

INTRODUCTION OF PANEL MEMBERS

JOHN M. CLEARY

MR. CLEARY: I think everybody who is here or anyone who has had any contact with this rather informal organization of the ICC Centennial Planning Committee recognizes that the kernel of an idea, as Chairman Gradison said earlier, and the leading force behind it all has been Fritz Kahn.

He got some of us together that were thinking this way and got everyone organized. So we have a lot to thank Fritz for today.

Following Mr. Miller, I can recall inviting him to appear before the Practitioners back in 1975, when he was, I believe at that time, on the Council of Economic Advisers in the Ford Administration, and some people thought why should a person of his very firmly held views on regulation be invited to a group that was interested in regulation. I felt it was appropriate to at least hear his views.

Mr. Miller is not here now, but I can say that a year ago, perhaps even today, he had appeared at the Antitrust Section of the American Bar Association, which today is in hearing or in session at the Shoreham Hotel, as it has usually been in the springtime each year. I took the occasion when he was on a panel with Fred Kahn and Judge Scalia to direct a question to Mr. Miller whether or not, in view of the reliance upon competition, it was felt that competition was adequate in all areas of transportation so that some of the regulatory processes need no longer be relied upon.

A year ago, at least, there was a recognition that there are areas of surface transportation in which there exists a certain amount of market power that does not fall consistently within the competitive market, and therefore there might be a need for some continuing overview. I have yet

to hear anyone talk about the total repeal of all phases of the Interstate Commerce Act.

My personal view is that a truly independent administrative agency is far more appropriate, but this is not the day for that battle. This is the day, as Chairman Gradison said, to celebrate what has gone before.

I have been given the responsibility to address this group merely for the purpose of introducing people. So I have already run over my welcome.

It is an honor to see so many of the former Commissioners. I went over to the informal reception in Hearing Room B this morning, even though I have never been employed by the ICC. But I have spent practically my entire legal career in one way or the other related to Interstate Commerce Commission matters.

It was truly a pleasure to go around that room and see people who had been with the Commission, Commissioners returning, and I think one thing I really concluded was the years have done them all very well. I do not know if it was the activities at the Commission or what they have done since, but I think they all just look great, and I am going to add my applause to all of the former Commissioners who are here, including our moderator this morning.

With that, I will introduce the moderator of our first panel. The purpose of this panel is to give us a history of the ICC from some anecdotal ideas with the idea of presenting a good time for all today.

Our moderator for this first panel, who will introduce the other panel members, is Robert W. Minor. Mr. Minor was a Commissioner appointed in 1956 and served until 1958, according to the biographical information I have available.

I think the caliber of the type of Commissioners that this Commission has had over the years is evidenced by the type of person Bob Minor was, and is. He was a graduate of Ohio State in 1940, and in that connection I overheard a few moments ago that, with apologies to Commissioner Bush, I understand that the record should be corrected because Commissioner Minor was in fact the first Commissioner from the State of Ohio, in connection with some of those introductions we heard over in that informal meeting this morning.

He served very distinguishably in the United States Army from 1942 to 1946 as a Lieutenant Colonel and received the Bronze Star and Purple Heart. Then he had the opportunity to return to Ohio State Law School, where he was a summa cum laude, and that is the type of people this Commission has had over the years.

After a career in the railroad industry, he then went into the private practice of law, where he continues the practice in Columbus, Ohio.

And so it is with great pleasure that I introduce former Commissioner Robert W. Minor to moderate this panel.