

Authority. He was not a member of the Tennessee Valley Authority. He was Chairman of the Atomic Energy Commission, not of the TVA. Why, under heaven, did Admiral Strauss, the head of the Atomic Energy Commission, want to have a contract prepared for the benefit of the TVA? It was not really for the benefit of TVA. It was anything but for the benefit of TVA.

Mr. Dodge testified before our committee—and he made a clear statement there—that he sought to bring about a diminution of the activities of TVA. He wanted to cut the TVA appropriation, and he wanted to find some way, by some other operation, not a Government operation, to invade the area served by the Tennessee Valley Authority. That was a legitimate purpose. That was a question of public policy. That might properly have been a recommendation to the Senate and House of Representatives by the President. The Constitution authorizes the President to recommend to the law-making body what should be done. Every President has delivered his state of the Union message, in which—in compliance with the Constitution—he has recommended the enactment of legislation.

Mr. Dodge wanted legislation of that sort enacted. He wanted to have public power supplanted by private power. That is a perfectly legitimate desire.

CONTRACT BYPASSES CONGRESS

Mr. President, here I may say that this controversy over the question of the confirmation of the nomination of Mr. Strauss has been misrepresented as being a part of the conflict between public power and private power. That misrepresentation is intended, in order to invite the cooperation of the conservatives, who oppose public power, to support the nomination of Admiral Strauss. That is not the question at all.

The question is whether the Executive shall legislate by executive action, instead of letting the Congress do so by law. That is the question. If the Senate votes to confirm the nomination of Mr. Strauss to be Secretary of Commerce, the Senate will be placing its stamp of approval upon Mr. Strauss and it will be placing its stamp of approval upon the efforts to cut across the legislative power and, by executive action, to do something which the Congress would not willingly do.

They were afraid to take the risk trying the legislative method. So, instead, they sought to proceed by that undercover method, through executive action.

Mr. Dodge resigned and Mr. Hughes took over the place. Mr. Hughes continued to keep Mr. Wenzell on the job. It was Mr. Dodge who brought Mr. Wenzell to Washington, and put him in the Bureau of the Budget, to look up facts and figures in regard to power costs in the TVA, and to make calculations in regard to the interest rate upon a financial issue. Mr. Wenzell came from the First Boston Corp., of which he was vice president. Undoubtedly he was very well qualified to do such things. But even while he wore the hat of vice president of the First Boston Corp., he was recommending the terms and the conditions which were the basis of the invalid contract against which the Department of Justice is now defending the Government.