

I do this on occasion here. You have difficulties occasionally between Members of Congress and witnesses when we are giving them a bad time. In those kinds of circumstances, sometimes those people bring in a big book and they want to put it in the record. I tell them we will appreciate that for the committee, we graciously take it, put it in a nice area where it can be considered at leisure. I don't print that as a part of the record because some third party might want to look at it.

If it is that thick and has this much of one viewpoint, one position, you will never get through it. I think it makes for a more objective hearing, for a fairer presentation of the facts, if they are in such shape that people—not just the members of the committee that are directly concerned or the members of your organization—but some third party can look at it and it makes sense. If it is 35,000 pages, you have created a beautiful document that has no usefulness to very many people.

I wish you would consider that. I just cannot believe that the public interest is necessarily served by allowing everybody in the world to fill up a record that really obscures the facts and makes more difficult a real evaluation of the varying viewpoints, presentations and issues of a given case.

Mr. CHESELDINE. I quite agree with you, sir, but I do again say that we are dealing with lawyers that are interested in the delay, in constant delay and waiting for the best opportunity for them to present their situation.

Mr. BROOKS. I would hope that the Commission would consider that. It might be——

Mr. STILLWELL. If I may, Mr. Chairman, Mr. Cheseldine has only dealt with some of these big cases, but we do have many procedures for modified procedure in the handling of cases with special procedures, by special orders, which the parties reduce their evidence to writing.

I would like to ask Mr. Cheseldine to expand on that. He is the expert in the field.

Mr. THOMPSON. I would imagine any time you could have agreement between the parties they could stipulate how these matters would be handled.

Basically, what you are saying is that one party would not agree to a stipulation and he wants to get it in the record primarily as a method of delaying the proceedings. And this is his purpose and intent.

If this is his purpose and intent, Mr. Chairman, I think you are absolutely right, that something should be done to put a stop to it, because it does clutter up the record and it is difficult for an observer, a casual observer, whether he be a Member of Congress——

Mr. BROOKS. Or a small litigant but a party in interest.

Mr. THOMPSON. That is right.

Mr. CHESELDINE. In the case you have been referring to there was a lot of money involved, and they are going to fight it right down the line.

If we don't hear it, they are going to court and it will be thrown back at us. That is what our problem is. You can't throw things out you don't know about.

Mr. BROOKS. You know that old saying, "Justice delayed is justice denied," and it certainly delays a lot of it.