

To show what a perfectly extraordinary effort that was to evade the Constitution of the United States and to detract from the legislative power and authority of Congress—an attempt by executive action to do what the Constitution says only the Congress can do—let us remember that the Constitution provides that “All legislative powers herein granted shall be vested in a Congress of the United States.”

So, Mr. President, if the Senate were to place its stamp of approval upon the man who was the head and the front in the creation of that invalid contract, the Senate would be cutting its own throat. But, more than that, the Senate would then be destroying the only legislative body in the United States in which all the people of the United States have representatives.

Mr. President, it was not my intention to discuss this matter at all, except that I felt it my duty to lay clearly before the Senate the essential facts, so that no Member of the Senate could be in any possible emotional doubt as to what his duty might be.

Mr. President, this question is not one of supporting the President. It was the President who canceled the contract that Strauss organized. This question is not one of supporting private power instead of public power, because the invalid contract did not succeed in doing that, and there has been no change.

This question does not even involve a personal attack upon Admiral Strauss. I disavow completely, Mr. President, the slightest animosity toward Admiral Strauss. I confronted him in the hearing room. I sat across the table from him. I listened to his testimony. I interrogated him. I made no effort to entrap him; and probably I could not have done so. He is a very able man.

But I will say here that anyone who reads the record will know that the whole plan was one to short circuit the legislative power of the Congress. It was a clear case of an effort to change the law by which the Tennessee Valley Authority had a certain area to serve. But, more than that, it was a clear case of an intent to invade the legislative power of Congress, by authorizing the Atomic Energy Commission to make a new sort of contract—for which no authority of law had been established—to involve the Bureau of the Budget, the Securities and Exchange Commission, the Federal Power Commission, and the Atomic Energy Commission in a concerted action, not for the national defense, but for the extension of a special privilege to a favored few, through an invalid contract. Mr. President, the accuracy of that statement cannot be denied by anyone. It was a contract of special privilege. There was no effort to ask for public bids on the contract. If the contract had been authorized, the law would have required public bidding.

CONTRACT OF SPECIAL PRIVILEGE

The contract was not for national defense. It was solely for the purpose of giving a nonexistent subsidiary of two holding companies the power to do a thing which really was prohibited by the Securities and Exchange Act. And, Mr. President, I say that is something that cannot be tolerated in a free legislature or by any part of a free legislature.