

CHARLES McC. MATHIAS, JR.  
SIXTH DISTRICT, MARYLAND

COMMITTEES:  
JUDICIARY  
DISTRICT OF COLUMBIA

Congress of the United States  
House of Representatives  
Washington, D.C.

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May 31, 1966

Mr. Harold Weisburg  
Hyattstown, Maryland

Dear Mr. Weisburg:

My secretary informed me of your recent telephone call requesting a copy of the 1959 bill which established a code of ethics for the executive and legislative branches of our Government.

Unfortunately, I was able to secure only one copy from the Library of Congress, however, if you wish additional copies they will gladly photograph the pages for sixty cents a page.

If I can be of any further assistance to you, please do not hesitate to get in touch with me.

With all best wishes.

Sincerely,



Charles McC. Mathias, Jr.

CM/apc

Encl.

86TH CONGRESS  
1ST SESSION

# S. 658

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## IN THE SENATE OF THE UNITED STATES

JANUARY 23, 1959

Mr. JAVITS (for himself and Mr. KEATING) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

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## A BILL

To establish a code of ethics for the executive and legislative branches of the Government.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### DECLARATION OF POLICY

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4 SECTION 1. One of the most vital concerns of a free  
5 representative government is the maintenance of moral and  
6 ethical standards which are above cause for reproach and  
7 which warrant the confidence of the people. These stand-  
8 ards must be practical; government is and should be fairly  
9 representative of the people who elect it. The people are  
10 entitled to expect from their public servants a standard above  
11 that of the market place, for such public servants are en-



1 trusted with the welfare of the Nation. Some conflicts of  
2 interest are clearly wrong and should be proscribed by  
3 sanctions in the criminal law. Some are composed of such  
4 diverse circumstances, events, and intangible and indirect  
5 concerns that only the individual conscience can ever serve  
6 as a practical guide. But there are many possibilities of  
7 conflict lying in that shadowland of conduct for which  
8 guidance would be useful and healthy, but for which the  
9 criminal law is neither suited nor suitable. For matters of  
10 such complexity and close distinctions the Congress finds  
11 that a code of ethics is desirable for the guidance and pro-  
12 tection of Federal officers and employees, setting forth in  
13 general terms the standards of conduct reasonably to be  
14 expected of them.

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**GENERAL RULE**

16       SEC. 2. No public officer or employee should have any  
17 interest, financial or otherwise, direct or indirect, or engage  
18 in any business, transaction, or professional activity, or incur  
19 any obligation of any nature whether financial or moral,  
20 which is in substantial conflict with the proper discharge of  
21 his duties in the public interest; nor should any public officer  
22 or employee give substantial and reasonable cause to the  
23 public to believe that he is acting in breach of his public  
24 trust.

## 1 SPECIFIC STANDARDS

2 SEC. 3. In addition to the general rule set forth in  
3 section 2, the following specific standards are hereby  
4 established:

5 (a) No officer or employee of the executive branch of  
6 the Government, Member of Congress, or officer or employee  
7 of the legislative branch of the Government should accept  
8 other employment which will tend to impair his independence  
9 of judgment in the exercise of his official duties.

10 (b) No officer or employee of the executive branch of  
11 the Government, Member of Congress, or officer or employee  
12 of the legislative branch of the Government should accept  
13 employment or engage in any business or professional activity  
14 which will tend to involve his disclosure or use of confidential  
15 information which he has gained by reason of his official  
16 position or authority.

17 (c) No officer or employee of the executive branch of  
18 the Government, Member of Congress, or officer or em-  
19 ployee of the legislative branch of the Government should  
20 disclose confidential information acquired by him in the course  
21 of his official duties or use such information for other than  
22 official purposes.

23 (d) No officer or employee of the executive branch of the  
24 Government, Member of Congress, or officer or employee



1 of the legislative branch of the Government should use or  
2 attempt to use his official position to secure unwarranted  
3 privileges or exemptions for himself or others.

4 (e) No officer or employee of the executive branch of  
5 the Government should engage in any transaction as repre-  
6 sentative or agent of the United States with any business  
7 entity in which he has a direct or indirect financial interest  
8 that might reasonably tend to conflict with the proper dis-  
9 charge of his official duties.

10 (f) An officer or employee of the executive branch of  
11 the Government, Member of Congress, or officer or employee  
12 of the legislative branch of the Government should not by  
13 his conduct give reasonable cause for belief that any person  
14 can improperly influence him or unduly enjoy his favor in  
15 the performance of his official duties, or that he is affected by  
16 the kinship, rank, position, or influence of any person or  
17 political party.

18 (g) An officer or employee of the executive branch of  
19 the Government should abstain from making personal invest-  
20 ments in enterprises which he has reason to believe may be  
21 directly involved in decisions to be made by him or which  
22 will otherwise create substantial conflict between his official  
23 duty and his personal interest.

24 (h) An officer or employee of the executive branch of  
25 the Government, Member of Congress, or officer or employee

1 of the legislative branch of the Government should endeavor  
2 to pursue a course of conduct which will not give reasonable  
3 cause for belief that he is likely to violate his trust.

4 (i) No officer or employee of the executive branch of  
5 the Government employed on a full-time basis, nor any firm  
6 or association of which an officer or employee is a member,  
7 nor corporation a substantial portion of the stock of which is  
8 owned or controlled directly or indirectly by such officer or  
9 employee, should sell goods or services to any person, firm,  
10 corporation, or association which is licensed or whose rates  
11 are fixed by a Federal agency in which such officer or em-  
12 ployee serves or is employed.

13 (j) Any officer or employee of the executive branch  
14 of the Government, Member of Congress, or officer or em-  
15 ployee of the legislative branch of the Government having  
16 a financial interest, direct or indirect, having a value of  
17 \$10,000 or more, in any activity which is subject to the  
18 jurisdiction of a regulatory agency, should file with the  
19 Comptroller General a statement setting forth the nature of  
20 such interest in such reasonable detail, and in accordance  
21 with such regulations as shall be prescribed by the Comp-  
22 troller General. As used herein, the term "regulatory  
23 agency" shall include such agencies as shall be designated  
24 by the Comptroller General, which list shall be published  
25 in the Federal Register as soon as practicable.



## VIOLATIONS

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2 SEC. 4. The Attorney General shall receive complaints  
3 concerning violations of this Act by officers and employees  
4 of the executive branch of the Government and he may  
5 render advisory opinions with respect to the alleged vio-  
6 lations under such procedures as he shall determine. He  
7 may also refer such complaints or such requests for opinion  
8 to the Public Advisory Committee on Ethical Standards,  
9 appointed in accordance with section 6 of this Act. He  
10 may report his own findings and recommendations, or those  
11 of the Advisory Committee which he adopts and approves,  
12 to the officer or agency having the power of removal or  
13 other discipline over the officer or employee involved in  
14 the complaint.

## CIVIL ACTIONS

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16 SEC. 5. The Attorney General may cause civil actions  
17 to be instituted in the appropriate United States district court  
18 for the recovery of money or property received or expended  
19 by any officer or employee in the executive branch of the  
20 Government in violation of any law or regulation concerning  
21 breach of his public trust in the performance of his official  
22 duties, and the district courts of the United States shall have  
23 jurisdiction of any proceedings so instituted.

## 1 PUBLIC ADVISORY COMMITTEE ON ETHICAL STANDARDS

2 SEC. 6. (a) The Attorney General is hereby author-  
3 ized and empowered to establish a Public Advisory Com-  
4 mittee on Ethical Standards insofar as they apply to officers  
5 and employees of the executive branch of the Government.

6 (b) The Advisory Committee shall, but only at the  
7 request of the Attorney General—

8 (1) consider any complaints concerning violations  
9 of this Act by or involving officers and employees of  
10 the executive branch of the Government, make de-  
11 terminations thereon, and report its recommendations  
12 to the Attorney General;

13 (2) render to the Attorney General an advisory  
14 opinion as to whether the facts and circumstances in a  
15 particular case, concerning any such officer or employee  
16 of a Federal agency, may constitute a violation of this  
17 Act;

18 (3) advise and assist any Federal agency in estab-  
19 lishing rules and regulations relating to possible con-  
20 flicts between private interests and official duties of  
21 present or former officers and employees; and

22 (4) make recommendations for revisions in the  
23 code of ethics and other legislation relating to the con-  
24 duct of officers and employees of the United States in  
25 the performance of their official duties.



1 (c) The Advisory Committee shall have no executive,  
 2 administrative, or appointive duties. Each member shall  
 3 serve without compensation but shall be reimbursed for  
 4 expenses actually and necessarily incurred by him in the  
 5 performance of his official duties.

80TH CONGRESS  
 1ST SESSION

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By Mr. JAVITS and Mr. KEATING

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