

CONCURRING STATEMENT OF
COMMISSIONER JAMES H. QUELLO

IN RE: RULES AND POLICIES TO FACILITATE
PARTICIPATION OF INDIGENT PERSONS
IN COMMISSION PROCEEDINGS

I concur with the action taken today amending our rules to provide administrative and procedural relief to indigent persons who qualify for participation in Commission proceedings. In my opinion, we have the authority to provide for such relief. However, I would emphasize that any additional relief in the form of monetary reimbursement for out-of-pocket expenses, attorneys' fees, etc. should be the subject of guidance by the Congress coupled with specific legislative provision. A special appropriation of funds would be necessary and the Congress should indicate the scope and limitations on the use of such funds.

I am apprehensive that provision for indigent relief, while justifiable in some instances, may and probably will serve as an encouragement to additional or unnecessary litigation, particularly if monetary reimbursement may be obtained. This Commission must exercise its authority to provide indigent relief most judiciously and sparingly, or the public interest benefits will be overwhelmed by the added litigational burdens.