

But Admiral Strauss refused to do so; and then he said, "If I am wrong, I will pay the penalty."

Mr. President, so far as I am concerned, Admiral Strauss is wrong; and he is going to pay the penalty; and this is one of the penalties which he has forced us to impose upon him.

If Government officers or officials who are subject to the advice-and-consent power of the Senate violate the constitutional provisions in connection with the separation of powers, this is one way to make them pay the penalty. We do not have to bring them before the bar of the Senate; we do not have to impose upon them the provisions of title 2 of the code. This is one way for us to proceed.

Permit me to state something else which influenced my thinking in regard to the pending question. I did not understand its full import until I listened to what the able Senator from Wyoming has told the Senate today. The President of the United States, in a press conference, called upon his adviser—and Strauss was the President's adviser, even though he was also Chairman of the Atomic Energy Commission—to "Open up your files. Tell them about this matter."

The President was not afraid to give the information. But Admiral Strauss refused to do so.

In that instance, Admiral Strauss insisted on being his own lawyer. Would he listen to the Attorney General, the legal adviser of the President of the United States? No.

The Senator from Tennessee [Mr. Kefauver] said that the Attorney General refused to back up Mr. Armstrong, and stated that he did not have a privilege, and should not claim it. But Admiral Strauss replied: "If I am advised by the Attorney General that I have no privilege, I might still feel that my construction of the Constitution was one by which I should abide. But I have not received any such instruction."

That reminds me of an old political boss in New Jersey, who said, "I am the law."

Strauss says, "I am the Constitution"; he insists even though a servant of the President that he will interpret the Constitution, and that he will not be controlled by the view of the President or by the view of the Attorney General.

Mr. O'MAHONEY. Mr. President, will the Senator from Colorado yield?

Mr. CARROLL. Mr. President, the Senator from Wyoming has the floor.

Mr. O'MAHONEY. No, Mr. President; I yielded to the Senator from Colorado. Will he yield to me?

The PRESIDING OFFICER (Mr. Keating in the chair). Does the Senator from Colorado yield to the Senator from Wyoming?

Mr. CARROLL. I yield.

Mr. O'MAHONEY. Once there was a man, Louis—Louis XIV—who said, "I am the state." Now we have a Lewis, who says "I am the law."