtape and the sometime seeming capriciousness of Government agencies.

Mr. Theodore H. White in his Pulitzer Prize winning book "The Making of the President 1960," at one point described a conversation he had with a one-time personal aid to President Truman concerning the baffling perplexities encountered by every President. Among his troubles he listed:

"And those"—I will insert blanks—"those blank blank bureaucrats controlling them. Those regulatory agencies are so important now that they really control the whole economy."

The fact of the matter is that inefficient agency operation is a drag on the operation of the economy.

The problem is an amazingly baffling one. This is so for a number of reasons. In the first place, there are so many agencies which conduct formal proceedings for the purpose of determining rights, making rules or adjudicating disputes. Thirty-three of them were listed on the roster of the recent Conference, and a study revealed 108 Federal agencies which conduct hearings on open records for the purpose of determining rights and privileges of private people. The Conference study indicated that these agencies conduct 268 different kinds of proceedings. In 1962, these agencies disposed of, that is, completed, 67,500 cases.

In the second place, differences between these proceedings are enormous. They include applications for gas pipelines a thousand miles long involving 90 to 100 parties, railroad rate proceedings involving scores of railroads, area airline route proceedings involving dozens of cities and towns, and other vast problems. At the same time they include consideration of claims for veterans insurance, hearings concerning the discharge of a single employee, reparations for a single shipper, complaints against a single broadcast station. Between these extremes are proceedings concerning all sorts of variegated perplexities.

Delays are different; costs are different; records are different; technicalities are different. And yet surprisingly enough, in the midst of this welter of dissimilarities, many similarities appear if a comprehensive view is taken. Pipelines and railroads and unfair competitive business practices are wholly different, but protracted trials on open records in all these areas have common problems of procedure. The similarities increase the bafflement initiated by the dissimilarities.

In the third place, the difficulties sought to be attacked are not single, solid blocks. They arise from complex interrelated small parts. Delay, for example, is not one single all-inclusive malfunction which can be corrected by a mighty sledge hammer or cured by a single injection of a specific wonder drug. It arises from the malfunction or the maladjustment of parts, many of them small, which ought to function in smooth correlation in order to achieve efficiency. Delay arises from inept pleadings, failures to crystalize issues, from too many or not the proper parties—who should be allowed to intervene?—from lack of advance organization, from cumbersome presentation of direct evidence, from unnecessary cross-examination, from repeated continu-