

words, "In a sharply worded, 18-page dissent, Commissioner Howard Morgan pointed out" and sure enough, it got the headlines.

Mr. Moss. You object to his public-relations posture, there?

Mr. SWIDLER. What I object to, sir, is the lack of appreciation that he is a part of the Commission and that he can destroy, and that by challenging the integrity of his colleagues, he can leave us the rubble to clear up when he goes back to Oregon.

Mr. Moss. I didn't get that. Will you repeat that?

Mr. SWIDLER. Yes. I say that if he destroys on his way out, he will leave us the rubble to clear up when he goes back to Oregon with this kind of challenge to good faith which is destructive.

Mr. Moss. You think the Commission is such a weak body that a strong dissent will destroy it?

Mr. SWIDLER. I think this kind of a challenge of good faith is destructive and the capture of headlines by challenges to good faith is very harmful to the respect for administrative processes that the people should have and that they are entitled to have, I am convinced, in the work of the Federal Power Commission.

Mr. Moss. Do you have a manual on form and format of dissents?

Mr. SWIDLER. No, sir; and I did not get into these dissents, Mr. Moss. I just said this letter I could construe only as an attack. You brought up the dissents.

Mr. SPRINGER. Mr. Moss, I could not hear. I want to hear his last words.

Mr. SWIDLER. I said I did not bring up the dissents; I had no intention of discussing them; I am really not prepared to discuss them.

They came into this conversation because Mr. Moss was challenging what was perfectly apparent, that the letter of resignation was an attack.

Mr. Moss. So you have then from the time of these dissents found your relations strained?

Mr. SWIDLER. Yes, sir.

Mr. Moss. You are entitled to that. I think it must be very uncomfortable, however, if you have to work on a commission where everything is in agreement and those who dissent must tread with great care for fear of offending.

Mr. SWIDLER. No, sir.

Mr. Moss. And I think it envisions the type of dissent which would be of little value. Again I would say, and you probably know far better than I, that this language is really mamby-pamby compared with some I have read. I say you know better than I, because you are an attorney and I am not, but I have read some very vigorous dissents that at times I thought bordered on the intemperate, but they were interesting to read and they presented an exposition of views and of convictions.

Mr. SWIDLER. There is nothing that I enjoy more, Mr. Moss, than a vigorous discussion of a point of law or a point of policy or a point of procedure. But I must say that when the challenge is to motive, to integrity, to intellectual honesty, this makes carrying forward a meaningful discussion very difficult. Now, Mr. Morgan and I—

Mr. Moss. Do you think any discussion of motive in a dissent is improper?