

Mr. MATSUNAGA. My question is, in your opinion, does this mean that the committee or a member of the committee designated by the committee shall become a complainant?

Mr. BENNETT. I would think that it would not be that the member or that the committee would become complainant. I think it means in cases brought to the attention of the committee of violation of law, the committee could in whatever manner it thought best transfer this to the regular prosecuting authorities. It might merely buck it with a buck slip, "It has come to our attention,"—"For your interest,"—"After extensive hearings, we have come to the conclusion there seems to be some ground for considering that this ought to be looked into by the Justice Department."

There are all kinds of variations it might take. This is not language which I wrote. This is language written on the floor of the House last fall.

Mr. MATSUNAGA. In your opinion, would this subsection provide also for a recommendation on the part of the committee to the State or Federal authorities?

Mr. BENNETT. I don't think it would be precluded. I don't know that the committee is going to want to spend all its time, if it is going to be handled fully by the Justice Department, and go into extensive hearings on something that is going to have to be handled by the processes of law. Even if the committee is not very busy, I don't know that would be a very profitable pursuit.

Mr. MATSUNAGA. Don't you think then we ought to spell out that the committee shall make such recommendations as it deems proper?

Mr. BENNETT. I have some question in my mind as to whether or not when you are going to hand the thing over to the Justice Department, you ought to prejudge a man by making a preliminary court proceeding or semicourt proceeding in this committee. I think it would be very questionable in my mind whether that would be a proper procedure. That man is going to be tried by ordinary procedures in court. For some preliminary body to half-judge him, it seems to me, is rather questionable.

It seems to me he has his rights under the courts. I doubt that would be a sound thing to do.

Mr. MATSUNAGA. By recommendation, Mr. Bennett, I meant that an investigation should be had by the Federal or State authority, not that he should be convicted or be set free. That, of course, we know we cannot do.

Mr. BENNETT. Yes, but there are all different kinds of recommendations. If they merely recommend that they look into it, of course, I would agree with you 100 percent. If you painted him with an awfully dark brush and then say you recommend it be looked into, you have prejudiced it.

Mr. MATSUNAGA. Isn't it only after we have half-judged the matter that we would report it to the Federal or State authorities to begin with?

Mr. BENNETT. Not necessarily. I didn't draw this provision.

Mr. MATSUNAGA. Even if you did not draw it, you are now the author of this resolution.

Mr. BENNETT. If you want to start to establish some legislative history—of course, this is the danger of establishing law by legislative