

Now, I am sort of curious as to what would happen, having studied this matter somewhat carefully, if there was an attempt to do as this section says, make an investigation of any violation by a Member, officer, employee of the House, particularly in connection with "loyalty to the highest moral principles above loyalty to persons, party, or Government department." That is what this says and that is what this would do in this resolution; is that correct?

Mr. BENNETT. That is correct.

Mr. BOLLING. I was curious about that.

Mr. BENNETT. Let me say this. This illustrates the difficulty of coming out with a code of ethics, because this code of ethics was drafted by about 40 or 50 Members of Congress and this was in 1949 or 1950. It took about from 1949 or 1950 to 1958 to get it passed, and it was worked over by several sessions of Congress. Extensive hearings were had on it, and commas put in, commas taken out, words changed here and words changed there, and it is not an easy thing at all to get a code of ethics for Government service or any other code of ethics for anybody drafted, which has this implication to try to help standards in the field other than statutory criminal law.

That is the reason when the chairman asked me about this, I said to him that I am not very sanguine about—very optimistic about drawing up codes of ethics.

This is not an easy thing to do at all, because when you have a code of ethics, unless it is criminal law, you have admittedly said it is going to be in a gray area and subject to all kinds of interpretations.

I know the chairman is looking at the clock. I would like to say one thing about this code of ethics. It has not been a useless thing. The Civil Service Commission has many times referred to this as being a very helpful thing in the executive branch of the Government, so it has been a worthwhile thing. It has never been applied to the House of Representatives, but if there is an objection to the vagueness of this, that would be easily done by just striking that language relative to resolutions and you could just say—just stop right there when it says the standards established by the House of Representatives by law.

That would be stopped at page 25 where it says "by law" and just strike the rest of that sentence after "law." This is not a law, this is just a resolution. It was passed by the House and the Senate, but it was not a law. So you could strike that and there would be no great harm done by that if you want to do that. I have no objection to doing that.

I would think, however, the committee might want to think about the possibility there might be a desire to leave some power of oversight in this field and if you do not have some general provisions like this, you would not have such oversight. But if you feel the committee might be likely to go down all kinds of cul-de-sacs and do things it should not do, it would be a simple thing just to strike all words after "by law," to strike out "or resolution including" and I don't think this would impair the activities of the committee. And I would have no objection to removing it if you want to remove it.

Mr. BOLLING. Mr. Chairman, I have one comment I would like to make.