

Form 57 contains an express warning on its face against all statements. The form specifically refers to the appropriation divisions law which reads as follows:

Whoever within the jurisdiction of any department or agency of the United States shall knowingly and willfully falsify, conceal or cover up by any tricks or schemes or device a material fact, or make any false or fictitious statements or representations, or use any false document knowing the same to contain any false, fictitious or fraudulent statements or entries, shall be fined not more than \$10,000, or imprisoned for not longer than 5 years.

I want to make it clear to this committee that this statute is applicable even though the charges which resulted in one arrest were dismissed, and the statute applicable even though the arrest may be irrelevant to the applicant's fitness for a Government position. This statute is frequently invoked. The records of the Civil Service Commission show that in the year 1961, 53 cases of false statements on forms 57 were referred to the Department of Justice for action.

The Civil Service Commission, in addition to the criminal penalty, is empowered to invoke administrative penalties for false statements on employment applications.

These do include removal from his position and barring him from Federal employment for a period from 1 to 3 years.

It is interesting to know that Mr. Morgan's concealment did not end in 1952, the date of his last form. And I quote from the Senate report again:

Mr. Morgan did not tell the White House about one of his arrests or about his concealment on form 57 until after the committee's hearing had started.

It would be interesting to know, if all the facts had been known to the White House, would his name then have been submitted. The question is natural, because the facts in this case run directly counter to the letter and spirit of the President's message to Congress on integrity in the Federal service.

Even with this, Mr. Chairman, there seems to be another facet of this case and of this witness which is far more striking on his character than his reputation for veracity and the question as to personal integrity.

A few years ago when the late Senator McCarthy was at his height some people in Washington coined a phrase called "McCarthyism."

A McCarthyite was generally described and defined by those people as "one who brought charges directly by inference against an individual or a group of individuals or an organization charging them with a lack of loyalty or integrity, and failed to bring forth proof thereof."

Mr. Chairman, if this witness' testimony is to be believed, including his letter to the President, there are men serving on the commissions in Washington who are rendering decisions because of conformity, timidity or personal security, or because of fear of nonreconfirmation. But he has failed to bring forward any evidence to that effect, and by a simple statement on his part thereof, without any proof, he has cast a pall over every commission and commissioner in Washington. Secondly, he has in general words said that the President has been appointing ordinary men who lack the character to regulate in the