

Mr. SPRINGER. On two occasions?

Mr. MORGAN. Yes, sir.

Mr. SPRINGER. Did you then later fill out employment forms on six different occasions on which you did not list those arrests? Did you or didn't you?

Mr. MORGAN. Mr. Springer, you have overlooked asking me whether either of those arrests were expunged from the record.

Mr. SPRINGER. You don't seem to understand that that does not make any difference in this, Mr. Morgan. I have looked up the law. The only question is whether you answered yes or no. It does not make any difference if they have expunged both of these arrests though I understand they only expunged one of them. I have asked you whether you were arrested.

Mr. MORGAN. I was, improperly.

Mr. SPRINGER. And on none of those seven occasions did you put that on your employment record, did you?

Mr. MORGAN. I thought I had a right not to, and that is still my belief, so far as one of those occasions was concerned, because it had been expunged from the record.

I was very patient when I went through this in Senate confirmation hearings, and did not stand on what I considered to be my rights in the matter.

One of these matters was such a minor thing that I literally had completely forgotten it. It was a trivial, silly, meaningless thing.

The other one was completely improper—

Mr. SPRINGER. Now, we will take them one at a time, since you have insisted. Will you tell this committee of the one that was trivial and did not amount to anything? Will you relate that?

Mr. MORGAN. I will cooperate with you, Mr. Springer. But I must say it is ironic to have to go through this in the Senate to take a Federal position and then to have to go through it again in the House in order to leave.

Mr. SPRINGER. Mr. Morgan, I am trying to find out in simple terms what your reputation for truth and veracity is. And since you are not a lawyer, I think I ought to advise you that that is the right of anybody questioning you when you profess to be testifying as an expert and to be telling the truth. That is why I am bringing this matter up. Do you want to tell me about the first incident which you say amounted to nothing?

The CHAIRMAN. Permit the Chair to say that he is going to be rather liberal about a matter of this kind, but this is a congressional investigation; this is not an investigation in the nature of criminal or court proceedings.

And, consequently, I do not think that you should leave an impression that we are here in the position of trying the man or prosecuting him or passing judgment on him. I do not want this record to leave any impression that that is our function here at all.

Naturally the rules of evidence do not apply in the matter of congressional investigations as they do, strictly interpreted, in a court of law.

The gentleman may proceed.

Mr. SPRINGER. Do you want to relate the incidents which you say was trivial? I was not going to pursue this, Mr. Morgan, but you apparently want to.