

lished by the Commission. If the flow of information and legal interpretation from the staff to the Commission has been influenced initially by preselected policies, the Commissioners may be deprived of alternative facts and alternative approaches. Therefore the way is open for Commissioners to become captives of staff members, who are captives of the Chairman, who is in turn a captive of the White House.

Mr. BROTZMAN. Is all this hypothetical?

Mr. MORGAN. I would say that administrative experts—and I am not one—would have to view this aspect of that administrative arrangement and decide whether the risks inherent in it are worth the advantages it may have. I am not passing final judgment on the matter, but I do want to call it to the attention of the subcommittee and committee.

Mr. BROTZMAN. I have no further questions.

The CHAIRMAN. Mr. Commissioner, I have a good many questions that I would like to ask if other members have concluded.

Mr. YOUNGER. I would just like to ask one question.

Mr. Commissioner, in making that statement about the President and the organization of the regulatory utilities and your criticism of this system, do you follow the recommendations of the former Commissioner Landis?

Mr. MORGAN. No, sir; I do not. And of course, what he recommended was an arrangement which had an extra link in the chain, making it even stronger than the arrangement I have just described.

Mr. YOUNGER. So while you think he is a great man—

Mr. MORGAN. I don't think I described Dean Landis in any way; I referred to what I thought was an extremely skillful and able report, with certain exceptions that I don't agree with, which he made to the President-elect. In my own view—I am pretty old fashioned on this subject—I tend to agree with Eastman and some of the older students of regulatory procedure. I think these agencies do better when they have a considerable amount of independence.

Mr. YOUNGER. Do you think that they are arms of the Congress?

Mr. MORGAN. Yes, sir.

Mr. YOUNGER. And they are not agents of the Executive?

Mr. MORGAN. Well, the Executive certainly has some responsibilities, as the Landis report points out. But I don't think they should be agents of the Executive. The concern I voiced in my letter, perhaps unskillfully, about insulating these regulatory agencies from the sensitive areas of government, from the areas where the political pressures and industrial pressures are focused, carries through in my comments about this matter.

Mr. YOUNGER. That is all.

The CHAIRMAN. Mr. Morgan, I have followed very closely your presentation here and tried to analyze your presentation and the answers to questions, your position in these matters. I must confess that I find it a little bit difficult to follow your reasoning. You mentioned being puzzled by the case involving the Idaho Power Co. I am quite puzzled about your position and the reasons for what has been done.

Mr. MORGAN. In that case?

The CHAIRMAN. No; in your action in connection with your resignation and your decision leading up to it. In the first place, you have explained very carefully how dedicated you are to certain ethical