

STATEMENT OF HON. CHARLES McC. MATHIAS, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. MATHIAS. I will try to proceed with the same dispatch and same force as Mr. Udall.

If I may, I have a statement prepared which I would like to submit for the record.

The CHAIRMAN. Very well.
(The statement follows:)

STATEMENT OF HON. CHARLES McC. MATHIAS, JR., REPRESENTATIVE OF MARYLAND, SIXTH DISTRICT

Mr. Chairman, when you opened these hearings two weeks ago, you observed that the question of Congressional ethics had particular topical interest. I trust that this interest has not waned now that the immediate topic is behind us. Rather, I think that our difficult experience last week emphasized the urgent need for us to establish a Select Committee on Standards and Conduct, such as would be created under my resolution, H. Res. 204. I hope that in time this panel would become a standing Committee of the House.

This House has two important responsibilities which, in my judgment, are not now being met. First, we should encourage public confidence in the integrity of the Congress, by exercising that degree of self-control and self-discipline which the people expect from their elected representatives. Second, we should insure that, when questions are raised or allegations of misconduct are made, all Members of the House will receive fair and equal treatment. Neither of these objectives can be reached by delay and hesitation, by dodging the issues, or by improvising procedures when public outcries occasionally make some dramatic action unavoidable.

Our present concern with Congressional conduct is a product of this century and the conditions which now prevail. The public's expectations have risen tremendously since the days in 1833 when Daniel Webster reminded Nicholas Biddle, the Philadelphia banker, that "my retainer has not been renewed, or refreshed as usual." Where such tangible ties between legislators and special interests were once accepted as a matter of course, they are now cause for public speculation, suspicion and mistrust.

Second, the business of Congress has expanded to embrace nearly every field of American activity. There are unlimited temptations—not simply for blatant corruption, but for subtle exertions of influence in countless grey areas. Our legislative business has become so complex that the press and the public can no longer keep up with everything we do. Of course a few flagrant and spectacular cases of misconduct do come to the attention of the electorate. But generally our conduct is insulated from public scrutiny. We know that most of us are honest all the time, and that all of us are honest most of the time. But the confidence of the public may diminish, unless we give clear, visible evidence that we, individually and as a body, intend to discipline ourselves.

Our previous efforts to define and enforce ethical standards have not been consistent or energetic enough. Although the Congress did enact a Code of Ethics for Government Service on July 11, 1958, without House debate or a dissenting vote, some Members of Congress and most of our constituents have never heard of it. Yet many of its provisions are extremely relevant to last week's experience—such as item 3, that any person in government service should "give a full day's labor for a full day's pay," and item 9, that he should "expose corruption wherever discovered."

Mr. Chairman, we have applied this Code of Ethics to every Federal employee, including the most humble and least privileged. We should be willing to conform to it ourselves. Yesterday I went back to the Congressional Record to see whether, in passing the resolution establishing this Code, the Congress gave clear indications that it was intended to apply to Members as well as to everyone else in public service. I found, unfortunately, that the Code was passed by the 85th Congress by unanimous consent, and that it was sandwiched between action on a bill to benefit Council Bluffs, Iowa, and a bill to authorize a program of research in fish farming. My question was answered only by the resolution itself, which states: