

Mr. O'NEILL. On page 3, line 7, "No investigations may be made—" Will you clearly state the effects of that sentence so that we can write it into the record here?

Mr. BENNETT. I am now reading what has been referred to:

No investigation may be made with reference to any complaint of a violation occurring prior to the establishment of the standards of conduct involved. After such investigation, the Select Committee may recommend to the House appropriate resolutions of censure for its consideration and action thereon.

Now, if this legislation is not amended in any respect, passed just as it is, the effect of this would be that a Member violating any law after it was enacted—these are laws in the past now we are talking about—could be brought up for censure for violation of that law or resolution. Now, there was some criticism yesterday in the hearing about the breadth and the vagueness of the existing code of ethics. That would, of course, be a standard.

However, I take no personal umbrage with this and if the members of the Rules Committee would want to strike that rather general statement of the code of ethics and just leave it to just law that had been passed by both the House and Senate, and approved by the President, this would not seriously affect the actions of the committee at all.

If they would desire to do that in view of all the apprehension people have raised about the vagueness of this, it might be a good thing to do. That would mean that you would strike on line 25, after the word "law," down to the period.

Hr. O'NEILL. That is all, Mr. Chairman.

The CHAIRMAN. Mr. Latta.

Mr. LATTA. Yes, Mr. Chairman.

Let me say, Mr. Bennett, that I introduced a similar resolution with few differences from House Resolution 18. In view of some of the answers that you have given us, and particularly the answer to the question by the gentleman from Massachusetts just a minute ago, I am a little bit in the dark as to what this committee is going to do. I hope you are not boxing yourself in to the extent that you are only going to investigate violations of law.

As I view it, if you are only going to investigate violations of law, there is no need for this committee's existence. Because, if a Member is violating the law, there is ample authority now to prosecute the individual. Would you agree with me?

He is not exempt as a Member of Congress from prosecution for such action.

Mr. BENNETT. No, I think the only additional value then to the committee would be whether they could bring in improvements of law. Plus the fact that I do think there is some reluctance—although I may be inaccurate in this, this is just a feeling on my part, and I can't substantiate it—I believe there is some reluctance in the regular legal procedures of the Department of Justice and in the States as well, to bring Members of the House before their bar for the simple reason they think we handle those things ourselves. But, of course, there is a provision even under the law that was passed in the last days of the last session which says that the committee can bring violations of the law to the attention of the courts and prosecuting authorities, and that was what was recommended by the joint committee.

However, the Senate committee is much broader. It does not restrict itself that way. I think there is a value even as suggested by