

Mr. BENNETT. I don't believe that would happen on the floor of the House. I believe an amendment would take place during the debate which would handle that. It would either take the standing committee we create by the Rules Committee here, and I do hope you create a standing committee, or you would change that provision of the Madden provision to make it a select committee, since that would be the normal way to operate, I would think.

The CHAIRMAN. Of course, this committee has original jurisdiction in this matter. It could report out any kind of a resolution it saw fit.

Mr. Martin?

Mr. MARTIN. Thank you, Mr. Chairman.

I concur in your remarks, Mr. Bennett. I think you made a very fine statement. The feeling in the country today and the image of the Congress, I think, demands completely that a separate committee be set up in this area, not assigned to the House Administration Committee or any other committee that we have in existence.

I think this is most important for the image of the Congress itself. I think we need a strong piece of legislation in this area, or a strong resolution. I have a question or two on part of your testimony.

On page 3 under section 2, you state:

Such an investigation may be made only upon receipt by the Select Committee of a complaint, in writing and under oath, made by or submitted to a member of the House, and transmitted to the Select Committee by such member.

Do you not think there is a little weakness involved in that procedure? There might be cases of misconduct that occur outside the House which would not be known to the Members themselves, yet could be reported by outside people who, if they had the authority to report directly to this select committee, would do so.

Secondly, it seems to me that there is a weakness in that under this language a person would have to make his complaint to some other Member of the House and there might be a great reluctance on the part of the Member to file, under oath, a formal complaint against one of his colleagues.

Mr. BENNETT. On that last point you make, it would not be envisioned that the Member of Congress would file anything under his own oath, unless it was his own information. The procedure of setting it up that way was done analogous to the prosecuting attorney referring things to the grand jury or things of this type.

I must say, speaking for myself and I think for every member of this committee, of course, I cannot speak for them because they did not vote on this particular thing, but looking at the careful minutes we took, which are available for anybody to read, the provision about making it under oath and in writing, and the provision about a Member of the House having to refer it to the committee were done entirely for the purpose of reassuring Members of Congress that trivial matters would not come in any way to the committee. The committee would still have the discretion to turn it down.

Mr. MARTIN. Your staff could turn it down?

Mr. BENNETT. I would much prefer having those provisions stricken, because the committee still does not have to hear these matters. If trivial, the staff or the committee can sift them. I don't think a matter should be considered under investigation unless the committee makes