

power of attorney, and you will make an affidavit to that effect, we are prepared to write you a check now for some \$30,000 which you should have got, which he appropriated, and we will undertake," under some law or another, which I can't cite because I don't have it in front of me, "to recover this from Mr. Powell."

Now, the report in effect and in a couple of sentences said this, and Mrs. Powell's reply was, "Wait until my lawyers meet Adam's lawyers and see what he is going to do for me." She didn't answer the subpoena and her statement before the radio out here and the press that she only had a matter of hours' notice is not true, because the record shows that we received service on the subpoena several days before she first did not show up, and in three other instances, we gave her alternative dates and that was a matter of hours or a day or two because time was running out.

But she was advised that we could not bring her up because when the Congress expired, our power to punish expired with it, because, as you know, you can't punish a person for contempt of the 89th Congress in the 90th Congress.

Another interesting little side play that the press seemed to have missed about that is the fact that Mrs. Powell, as a result of our testimony, brought out in the committee, immediately wrote a letter to the Clerk and asked him to send her the November check which he did, and the December check. She made a big deal out of the fact she had not done any work and she wanted to be taken off the payroll, but when it became obvious from the answer to the question, and I will tell you what that was, that she could get the checks, she wrote and got them, but she still was not doing any work.

The question was to the assistant of the Clerk, "to whom do you send the employee's check?" and he said, "To whom they designate."

We asked, "Did Mrs. Powell say to whom to send the check?" He said, "We have nothing on record from Mrs. Powell. We have a letter from Mr. Powell saying to send them to his office." I asked the question, "If she wrote you a letter and said she wanted them, what would you do?"

He said, "We would send them to her." And in a couple of days, they got the letter.

I merely point that out to indicate that not everything that happened was accurately reported and perhaps in that case it was not reported at all.

Now, Mr. Bennett made the point that we didn't take Mrs. Powell off the payroll for a year and a half. Gentlemen, this may surprise the members of the press as well as you. I believe, and everybody on the committee believes, that we didn't have any power to take her off the payroll—period.

So that is one of the things that I think you ought to consider recommending, that the House Administration Committee have this and that it have certain powers.

Now, why did we take her off without the power? Because she was in violation of a law which was passed by the House as a result of this very case, but it didn't have any penalty. We debated in the House Administration Committee about what to do and the consensus was, we will take her off and if she thinks or he thinks we don't have the power, let him go to court and find out whether we do or not.