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When the House Could Clean Itself

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By Joseph A. Califano Jr.
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The most troubling aspect of the Mark Foley scandal is not his conduct, disgusting as it was, but what the response of the leadership reveals about the rancid state of partisanship and the consequent decline of the House of Representatives. Speaker Dennis Hastert presides over a legislative body so infested with mistrust that it doesn't even have a functioning ethics committee. Since the House is incapable of washing its own dirty laundry and policing itself, the speaker has to turn over that responsibility to the attorney general and the executive branch of government.

Compare the current situation with the way Speaker Tip O'Neill and the House handled the last scandal involving sexual misconduct with pages, in the summer of 1982.

On "The CBS Evening News With Dan Rather" that June, two former pages, their teenage faces silhouetted to hide their identity, claimed they were victims of sexual abuse by members of Congress. One described homosexual advances by members; the other shocked the nation when he said he had engaged in homosexual relations with three members and procured prostitutes for others. The CBS broadcast sparked a wildfire of reports and rumors about sexual abuse of pages and drug use by members and pages.

Within a week the House had authorized its ethics committee to conduct a full investigation of allegations of "sexual misconduct, illicit drug distribution and use, and offers of preferential treatment in exchange for sexual favors or drugs by Members, officers or employees of the House." House Speaker O'Neill and Minority Leader Robert Michel asked me to be special counsel to the ethics committee, co-chaired by Ohio Democrat Lou Stokes and South Carolina Republican Floyd Spence. I was allowed to select my own staff and given a commitment that I could follow the evidence wherever it led, because, as O'Neill and Michel said, "The integrity of the House is at stake."

Assistant Deputy Attorney General Rudolph Giuliani was the point man for the Justice Department and its grand jury investigation of the charges. We agreed to exchange all relevant information and that there would be no leaks. Allegations of sexual misconduct and drug use were raw meat for a voracious, scandal-hungry Washington press corps, and Giuliani and I came across rumors and fragments of information about many members of Congress. We shared them all with each other, and there were no leaks from him or me.

The big surprise came when the two pages whom CBS had put on its evening news show recanted. They testified under oath that they had lied and that CBS reporter John Ferrugia had put words in their mouths. But uncovering the lies of the pages and the reckless reporting of CBS didn't end our investigation. We had received a host of allegations of sexual misconduct and drug use and sale by other pages and House members. We interviewed, under oath, some 2,000 past and present pages, adults who had supervised and taught them, congressional staffers, and House members. We issued scores of subpoenas.

We found no evidence of widespread sexual misconduct. We did find that Rep. Daniel Crane (R-Ill.) had had a sexual relationship with a 17-year-old female page and that Rep. Gerry Studds (D-Mass.) had sexual relations with a 17-year-old male page and had made advances to other teenage male pages.

When I reported our findings to O'Neill and Michel, the dishonor that these members had brought on the House infuriated the two leaders. "Get it out," they said, "and let the committee recommend disciplinary action," which its four Democratic and four Republican members did, unanimously, in July

1983. Crane and Studds were censured by the House. Crane resigned his seat. Studds chose to stay on and was retained in office by his constituents for 13 more years.

But the ethics committee had done its job well, we believed. Our investigation found other misdeeds: House members -- two Democrats and a Republican -- had used drugs. And between 1978 and 1982 a number of House and Senate employees were involved in illicit use and distribution of drugs. All were named (Barry Goldwater Jr., who retired from the House; Fred Richmond, who admitted buying and using drugs and later pleaded guilty to tax evasion; and John Burton, who entered rehab and became a recovering addict with a productive career in the California state legislature). The employees were fired and prosecuted. The House adopted all the changes we recommended to provide far more attentive supervision of pages.

The course the House took in that scandal, and its reaction to the current one, show the difference between a leadership that saw a threat to the integrity of the House of Representatives and one that sees a threat to its continuing control of the institution. It's useful today to remember that there was a time when partisanship took second place to trust and the House leadership had the strength to wash its own dirty laundry.

The writer is president of the National Center on Addiction and Substance Abuse at Columbia University. He was President Lyndon Johnson's assistant for domestic affairs and secretary of health, education and welfare in the Carter administration.

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