

Mr. HAYS. I will say to the gentleman that any order of regulations that could be brought up by any committee, select, permanent, or House Administration Committee, could be just as effective in the House Administration Committee if the House adopted them as coming from any other committee.

Now, I think we might get into a philosophical discussion here as to whether or not the House wants to lay down regulations about how it handles a case like the one you mentioned, but at the moment in my opinion either the House Administration Committee or the select committee which would be set up here would be or would have the power, lacking a definitive action of the House, to go into that.

Mr. ANDERSON of Illinois. I take it you agreed, that rule XI, clause 9, the subparagraph that deals with the Committee on House Administration, as presently written, does not contain that broad jurisdiction?

Mr. HAYS. That is right.

Mr. ANDERSON of Illinois. You would have to amend the rules of the House?

Mr. HAYS. That is why we are talking about the resolution here. I don't think anybody has the broad jurisdiction at the moment.

Mr. ANDERSON of Illinois. Not even including this new subcommittee that you have described?

Mr. HAYS. No. What we propose to do is to study this matter and come into the House and ask for some rules and for some guidance.

Mr. ANDERSON of Illinois. There is also the question that most of the resolutions that we have before us refer to a bipartisan select committee which would be composed of six members of the majority and six of the minority. I believe that the subcommittee which you chaired, the subcommittee of the House Administration Committee, has 5-to-3 ratio.

Mr. HAYS. At the moment, it would be constituted four and three, which is about as close as you can get in a majority and minority situation. But I would say to the gentleman that there are arguments—I don't like the word "bipartisan"—well, I don't mind the word "bipartisan," but I think Mr. Bennett used on a couple of occasions the word "nonpartisan." There is no such thing around here. We are all fish or fowl, we are all Republicans or Democrats. We are not nonpartisan. There can be a philosophical argument about whether you have a balanced committee in this case.

But I would like to point out one thing to you. We came out with a unanimously agreed report. I would ask you before you make any judgment, to ask the men on your side whether they felt that they had every opportunity to cross-examine, every opportunity to make their views felt, and every opportunity to do whatever they thought they ought to do.

In addition, yesterday, in the subcommittee, when the money was voted, Mr. Divine said would they have the right to have minority employees? Nobody was prepared to answer, because the committee has not definitely been set up. I said:

Well, the chairman has told me that he wants me to chair this. If I do, the minority can hire whomever they please within reason. Certainly not more employees than the majority have. But if they feel they have to have a minority counsel and minority clerk, I have no objection in any way, shape, or form.