

Mr. FASCELL. Mr. O'Neill, that is a question which the Congress ought to have the right to decide. This is the point I am making, without a committee, without somebody looking into it, you leave it where it is now, unanswered. That question you have posed is unanswered technically under the present statutes, as I understand them.

Mr. O'NEILL. Thank you.

Mr. FASCELL. But if you are going to have a rule, the point is the committee ought to study it, have hearings, recommend it to the House. The House ought to vote on it. If the House approves it, it becomes a rule. If they don't, it is no rule.

Mr. YOUNG. Mr. Chairman, I have a question. I was interested along the same lines as Mr. O'Neill. I don't think it is a question that the House has a right to decide.

With regard to the specific nature, and I appreciate the fact you laid emphasis on these regulations and codes being specific. Would it be your idea that, say, paragraph 1(b) would read something like this: That the congressional salary contemplates full-time employment, no Member of Congress can be a member of a law firm or receive any remuneration from law practice—period?

Would that be it?

Mr. FASCELL. I don't know. I am not ready to make that recommendation yet. I just say that that is an unresolved question as it exists today.

Mr. YOUNG. And it would be specific.

Mr. FASCELL. Because we now meet 10 or 11 months a year, we get paid a larger salary, it takes more to live, time is more demanding, more questions are being raised with respect to outside interests of Members of Congress, as well as in the executive branch.

A committee of the Congress ought to study this, make some kind of recommendation. Whatever the recommendation is, it has to be voted on by the House. The House would set its own rule. The House would have the opportunity and the option of deciding, for example, whether you wanted to write this into the Criminal Code with criminal penalties, or whether you wanted to simply set it up as a rule of the House with certain penalties attached to the membership in the House, such as violation brings censure, or violation brings fine, assuming that the constitutional questions can be resolved on that issue.

I don't know. Or it might be possible that the committee might recommend in a more serious type of case that you have both a criminal-type of statute which would provide for prosecution under the general law as well as providing some penalty within the Congress itself.

Maybe there should be no change, but at least the question ought to be reviewed and resolved in light of current-day demands, practices, and knowledge and see whether or not any changes ought to be recommended. This is the way I see it.

I am not recommending a particular code at this point. I am not recommending any specific rules at all, but I am saying that these are all questions; for example, Mr. Madden is concerned about excessive campaign contributions. I humbly submit that is in the jurisdiction of another committee, and ought not to be in this committee at all—

Mr. MADDEN. Would you yield there?

How long has it been in their jurisdiction?