

Mr. Moss. As I have observed before, some of them I agree with, some of them I disagree with vigorously. As I have said, if I were to write the dissent on some, perhaps you might be more offended than you have been.

Mr. SWIDLER. I do not think so, sir.

Mr. Moss. On the other side of the coin, on some, if I were to write them, they would be glowing tributes, because I have strong convictions in the field in which you operate, and a great deal of interest. And I am concerned over the matter of these policies that were proposed yesterday. I sought them, and No. 1, which lays out a hypothesis of a means whereby the Commission could be dominated by the White House, do you concede that under any condition that would be impossible?

Mr. SWIDLER. No, sir; I certainly do not. I think that the problem of preserving the proper role of the administrative agencies in relation to the legislative and executive are matters that need constant review and in which there is a great body of informed scholarly opinion, and where our conceptions keep changing with the times.

Mr. Moss. Here is an area where reasonable men may differ.

Mr. SWIDLER. Yes, sir.

Mr. Moss. They should not at any time be personal in the differing.

Mr. SWIDLER. Exactly; that is right.

Mr. Moss. I believe that at least four of the members here today about 3 years ago joined in a report of this subcommittee which recommended that the Chairman not be designated by the President; am I correct, Mr. Chairman?

The CHAIRMAN. You are so far as I am concerned.

Mr. Moss. Mr. Springer and Mr. Younger—I think we had looked at it.

We were concerned over the preservation of the independence of these regulatory commissions.

Now, in all candor, I thought that your dismissal of these recommendations reflected, as I indicated to you during the course of your discussion, a considerable amount of prejudice toward the proposal rather than going to the merit of the suggestions themselves.

We are really far more interested here in the merit of suggestions than we are in the personalities of any individual.

Mr. SWIDLER. This is right—

Mr. Moss. It is a far more constructive contribution you make when you deal with the merit without involving in comment on the personality differences or making evident personality differences between yourself and the proposer.

But I think that occurred on a number of instances.

Mr. SWIDLER. I agree with that. I think as a serious proposal, it should be discussed very objectively and without personalities.

Mr. Moss. I would be interested, Mr. Chairman, in receiving from you, as you have time, objective comment, divorcing personalities, objective comment on the points that were made here yesterday as recommendations from Commissioner Morgan.

Some of them appeared interesting to me. Some of them I did not agree with. But I would like to have the benefit not only of his views, which I regard as having value, but yours as well.

Mr. SWIDLER. I shall review my testimony and supplement it if I failed to state my position adequately.