One limitation on the power of inquiry that the has been discussed in various cases is the contention that congressional investigations often have no legislative purpose, but rather are aimed at achieving results through "exposure" of disapproved persons and activities: "We have no doubt," wrote Chief Justice Warren, "that there is no congressional power to expose for the sake of exposure."[224] Although some Justices, always in dissent, have attempted to assert limitations in practice based upon this concept, the majority of Justices have adhered to the traditional precept that courts will not inquire into legislators' motives, but will look[225] only to the question of power.[226] "So long as Congress acts in pursuance of its constitutional power, the Judiciary lacks authority to intervene on the basis of the motives which spurred the exercise of that power."[227]

Protection of Witnesses; Pertinency and Related Matters.—A witness appearing before a congressional committee is entitled to the establishment of the commitees's authority to inquire into his activities and a showing that the questions asked of him are pertinent to the committee's area of inquiry. In this regard, a congressional committee possesses only those powers delegated to

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[224] Watkins v. United States, 354 U.S. 178, 200 (1957). The Chief Justice, however, noted: "We are not concerned with the power of the Congress to inquire into and publicize corruption, maladministration or inefficiency in agencies of the Government. That was the only kind of activity described by Woodrow Wilson in Congressional Government when he wrote: 'The informing function of Congress should be preferred even to its legislative function.' Id. at 303. From the earliest times in its history, the Congress has assiduously performed an 'informing function' of this nature." Id. at 200 n.33.

In his book, Wilson continued, following the sentence quoted by the Chief Justice: "The argument is not only that discussed and interrogated administration is the only pure and efficient administration, but, more than that, that the only really self-governing people is that people which discusses and interrogates its administration. . . . It would be hard to conceive of there being too much talk about the practical concerns . . . of government." W. WILSON, CONGRESSIONAL GOVERNMENT (1885), 303–304. For contrasting views of the reach of this statement, *compare* United States v. Rumely, 345 U.S. 41, 43 (1953), *with* Russell v. United States, 369 U.S. 749, 777–778 (1962) (Justice Douglas dissenting).

[225] Barenblatt v. United States, 360 U.S. 109, 153–162, 166 (1959); Wilkinson v. United States, 365 U.S. 399, 415, 423 (1961); Braden v. United States, 365 U.S. 431, 446 (1961); *but see* DeGregory v. Attorney General of New Hampshire, 383 U.S. 825 (1966) (a state investigative case).

[226] "Legislative committees have been charged with losing sight of their duty of disinterestedness. In times of political passion, dishonest or vindictive motives are readily attributable to legislative conduct and as readily believed. Courts are not the place for such controversies." Tenney v. Brandhove, 341 U.S. 367, 377–378 (1951). For a statement of the traditional unwillingness to inquire into congressional motives in the judging of legislation, *see* United States v. O'Brien, 391 U.S. 367, 382–386 (1968). But note that in Jenkins v. McKeithen, 395 U.S. 411 (1969), in which the legislation establishing a state crime investigating commission clearly authorized the commission to designate individuals as law violators, due process was violated by denying witnesses the rights existing in adversary criminal proceedings.

[227] Barenblatt v. United States, 360 U.S. 109, 132 (1959).