

it is a great distraction, it has held up the work of the agency in an immeasurable degree. And when I was asked at a press conference following the initial publication of the letter, when the whole press came to me and said, "Are you going to answer these charges?" I held a press conference to try to allay some of these charges. I was asked the question, "Do you think there ought to be a congressional investigation?" and I said "I don't see enough to investigate."

And I did not encourage this investigation.

Mr. Moss. Let's go to No. 3.

Mr. SWIDLER. Yes, sir.

Mr. Moss. Do you find that that paragraph makes a statement which is bad advice or false? You can read in that a discussion of standards for an ideal regulator. Would you find it something with which you would disagree?

Mr. SWIDLER. Well, it is nothing that I would think that President Kennedy would need to know, sir.

Mr. Moss. Are you the one who determines what the President needs to know or does not need to know?

Mr. SWIDLER. No; but when I read the letter, I try to understand the intention as well as the words. In reading this letter, it is apparent to me that Mr. Morgan could not have thought these ideals would come as a revelation to the President, and he had some other purpose. The President is a very well informed man on the problems of regulation, a student of Government who sees these problems in great depth.

Mr. Moss. Mr. Swidler, you and I are not in any fundamental disagreement over the merits of the President.

Mr. SWIDLER. I know, sir.

Mr. Moss. That is not what I asked you. I asked you if you find anything in that statement with which you would disagree.

Mr. SWIDLER. I find in that statement, coupled with the second paragraph, and I do not want to—you say let's not take these paragraphs out of context. That is what I am trying not to do.

Mr. Moss. All right, let's go back to the second one. He states a number of reasons for his intention not to seek reappointment. Some of them he considered he would be less than gracious if he were to enumerate.

These might be purely personal. This is purely speculative as to what was intended there. You can place your construction, I can place mine.

Mr. SWIDLER. Mr. Moss, if this had been intended in a friendly way, Mr. Morgan would have written what he said here yesterday, that he had a beautiful ranch in Oregon to which he wished to return and he left with good wishes and with every effort to help prior to the time his term expired.

Why did he wait until he was here yesterday to suggest these normal, natural reasons for leaving?

Mr. Moss. Do you think you have the right to prescribe the form of comment of your fellow members on the Commission when they have decided to retire?

Mr. SWIDLER. No, sir; and if this letter had not been interpreted as an attack on me and on the Commission, I would not have responded.