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REPORT TO THE PEOPLE
FROM YOUR CONGRESSWOMAN

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The question of ethics in government is seldom very far removed from the thought and mind of official Washington.

And so much the better -- for the problem of an adequate and enforceable code of behavior for public officials is, as a matter of principle, of fundamental importance in a representative system of government; and yet, as a practical matter, it is complicated by subtle distinctions, involved relationships and the imponderables of personal motive and purpose.

It should be recognized right at the beginning that as long as people are human there will be no practicable way of guaranteeing that everyone in government service will behave entirely honorably. There will always be the exception, the weak and the greedy, toward whom "fixers" and "influence peddlers" inevitably are drawn.

But even though it is true that morality cannot be legislated, it can certainly be encouraged and temptation discouraged by a wider recognition and acceptance of certain ethical principles and guidelines as they apply especially to those holding positions of public trust.

This whole question has been raised again recently as a result of the investigation by a House subcommittee of the so-called "munitions lobby". It is also involved in Senate hearings on legislation to establish standards of conduct for judicial-type proceedings before Federal regulatory agencies -- not to mention several conflict-of-interest measures which have been allowed to languish on the shelves of Congressional committees.

A Code of Ethics

Despite the different circumstances each of these cases involves, there are basic considerations that make them all, at heart, part of the same question of what

constitutes proper official conduct. In an effort to provide guide-lines toward an answer, Congress last year approved a "Code of Ethics for Government Service". This Code was necessarily general but nonetheless valuable because it stressed a number of these basic considerations.

Briefly, the Code of Ethics distinguished carefully between public and private activities and in effect emphasized that a person's private and personal considerations must not be allowed to influence what he does as a public official. For example, the Code specifies that people in Government service should not discriminate unfairly between others, nor should they dispense special favors or privileges, nor make private promises bearing on the duties of their office. The Code also prohibits the use of "inside" Government information for personal profit, or the acceptance of gifts or benefits that might be construed as influencing the performance of one's government duties.

Essentially, it's a matter of fair play and personal integrity and respect for the public one is sworn to serve faithfully. The temptations of power and profit and prestige must not be allowed to obscure the fact that public office belongs to the people, not to the person temporarily occupying it. Everything about that office, tangible and intangible, can legitimately be used only in the public interest.

A Case in Point

At the risk of oversimplifying the issues, these general principles are directly applicable to the cases I've mentioned.

Take the question of defense contracts, for example. The immense cost of the planes, missiles and weapons which our military officers must buy are paid for out of the people's taxes. A heavy responsibility rests on procurement officers to make certain that costs are held to a minimum and that the greatest value is obtained for every dollar spent. The purpose of the present investigation is to learn whether other considerations, such as personal friendship with former officials employed by defense contractors, have entered into the award of contracts.

No conclusions have yet been reached, though a number of proposals have been advanced to regulate the conditions under which former military officers may work for defense firms doing business with the Government. It seems to me that any final remedy should respect both the right of the Government to protect itself from undue influence and

the right of retired officers to find suitable employment and put their talents to productive use. The line which separates these two "rights" is often a narrow one, but one which must be carefully drawn.

The same principles apply to such matters as the waste and mismanagement sometimes found in foreign aid programs, as in Laos and Viet-Nam.. Almost always these cases result from the failure of a few officials to live up to the obligations of public service. Personal gain or just plain laziness can thus threaten important goals of foreign policy in which we have invested great care and expense.

Equal Treatment of All

In the case of proceedings before such regulatory agencies as the Interstate Commerce Commission and the Federal Communications Commission, the issue may be somewhat clearer. Where the proceeding is substantially judicial, where it affects the interests of competing firms, it should be conducted with the same careful procedure used by courts of law. The record should be entirely public. All interested parties should have the same opportunity to present their cases. No back-door or off-the-record approaches to those deciding such cases should be permitted -- even from members of Congress.

Regulations, codes of ethics and standards of conduct are important: to remind office-holders of what is expected of them and to provide the people with an adequate yardstick by which to measure the performance of those entrusted with their public business.

Ultimately, however, we must rely on people instead of regulations to assure the highest standards of official behavior -- on the moral awareness and integrity of the people appointed or elected to office, and the sensitivity and alertness of the people generally to violations of these standards.

Here, as in so many other areas of a free country, people get what they value most highly and demand most persistently.